

Town of Rico Memorandum

Date: September 12th, 2019

TO: Town of Rico Board of Trustees
FROM: Kari Distefano
SUBJECT: Town Manager's Report

1. 1st Review of the 2020 budget.

I have attached a draft of the 2020 budget to this packet. It includes the central sewer if it passes. If the sewer question does not pass, there will be no changes to the sewer enterprise budget and the income will be based solely on the existing mill levy. This draft is just for discussion and review. I am required by State law to have a proposed budget for your review by October 15th and we are required to pass the budget by December 15th. In order to avoid rescheduling more than one meeting, I am suggesting holding the first reading on the budget in October and rescheduling the December meeting for the second reading sometime in the second week of December. This will ensure that we comply with State statutes and also allow us to get as up-to-date as possible final expenditures and revenues for 2019.

As we discussed at the community meeting, Town revenues have been going down. Most importantly reserves are dropping. The general fund reserve has gone from \$909,408 in 2015 to a projected \$632,972, which represents a 34% loss. At the current rate, we can expect to reduce reserves to a dangerous level in two or three years. This is not due to frivolous spending. This is due to a 20% decrease in sales tax between 2014 and what is projected for 2019. Property taxes have also been going down, from \$101,361 in 2014 to what we have collected this year, \$65,142. This represents a downward turn of 36%. It is important to note that we should have collected \$70,142. It is the hope that these delinquent taxes will be paid by the end of the year.

Our third largest source of income, the mineral leasing funds have gone from \$52,434 in 2014 to \$23,095 this year. This is a 56% reduction.

On the expense side, as always, labor represents the majority of out costs. We are expecting a slight reduction in those costs from what we originally budgeted for this year. That is mostly due to the fact that Tom Halper has been injured and unable to work for the last three months. We expect him to be out an additional two months. Other than the fact that he is injured, the down side of his absence is that we have not seen income from speeding tickets for the last three months.

Our other major, unexpected expense in the general fund has been the Rico Town Hall. Repairing the masonry that was damaged last winter was a major expense as was bringing the electric panel up to code. We are still expecting to have to pay for major roof repairs. The restroom remodel was paid for by the Rico Center.

Our street fund is also financed by property taxes and sales taxes and those losses are reflective of the losses in the general fund. The good news on that front is that the highway users tax is up from an anticipated \$15,000 to \$19,488. Never the less, this fund is suffering from both the heavy snows last winter and aging, ailing equipment. We are expecting to have to put over \$20,000 in equipment repairs at either the end of this year or the beginning of next year. Right now I have it in the budget for next year. I am going to apply to the Rico Center for both the repair expense and the expense of additional snow removal. It is impossible to predict what that cost will be. I budget for the average but we have not seen average in three years.

Water revenues are funded almost exclusively by user fees, which are expected to be about the same as last year but down significantly from 2017, \$127,849 in 2017 as opposed to an estimated \$119,733 for 2019. This is likely the result of the weather. Large losses in this fund are due to upgrades. We have installed a supervisory control and data acquisition (SCADA) system and we may still be able to have the tanks resealed in October. These are both major but necessary costs. This project is expected to save labor costs and reduce wear and tear on our vehicle by reducing daily trips up to the water tank to weekly trips. This will be especially helpful in the winter. We have received a grant from the Department of Local Affairs to fund a meter replacement and relocation project, again something necessary. Some of our water meters are so old we can no longer get replacement parts. New meters are also expected to reduce labor costs.

The parks, open space and trails fund (POST) is financed almost exclusively by the Rico Center but POST also receives 10% of the total revenue collected from sales tax. The sales tax rate for the Town of Rico is 5%. POST also receives all proceeds from the lodging tax, which is 1% as per Ordinance 2001-5. These funds are specific to POST and cannot be used for any other Town of Rico operations. As with the general fund and the street fund, sales tax revenue for the POST fund is down. That fund did receive some revenue from building permit excise taxes.

