

RICO TOWN BOARD MINUTES

May 20, 2020

Work Session at 6:00 pm.: Coronavirus Update- The general consensus among the experts is that this virus is going to be with us until a vaccine is developed, which will likely be at least eighteen months away. In the meantime, as a community, we need to discuss and be aware of current restrictions and possibilities. The Town of Rico is bound by State mandates unless Dolores County is successful in acquiring a variance. They have an application pending.

The regular Town Board meeting was called to order at 7:00 pm by Acting Mayor Nicole Pieterse.

Members Present. Barbara Betts, Joe Dillsworth, Patrick Fallon, Nicole Pieterse, Brandy Randall and Stephen Roberts. Sophia Kyriakakis was absent.

Staff Present. Kari Distefano and Linda Yellowman.

Guests Present.

Approval of the Agenda. The agenda for May 20, 2020 was presented for approval. Additional items were added to the agenda. Barbara Betts made a motion to approve the amended agenda for May 20, 2020. Stephen Roberts seconded the motion. The motion passed unanimously.

Approval of the Minutes. The Rico Town Board minutes for April 15, 2020 were presented for approval. Joe Dillsworth made a motion to approve the minutes for April 15, 2020. Brandy Randall seconded the motion. The motion passed unanimously.

Consent Agenda:

Approval of the Monthly Bills. The Monthly bills for May 2020 were submitted for approval. Nicole Pieterse made a motion to approve the bills for May 2020. Patrick Fallon seconded the motion. The motion passed unanimously.

Treasurer's Report.

Citizens Communication. Benn Jackson gave an update on the water tank road.

Action Items.

Consideration of an Application to Re-plat Lots 6-14, Block 29 – Ron Evers/owner, Jeff Gibson/applicant. On February 19, 2020, the Board gave conditional approval to a re-plat of Lots 6-14, Block 29. The conditions were: **A.** prior to the Board signing and the applicant recording the re-plat, the applicant must revise the re-plat to show legal and physical access through the south end of Lot D to serve Lots C and D, **B.** the access easement shown will be a perpetual easement and actually function as an alternate ingress and egress route, **C.** should the applicant obtain an access permit from the USFS, it will permit a turn-around for fire trucks, **D.** the permit obtained from the USFS will permit grading and snowplowing to the secondary drive away accessing Lot D, **E.** the permit obtained from the USFS will permit a water service line from the water main line to the lot line of Lot D, **F.** prior to obtaining a building permit for Lot D, the applicants provide for the Town's review of a grading plan that ensures the Town's access to the water tank not be compromise or made more difficult, **G.** the applicant would provide a plan for a

fire truck turn around area on the water tank road between the end of Garfield and the Lot D driveway, H. the applicant install a fire hydrant at the north east corner of the Mantz/Garfield intersection, which would be included in a subdivision improvement agreement, I. the applicant and eventual owner(s) of Lot D in no way restrict public access to the water tank road and any existing trails in the area, which shall be depicted by the surveyor on the re-plat and that a plat note to that effect be included on the re-plat, J. the structure constructed on Lot D be equipped with a sprinkler system.

The applicant has submitted a re-plat that shows legal access to both Lots C and D using a driveway extending east from the end of Mantz.

Nicole Pieterse made a motion to the re-plat for Lots 6-14, Block 29. Brandy Randall seconded the motion. Motion passed unanimously.

Consideration of an Encroachment Easement Agreement with Raegan Ellease, Lot 39 and 40, Block 12, Town of Rico. Raegan Ellease acquired the parcel that includes the historic assay office in January 2019. The assay office was built at a time when the use of surveyors to locate lot lines was not a common practice and the assay office encroaches into Soda Street. Ms. Ellease would like to do work on the building to ensure that it maintains its historic value but understandably she did not want to put money into a structure that was partially on someone else's property. Both the Town and Ms. Ellease is to maintain the historic value of the assay office, eventually we were able to produce an agreement to which both parties can consent. A copy of the agreement was presented for approval.

Patrick Fallon made a motion to approve the Easement Agreement with Raegan Ellease, Lot 39 and 40, Block 12. Nicole Pieterse seconded the motion. Motion passed unanimously.

Consideration of a Subdivision Improvement Agreement with Gulch Lode LLC, Lot 9 Van Winkle Subdivision. Gerrish Willis would like to build a house on Lot 9, Van Winkle subdivision. Lot 9 is currently served by the Town water system. According to Plat Note 8 on the Van Winkle subdivision recorded in the office of the Dolores County Clerk and Recorder on November 12, 2008: Lot 9 owner shall not be permitted to construct any dwelling unit on Lot 9 unless and until the owner complies with the Town's subdivision and platting requirements including the submission of engineered drawings regarding the extension of utilities, execution of a subdivision improvements agreement (also executed by the Lot 4 owner) and the posting of a bond in the amount of 125%. A copy of the proposed agreement was submitted. Mr. Willis has apparently been unable to engage the owner of Lot 4.

Joe Dillsworth made a motion to approve the agreement pending the execution of a bond as per Note 8 and the submittal to the Town as per the Plat Note 8, a set of complete engineered drawings including a grading plan that includes the Town owned property to be disturbed by the water line construction and a plan/profile of the water line signed by an engineer licensed in the State of Colorado. Barbara Betts seconded the motion. Motion passed unanimously.

