

RICO TOWN BOARD MINUTES

June 26, 2019

The Regular Town Board meeting was called to order at 7:06 p.m. by Mayor Zach McManus.

Members Present. Zach McManus, Barbara Betts, Sophia Kyriakakis, Nicole Pieterse, Stephan Roberts and Genevieve Yellowman.

Staff Present. Kari Distefano and Linda Yellowman.

Guests Present. Allyn Svoboda, James Gregg, Keith Keesling and wife, Jennifer Fox and Jason Willis.

Approval of the Agenda. The agenda for June 26, 2019 was presented for approval. Nicole Pieterse made a motion to approve the agenda for June 26, 2019 as amended and seconded by Barbara Betts. The motion passed unanimously.

Approval of the Minutes. The Rico Town Board minutes for May 15, 2019 and June 12, 2019 were presented for approval. Barbara Betts made a motion to approve the minutes as submitted. Genevieve Yellowman seconded the motion. The motion passed with Nicole Pieterse abstaining.

Consent Agenda:

Approval of the Monthly Bills. The Monthly bills for June 2019 were submitted for approval. Barbara Betts made a motion to approve paying the Monthly Bills for June 2019 as presented. Stephen Roberts seconded the motion. The motion passed unanimously.

Treasurers Report.

Citizens Communication. Jason Willis/Trout Unlimited gave a presentation.

Town Clerk. No Report.

Public Works. Town Manager Kari Distefano reports SCADA is up and running.

Water Consultant.

Parks & Recreation. Mr. McManus gave an update on Town cleanup and a new Volleyball boundary. Comment was made that sand is harsh at the volleyball field.

Town Board Reports. Nicole Pieterse gave an update on S.M.A.R.T.

Town Manager's Report. Meeting with Great Ecology Planner Chris Loftus and Mark Laska. Postponed.

Kari Distefano would like a Board member to come with her for the DOLA grant presentation in Rifle, CO in July. It will be a one day trip, the presentation is around 3:15 pm. Sophia Kyriakakis volunteered and Barbara Betts will be the backup.

Action Items.

2nd Reading of an Ordinance Establishing Fire Safety Standards for Existing Commercial Structures. The 1st Reading of this Ordinance passed at the May meeting. As a reminder the Rico Fire Department initially requested this Ordinance when there was a fire in the Prospector building. The object of the Ordinance is to ensure that structures that are used for accommodations have adequate fire safety measures. The Ordinance requires that all commercial structures that are being used for accommodations have fire alarms, carbon monoxide detectors and fire escape routes. It also has provisions for enforcement should the facility fail to provide such safety measures. Nicole Pieterse made a motion to approve the 2nd Reading and seconded by Genevieve Yellowman. Motion passed unanimously.

Special Use Permit Application the Short-Term Rental of 209 S. Picker, Helen Matzick, Owner. Helen Matzick has been using her house, located at 209 S. Picker, as a short-rental. Until now, the Town has not really been enforcing the provisions of Ordinance No. 2011-3, which allows short-term rentals but requires a special use permit to operate them. Helen Matzick would like to be in compliance and has applied for the permit. The Rico Planning Commission approved this request with the requirement that Ms. Matzick give the town photos of her smoke alarms and carbon monoxide detectors. Nicole Pieterse made a motion to approve the SUP application for short term rental for Helen Matzick. Seconded by Stephan Roberts. Motion passed unanimously.

Historic Alteration Certificate Application, 122 N. Garfield, Erin Johnson, Owner. Postponed.

1st Reading of an Ordinance Granting an Electric Power Utility Franchise to San Miguel Power Association. This is basically a renewal of the Town's existing agreement with San Miguel Power Association. The agreement gives SMPA an exclusive right to supply the Town of Rico with power and grants SMPA the right to engage in any activities required to maintain the infrastructure necessary for their operations in the Town's streets and rights-of-ways. The Town retains the right to use, control and regulate their actions within the Town. The agreement also includes street lighting service. There is a fee of 2 percent of SMPA revenues that will be paid to the Town. Barbara Betts made a motion to approve the 1st Reading of an Ordinance Granting an Electric Power Utility Franchise to San Miguel Power. Seconded by Sophia Kyriakakis. Motion passed unanimously.

Resolution Supporting the Rico Evacuation Plan Supplied by Keith Keesling, Dolores County Emergency Manager. Keith Keesling, the Dolores County Emergency Manager has given the Town an evacuation plan. Mr. Keesling reviewed the plan with some minor revisions made by the Town and requesting that the Rico Board of Trustees approve this plan. Barbara Betts made a motion by Resolution Supporting the Rico Evacuation Plan. Seconded by Genevieve Yellowman. Motion passed unanimously.