I see very little potential in reducing costs without looking at labor. Facility maintenance on the Town Hall is a must as the longer we let that go, the more expensive it gets. We have little control over utility and insurance costs two other large line items. We have cut out almost everything else.

2. Consideration of an application for a setback variance on Lot 7, Van Winkle Subdivision, Gerrish Willis/Gulch Lode LLC owner

Mr. Willis is seeking a variance from the seven-foot side yard setback on the south side of his lot in the Atlantic Cable Subdivision. He would like to construct a deck and covered stairs approximately 2.5 feet within the setback. His application is complete and is attached to this memo. As Mr. Willis stated in his narrative, this lot does have some special circumstances. The lot is not rectangular and it is constrained on the north side by a wall, which Atlantic Richfield constructed on Mr. Willis' property during the cleanup of the Van Winkle Mine. The uneven shape of the lot makes it difficult to situate the proposed house perpendicular to the street and the necessary size of the soil treatment area is a further constraint on the site. There is a site plan that shows just the house and the proposed encroachment into the set back and a smaller scale site plan that shows the entire lot with the soil treatment area included in the attached application. There have been a couple of comments by members of the public expressing concern over the fate of the trail that goes from Garfield Street up to the Van Winkle mine structure. While there is a 5-foot wide easement for this trail between the Gulch Lode property and the property to the north, the trail itself does not lie within the easement. Mr. Willis has expressed a desire to continue to allow use of his property for hikers as long as they stay to the north of the proposed retaining wall that will protect his soil treatment area as shown on the smaller scale site plan that is included in his application. When evaluating a variance application, the following should be considered:

There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, access, and location that do not apply generally to other property in the same area and Zone District;

the Variance will not unduly impact such things as: snow removal, streetscapes, separation of buildings for fire protection, and opportunity for off-street parking, which are provided by minimum setbacks; solar access, and protection of neighbors views to the surrounding mountains, which are provided by maximum building heights; continuity of design, minimization of visual impact, and provision of minimal yard area, which is provided by maximum floor areas (particular attention shall be given to the impacts of the Variance on neighbors); and,

the Variance, if granted, will not constitute a material detriment to the public welfare or injury to the use, of property in the vicinity; and,

the Variance is not sought to relieve a hardship to development of the property which has been created by the Applicant; and,
that the proposed use is a permitted use in the underlying Zone District.

Citing unusual circumstances on the lot caused by the encroachment of the retaining wall built by Atlantic Richfield, The Rico Planning Commission recommended the approval of this variance at the September 11th meeting.

3. Consideration of an application for a setback variance on 122 N. Garfield Street, Strategic Design Group LLC (Erin Johnson) owner

On June 12th, Erin Johnson on behalf of Strategic Design Group applied for and obtained a Historic Alteration Certificate from the Rico Planning Commission for the old Catholic Church building at 122 N. Garfield Street. She is intending to cut the building apart, extend the front toward Garfield Street and add a portion in the middle so that she can use it as a residence. She plans to maintain the historic features of the building.

At the June 12th meeting, Ms. Johnson had also applied for a variance for the building's existing encroachment. The building as it exists encroaches into the 5-foot setback. Erin does not want to move the building so the new middle will also encroach. The Rico Planning Commission recommended approval by the Rico Board of Trustees for the variance. Ms. Johnson subsequently took the application for the variance off of the Rico Board of Trustee's agenda because the Catholic Church building was closer to the lot line than she had originally thought and in fact the building sits on the lot-line.

She has talked to the adjacent property owners, the Truelsons, about purchasing the adjoining lot and thus resolving the setback encroachment but they are unwilling to sell. According to her application, Ms. Johnson has negotiated an easement agreement with the neighbors to the north, which would serve purposes associated with setbacks. This easement would be 20'x100' and would inure solely to the benefit of Ms. Johnson's property. The only written comment that I have gotten from members of the public is included in this packet. I have also had a phone call from a neighbor with concerns about whether or not a patio or deck would be allowed in the easement. At this time, I do not have a copy of the easement agreement.