Consideration of Cancellation of 4th of July 2020 Events. The Rico Fire Protection District decided no 4th of July celebration this year, no fireworks, picnic or parade. Decision will likely be finalized at the District meeting next week. There are other events associated with the 4th of July sponsored by the Rico Women's Club and the Artists of Rico. Both organizations have alerted that the town will be discussing these other programs at this meeting. The town needs to decide if we believe there is a way to go forward with some of the other events safely and within the confines of the State Health Department or if we should just cancel all events.

Consideration of a Liquor License for the Fall Festival. The paperwork for a special event permit for Fall Festival is in order and the notice has been posted at the park per State guidelines.

Joe Dillsworth made a motion to approve the Special Event Permit for Rico Frequency on September 26 and 27, 2020. Stephen Roberts seconded the motion. Motion passed unanimously.

Consideration of the Addition of Kari Distefano and Barbara Betts to the Signatory Amendment Form for the Colorado Trust. This is housekeeping issue. Linda Yellowman is currently the only signatory on the Colorado Local Government Liquid Asset Trust.

Nicole Pieterse made a motion to add Kari Distefano and Barbara Betts to the Signatory Amendment form for Colorado Trust. Brandy Randall seconded the motion. Motion passed unanimously.

Consideration of an Amendment to the DOLA Contract for the Water Meter Replacement and Relocation Project. DOLA is requiring an amended contract because we are going to do the water meter replacement and relocation in-house and will be using the town owned backhoe.

Barbara Betts made a motion to amend the DOLA contract for the water meter replacement and relocation project. Stephen Roberts seconded the motion. Motion passed unanimously.

Consideration of an Emergency Ordinance, Implementing Fire Restrictions to Ban Open Fire and Fireworks. Barbara Betts made a motion to approve the Emergency Ordinance, Implementing Fire Restrictions to Ban Open Fire and Fireworks. Nicole Pieterse seconded the motion. Motion passed unanimously.

City Council and Committee Reports.

Town Clerk.

Public Works.

Parks, Open Space and Trails.

Sewer Committee.

Town Manager's Report.

Budget Projections. The May's Treasurer's report for the General Fund and the Street Fund was submitted and keeping an eye on the revenues in an effort to get a sense of what the coronavirus might do to the budget going forward. The Water Fund is based on user fees, the virus should not make a great deal of difference to that fund. Parks, Open Space and Trails Fund is based largely on grants. The Sewer Fund is based solely on property taxes and while a revaluation next year may bring change.

Sales tax is still doing better than projected. The Mineral Leasing and Severance in the General Fund is a concern. According to the Department of Local Affairs, both are supposed to be down but not sure how much. The Street Fund is the highway user's tax, which to date is down from our predictions. The highway user's tax is based on fuel consumption so the reasons for the downturn are obvious.

Discussion Items

Discussion of a License Agreement with Dispositions Properties for the Use of the Hot Springs and Proposed and Existing Trails. Oli Swanky, the proprietor of Disposition Properties, has

contacted the town regarding a license agreement so that the Town could have access to the Hot Springs. If the Town were to engage in the management of this area, we could close it to vehicles and ensure that people weren't living down there and leaving trash.

I went on a site visit with two members of the Rico Trail's Alliance to look at their proposed site for a mountain bike skill's park and some existing trails. Many of the existing trails and a portion of the proposed skill's park sits on property owned by Disposition and they would like to see the Town enter in to a license agreement with Disposition Properties to use this area.

Town Cleanup. Our Town cleanup is around the second weekend in June. Do we want to stick with that date or we want to organize it for May 30th. Board agreed to set the date for June 6, 2020.


Discussion of a Radar Speed Sign. The total cost for the radar speed sign would be \$4,768 with all options. The flashing lights alert drivers that they are going too fast and the data collection option collects number of cars and the speed at which they are driving. Direction from the Board was requested as to how we want to proceed. The Board agreed to move forward with the radar speed sign.


Discussion of Dust Control. The Town has been unable to find an affordable water truck although we are still on the lookout. Greg Phillips has suggested that the Town use calcium chloride instead of magnesium chloride. Most of the information that the Town could find about the difference between the two products referred to ice melting rather than dust control but it is important to note that both are salts. Calcium chloride appears to add less chloride to the environment so may be somewhat less detrimental to vegetation. Pending direction from the Board, staff will continue to investigate. Pros and cons were heard from the Board. Suggestion was a water truck.

Discussion of Xerox Machine. Moved to next month's meeting.

On behalf of Rico Trails Alliance, Alex Wing gave a preliminary concept trails report. The concept includes one single track multi-use non-motorized trail to the top of the town parcel and two downhill, only directional non-motorized mountain bike trails with features like berms, jumps and rollers. Parking would be parallel on Colorado 145 across from the former Tamosan coffee shop near Mountaintop Fuel where the highway has a wide shoulder on the east side of the highway. After a brief discussion, Nicole Pieterse made a motion for preliminary approval to design and build a mountain bike flow trails and skills park on Town of Rico land above the Deadwood 4x4 road. Joe Dillsworth seconded the motion. Motion passed unanimously.

Adjournment. Barbara Betts made a motion to adjourn the meeting at 9:00 pm. Nicole Pieterse seconded the motion. Motion passed unanimously.


Linda Yellowman
Rico Town Clerk


Nicole Pieterse
Acting Mayor ProTem