1st Reading of an Ordinance Amending the 2011 Rico Land Use Code to Include Regulations Regarding Tiny Homes. There have now been two proposals by potential developers to construct tiny homes in the Town of Rico. Because tiny homes are treated differently by both the Colorado Department Health and Environment regarding the usage of water and the International Building Code regarding egress, lofts and stairways among other things it is important that we define tiny homes. The purpose of this ordinance is to define tiny homes and clearly establish requirements regarding their construction. Discussion was held regarding tiny homes and amendments were made to the Ordinance. Suggestion was made to withhold the approval of 1st Reading until next month.

Special Use Permit Application by Susan and Larry Steele Requesting a Permit to Live in Their RV. Last year Larry and Susan Steele were living in their RV next to Mountaintop Fuel while they were running that operation on behalf of Liam Chamberlain. Mr. Chamberlain was told that the Steeles would be required to apply for a special use permit. The Steeles have since taken over the operations of the store and would like to continue to live in their RV. They have applied for a special use permit and the application is complete. Kari Distefano said that the Rico Planning Commission denied the SUP application for The Steele's that the security concerns was not adequate enough. A brief discussion was held and the Board of Trustees decided to issue a one-time 90 days temporary camping permit instead of a Special Use Permit. Nicole Pieterse made a motion siting special circumstances including a theft within the last six months and the value of having a functional gas station in the Town of Rico, the Board decided to issue a one-time, temporary camping permit for the duration of ninety days during which time the applicants should figure out an alternative method for maintaining security at their place of business, Mountain Top Fuel. This temporary permit is being issued to facilitate a building modification for the purposes of security. The Trustees are also requiring that the RV be parked behind the building where there is screening by trees. Seconded by Barbara Betts. Motion passed with Zach McManus abstaining.

Liquor License Renewal for Mountain Top Fuels. Town Clerk Linda Yellowman said that the application for transfer of ownership is completed and recommends for approval. Barbara Betts made a motion to approve the transfer of ownership for Mountaintop Fuel and Market. Seconded by Sophia Kyriakakis. Motion passed unanimously.

Discussion and Possible Action Items.

November Ballot Initiative. In addition to the Board members that will be running for re-election, the Town will be placing other ballot initiatives on the November ballot. One asks the voters whether or not the Town of Rico should opt out of Senate Bill 152, which is a bill prohibiting most uses of municipal or county money for infrastructure to improve local broadband services without first going to a vote of the people. This bill also restricts the ability of local government to engage in public private partnerships with broadband companies. Unfortunately, when Dolores County opted out of this bill, Rico did not participate and given the fact that we currently have a broadband company that seems willing to make efforts to improve broadband here. The proposed ballot language and resolution was submitted. Also two proposed ballot initiatives asking the voters for an increase in our mill levy for infrastructure. Both ballot initiatives are in draft form, the official language and a resolution will be presented for approval at the July meeting.

Radar Signs. Tom Halper has to have hip surgery and will be out of commission for up to five months. Staff has looked at the possibility of installing radar signs at each end of Town to slow people down. While not as effective as a speeding ticket, these signs are generally considered to be fairly successful in slowing drivers down. There are a pair of used radar signs being offered by the Town of Garden City, Colorado. They range from \$2,500 - \$17,000. The Garden City signs were originally around \$7,200 and they are entertaining bids until mid-July.

High Resolution Aerial Photo of the Town of Rico. Amber Fisher of the Dolores County GIS program contacted the Town and asked if the Town of Rico would be willing to participate in the funding of a high-resolution aerial photo of the Town of Rico. Rico's contribution would be \$3458 but will confirm with Ms. Fisher. Ms. Distefano said she has worked with high-resolution photos and they are invaluable for planning purposes and would recommend that the Town contribute to this if we can get it for \$3458. The Town has contacted Paul Hora from SMPA to see if they have any interest in contributing.

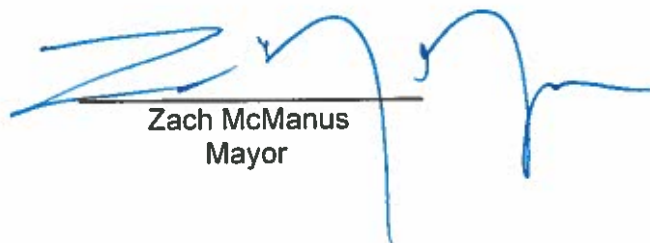
Decision by Verizon Default to Drop Service in Rico. It has come to our attention by way of several different people that Rico appears to have been dropped from Verizon's service area. Barbara Betts has more information on this, but it is our understanding that this may be a violation of their FCC license agreement. Ms. Distefano believes that it is worthwhile to discuss what we as a Town may want to do about this.

Community Prospectus. Postponed.

Adjournment.

Barbara Betts made a motion to adjourn the meeting at 9:30 pm. Seconded by Genevieve Yellowman. The motion passed unanimously.


Linda Yellowman
Rico Town Clerk


Zach McManus
Mayor