The reasons for considering a variance are listed above. After some discussion the Rico Planning Commission recommended conditional approval of this variance pending the Town Attorney's review of the proposed easement, the recording of the easement when our attorney has reviewed it, and either Ms. Johnson's acquisition of an additional three feet of the Truelson's

property to the north or the construction of a fire wall on the north side of the building that is required by the International Building Code for buildings that have less than a 3 foot setback from a lot line.

4. Consideration of an application for a minor subdivision on Lots 1 & 2, Block 38, Town of Rico, Will and Sandra Lochte owners

The Lochtes own two lots that sit on the southwest corner of River and Mantz (lots 1 and 2) and another lot that is contiguous to the north and at the end of Mantz. Lots 1 and 2 are each 25'x100' and the lot at the west end on Mantz is 100'x 80'. The owners would like to vacate the lot line between lot 1 and lot 2 and move the line between lot 1 and the lot at the end on Mantz 15 feet north so that the two remaining lots are each 65'x100' (6500 square feet). The application is complete and included in this packet. The 24"x 36" copies are available for Planning Commission review if you can't read the site plan included in the packet.

The Rico Land Use Code says that following about minor subdivisions:

Minor Subdivisions include:

- A. The division of one lot or parcel of land, which creates not more than three lots;
- B. The replatting of lots which are currently served by Town water and other public utilities and which abut a public right-of-way improved to the Town's minimum street standards provided that not more than three additional lots are created;
- C. The replatting of lots which does not result in the creation of any additional lots or which has the primary purpose of correcting survey errors.

Minor Subdivisions Applications may consolidate the Conceptual Plan, Preliminary Plat, and Final Plat review stages if the application does not require the extension of water lines or street improvements. Minor Subdivision Applications which require the extension of water lines or street improvements may consolidate the Conceptual Plan and Preliminary Plat review stages only.

Because the lots that are the subject of this application do not require the extension of any Town services and the owners are not requesting any change of zone districts from the existing residential, I believe that it is appropriate to consolidate the conceptual plan, the preliminary plat and the final review stages. Minor subdivisions should be reviewed with the following in mind:

Review: The Rico Planning Commission shall review the Final Plat, all supporting documents, information, and public comments taken at a public hearing and within thirty-five

days of submission of the Final Plat. The Planning Commission shall approve, approve with conditions, or deny the Final Plat based upon compliance with the standards in this Section and other applicable laws of the Town of Rico, State of Colorado, or United States of America. The Planning Commission may continue Final Plat review if mutually agreed upon by the Applicant and the Planning Commission.

Standards: This paragraph sets forth the standards for Final Plat review. The Planning Commission shall cite specific standards when imposing conditions on approval, or denying, a Final Plat Application.

- A. The Final Plat shall conform in all major respects to the Preliminary Plat as previously reviewed and approved by the Planning Commission or Board of Trustees;
- B. The Final Plat shall meet all the Final Plat Requirements in 544; and,
- C. The Final Plat, any agreements, covenants, restrictions, and other accompanying legal documents shall be approved, or approved with reasonable modifications, by the Town Attorney.

Some of these review standards are non-applicable because they refer to preliminary plat approval. Should this minor subdivision be approved by the Rico Planning Commission and the Rico Board of Trustees, a 24"x 36" mylar that includes all the requirements listed in Rico Land Use Code section 544 shall be produced and signed by both the Rico Planning Commission and the Rico Board of Trustees. The Rico Planning Commission recommended approval of this minor subdivision request at the September 11th meeting.

5. Consideration of Atlantic Cable Lot 28 quitclaim deed.

The owner of Lot 28, Atlantic Cable Subdivision is requesting that the Town execute a quit claim agreement on an easement that runs diagonally across Lot 28. On August 10th, 1995, the Town quit claimed the portion of the same easement that runs across Lot 25, Atlantic Cable Subdivision. The Town does not have any existing utilities in that lot and due to the fact that it run diagonally across a number of lots, many of which have existing structures, the Town maintenance department sees no future use for the easement. Attached to this packet is a letter from San Miguel Power Association stating that they have no existing facilities within the easement and have no plans to utilize the corridor. Also attached to this memo is an email from Cody Baily stating that they have no lines in the easement. Carol Viner is in the process of reviewing the quitclaim deed. The owners have been notified that they are expected to pay any

attorney's fees associated with the review. Should the Trustees approve this request, I would suggest that the Town not sign the quitclaim deed until the attorney's fees have been paid. I have attached a copy of the plat showing the easement to this packet.

6. Consideration of a contract with Brian Lewis for back up snowplowing

Last year during the very heavy snows, the Town contracted with Bryan Lewis to help Dennis with the plowing. He was efficient and reliable and I would like to renew that contract. I have attached a copy to this packet. I will be applying to the Rico Center for funding for the additional cost of plowing should we need it.

7. Truelson water tap

The Truelsons, owners of the lot at 2 S. Glasgow have not paid their water tap fee in over two years. According to the Town Water Tap Ordinance 2018-7:

the Board of Trustees may declare the water tap in default after holding a public hearing thereon and providing 15 days written notice by certified mail to the water tap holder. Such notice shall state the time and place where the Board of Trustees will hold a hearing to determine whether a default exists.

The Truelsons were notified of this situation by mail. They have been invited to either pay or to come to the September 18th Board meeting.

8. Consideration of an Intergovernmental Agreement with San Miguel Authority for Regional Transportation

According to the Town's existing intergovernmental agreement with the San Miguel Authority for Regional Transportation Board (SMART), the Town of Rico is obliged to conduct an election in November of 2019 to ask voters in Rico whether or not they would like to be included in the SMART's region. At the meeting last month, the Board of Trustees resolved to include the question on the November ballot. Now, according to the SMART bylaws, the Board of Trustees needs to consider entering into a new intergovernmental agreement with SMART. I have attached a copy of that agreement to this packet. It is for the most part a document that outlines the procedures through which Rico and the other entities involved in the SMART region must go about including Rico in the region should the ballot measure pass. It does not obligate the Town of Rico to anything if the ballot measure fails.

9. Consideration of a letter commenting to the Public Utilities Commission supporting goals outlined in HB 19-1261, to reduce 2025 greenhouse gas emissions by at least 26%, 2030 greenhouse gas emissions by at least 50%, and 2050 greenhouse gas emissions by at least 90% of the levels of greenhouse gas emissions that existed in 2005.

Former San Miguel County Commissioner, Joan May is soliciting comment letters to the Public Utility Commission as part of the PUC's Rulemaking about Energy Resource Planning as it relates to Tri-State. Tri-State as you probably know is the company that supplies and transmits electricity to our region by way of San Miguel Power Association. The comments that Joan is soliciting would be to support a new senate bill that would require that Tri-State submit and follow an Energy Resource Plan that meets the goals outlined in HB 19-1261: to reduce 2025 greenhouse gas emissions by at least 26%, 2030 greenhouse gas emissions by at least 50%, and 2050 greenhouse gas emissions by at least 90% of the levels of greenhouse gas emissions that existed in 2005. As you also may know, San Miguel Power Association is committed to exploring alternatives to coal-fired power plants but is unfortunately hindered in this effort by a 5% cap on renewable energy. This cap has already been reached. Should Tri-State be required to reduce greenhouse gas emissions, they would have an incentive to up the cap on alternative power or get rid of it altogether.

10. Election updates

As you may know, for the first time in over a decade, we have more people interested in being a member of the Board of Trustees than we have available seats. I hope that this situation is indicative of improved public involvement in local government. Candidates include, in alphabetical order by first name, Allyn Svoboda, Brandy Randall, Genevieve Yellowman, Joe Dillsworth and Nicole Pieterse. There are three available seats. In addition, of course, to the Trustee's contest, we also have the three ballot issues. The printers in Durango got the necessary information on September 11th. The election will be an independent mail ballot election. According to the taxpayer bill of rights law (TABOR), September 20th is the last day to file written comments about the sewer question so if you are considering writing something, please get it done as soon as possible. Please remember that you must make any comments as private citizens, not as representatives of the Town. Linda, our clerk, will be mailing ballots out between October 14th and October 21st. Residents must register to vote by October 14th if they wish to receive a ballot by mail. At this time, ballots will also be available upon request from the Clerk's office at the Rico Town Hall during regular hours until November 5th if you are an eligible voter.

Ballots will be available on Election Day, November 5th from 7:00AM to 7:00PM. You can register to vote the day of the election if you appear in person.

2019 and 2020 Budget Summary

Revenues			
	2019 Adopted Budget	2019 Budget Estimate	2020 Proposed Budget
General Fund	\$327,451	\$383,040	\$292,381
Street Fund	\$47,966	\$69,127	\$85,455
Water Fund	\$544,650	\$122,463	\$426,559
Sewer Fund	\$22,195	\$33,443	\$694,356
Parks, Open Space & Trails	\$36,100	\$48,334	\$38,735
Conservation Trust Fund	\$1,000	\$2,573	\$2,000
Expenditures			
General Fund	\$455,753	\$468,103	\$472,897
Street Fund	\$94,359	\$99,707	\$121,125
Water Fund	\$644,110	\$278,805	\$529,275
Sewer Fund	\$3,500	\$30,347	\$756,300
Parks, Open Space & Trails	\$52,784	\$62,588	\$55,284
Conservation Trust Fund	\$5,000	\$0	\$5,000

Revenues vs. Expenditures

	2019 Adopted Budget	2019 Budget Estimate	2020 Proposed Budget
General Fund	-\$128,302	-\$75,063	-\$180,516
Street Fund	-\$46,393	-\$30,580	-\$35,670
Water Fund	-\$99,450	-\$156,342	-\$102,716
Sewer Fund	-\$3,500	\$3096	-\$61,944
Parks, Open Space & Trails	-\$16,684	-\$14,254	-\$16,549
Conservation Trust Fund	-\$4,000	\$2,573	-\$3,000

Reserves

<i>Fund</i>	<i>From 2018 Audit</i>	<i>Projected 2019 end of year Balance</i>	<i>Projected 2020 end of year Balance</i>
General Fund	\$893,551	\$808,488	\$627,972
Street Fund	\$111,446	\$80,866	\$45,196
Water Fund	\$511,648	\$355,306	\$252,590
Sewer Fund	\$235,506	\$238,602	\$177,053
Parks, Open Space & Trails	\$97,407	\$83,153	\$66,604
Conservation Trust Fund	\$32,319	\$32,319	\$29,319

General Fund Revenues	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Operating Revenues					
Property Tax	70,368.00	66,000.00	-857.80	65,142.20	70,000.00
Delinquent Taxes & Interest	540.00	300.00	-44.16	255.84	200.00
Sales & Use Tax	58,132.00	64,000.00	1000.00	65,000.00	70,000.00
Specific Ownership Tax	2,986.00	2,500.00	47.88	2,546.88	2,500.00
Cigarette Tax	0.00	145.00	-45.75	99.25	90.00
Motor Vehicle Tax	765.00	600.00	512.27	1,112.27	1,000.00
Total Operating Revenues	132,791	133,545.00	612.44	135,328.32	143,790.00
Intergovernmental Revenue					
Mineral Leasing	27,078.00	25,000.00	-1,905.02	23,094.98	20,000.00
Severance Tax	1,637.00	1,500.00	-1,500.00	0	2,000.00
Excise Tax	897.00	0.00	202.50	202.50	0.00
Building Permits (pass through)	0.00	0.00	1547.00	1,547.00	0.00
Septic Permit (pass through)	0.00	0.00	40.00	40.00	0.00
Development Applications	0.00	0.00	1,025.00	1,025.00	0.00
Business Licenses	0.00	200.00	0.00	200.00	50.00
Dog Licenses (all licenses included in audit)	2,361.00	80.00	11.35	91.35	75.00
Total Intergovernmental Revenues & Fees	31,973.00	26,780.00	-579.17	26,200.83	22,125.00
Miscellaneous Revenues					
Reimbursement	0.00	0.00	762.68	762.68	0.00
Insurance Reimbursement	0.00	0.00	500.01	500.01	0.00
Interest	578.00	400.00	-152.20	247.80	240.00
Fines & Forfeits	29,516.00	20,000.00	-14,911.00	5,089.00	6,500.00
Rent	0.00	3,500.00	-300.00	3,200.00	3,500.00

General Fund Revenues	2017 Actual	2018 Original Budget	2018 Original vs. Amended	November 30 th Projected Year End Budget	2019 Proposed Budget
SMPA Dividend			652.73	652.73	0.00
Miscellaneous	9,873.00	0.00	117.16	117.16	0.00
Total Miscellaneous	39,967.00	23,900.00	-13,330.62	10,569.38	10,240.00
Total Revenues before Payroll Transfers	204,731.00	184,225.00	-13,297.35	170,927.65	176,155.00
Payroll Transfer	98,145.00	99,000.00	16,138.01	97,102.36	99,000.00
Attorney pass through					
Contract Labor Transfers	0.00	500.00	0.00	0.00	500.00
Total Payroll Transfers to / From Other Funds	98,145.00	99,500.00	-51,791.72	97,102.36	99,500.00
Total Operating Revenues and Transfers	302,876.00	283,725.00		303,715.55	275,655.00

General Fund Expenditures – Employees & Contract Labor	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2019 Proposed Budget
Operating Expenses - Salaries & Wages					
Town Administrator / Manager	65,000.00	65,000.00	0.00	65,000.00	65,000.00
Town Clerk	32,749.00	32,749.38	0.00	32,749.38	32,749.38
Maintenance Man	35,504.36	35,504.36	0.00	35,504.36	35,504.36
Park & Recreation Administrator	22,090.00	22,500.00	18,427.50	40,927.50	22,500.00
Park & Recreation groomer	0.00	4,750.00	635.00	5,385.00	5,500.00
Park & Recreation ice rink	0.00	5,500.00	-3,295.00	2,205.00	4,500.00
Part Time Maintenance Person	3,920.00	20,000.00	-12,890.00	7,110.00	20,000.00
Water Technician	5,040.00	7,500.00	-5,542.50	1,957.50	7,500.00
Town Marshall	16,683.00	15,000.00	-3,670.23	11,329.77	15,000.00
Subtotal – Salaries & Wages	180,986.36	208,503.74	-6,335.23	202,168.51	208,253.74
Operating Expenses - Employee Taxes & Benefits					
Payroll Taxes	14,189.00	19,311.56	-2,862.98	16,448.58	19,932.96
Employer PERA	18,255.76	18,255.76	0	18,255.76	18,255.76
Employee Consideration	5,264.00	5,200.00	0	5,200.00	5,200.00
Employee Health Insurance	30,267.44	36,275.00	461.00	36,736.00	41,704.80
Employee Life Insurance	106.80	106.80	30.99	137.79	150.00
Subtotal – Employee Taxes & Benefits	68,083.00	79,149.12	-2,370.99	76,778.13	85,243.52
Subtotal – Employee Costs	249,069.36	287,652.86	-8706.22	278,946.64	293,497.26
Contract Labor					
Town Prosecutor (with Town Attorney)	0.00	1,500.00	-695.25	804.75	1,500.00
Municipal Court Judge	4,500.00	4,500.00	0.00	4,500.00	4,500.00
Town Attorney	12,546.00	18,000.00	-4,027.62	13,972.38	18,000.00
Town Planner	0.00	2,500.00	-2,500.00	0.00	2,500.00

General Fund Expenditures – Employees & Contract Labor	2017 Actual from Audit	2018 Original Budget	2018 Original vs. Amended	November 30th Projected Year End Budget	2019 Proposed Budget
Grant Writing	0.00	0.00	0.00	0.00	0.00
Auditor	5,625.00	8,500.00	-2,392.75	6,107.25	8,500.00
Building Inspector	0.00	0.00	1,547.00	1,547.00	0.00
Accounting Services	0.00	2,500.00	-2,500.00	0.00	2,500.00
Subtotal – Contract Labor	22,671.00	37,500.00	-10,568.62	26,291.38	37,500.00
Total Employee & Other Labor	256,434.36	325,152.86		305,878.02	330,997.26

General Fund Expenditures – Other Expenses	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Administrative Costs					
Insurance (CIRSA)	4,742.00	6,000.00	534.96	6,534.96	6,600.00
Website - Domain Maintenance	1,000.00	1,000.00	-1,000.00	0.00	500.00
Advertisements/Agenda	1,000.00	1,500.00	-1,260.43	239.57	500.00
Supplies	9,470.00	9,000.00	388.11	9,388.11	9,500.00
Dues & Fees	961.00	6,000.00	-1,194.00	4,806.00	6,000.00
Travel/Conference Expenses	0.00	2,000.00	-1,500.00	500.00	2,000.00
Miscellaneous	1,499.00	1,500.00	-1,425.00	75.00	1,500.00
Debit Card - Transfer - Miscellaneous	0.00	0.00	0.00	0.00	0.00
Subtotal – Administrative Costs	18,672.00	27,000.00	-5,456.36	21,543.64	26,500.00
Utilities					
Electric	2,237.07	2,000.00	-123.50	1,876.50	2,300.00
Propane	3,826.71	4,500.00	-292.50	4,207.50	4,000.00
Telephone and Internet	3,776.63	4,000.00	-333.46	3,666.54	5,000.00
Utilities-Other	749.59	1,000.00	-47.56	952.44	1,000.00
Subtotal - Utilities	10,590.00	11,500.00	-797.02	10,702.98	12,300.00
Vehicle Costs					
Fuel	680.00	1,100.00	22.87	1,122.87	1,500.00
Town Vehicles	0.00	500.00	-500.00	0.00	1,000.00
Subtotal – Vehicle Costs	680.00	1,600.00	-477.13	1,122.87	2,500.00
Other Costs					
Courthouse Roof Snow Removal	7,925.00	3,000.00	1,736.90	1,350.00	3,000.00
Treasurer Fees	1,479.00	2,000.00	-32.67	1,967.33	2,000.00

General Fund Expenditures – Other Expenses	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Sales & Use Tax	0.00	10,000.00	5,807.66	15,807.66	16,000.00
Excise Tax/Building Permits – pass through	0.00	0.00	1,547.00	3,236.90	0.00
July 4th Expenses	1,325.00	1,500.00	1,736.90	1,547.00	3,500.00
Elections	0.00	5,000.00	3,000.00	8,000.00	1,000.00
Traffic Fine-Surcharge	900.00	2,500.00	-1,165.00	1,335.00	2,500.00
Subtotal - Other	10,304.00	21,000.00	10,893.89	31,893.89	25,000.00
Total – Other Expenses	40,246.00	61,100.00		65,263.38	66,400.00

General Fund – Special Projects & Capital Improvements	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Revenues					
Excise Tax	2,024.00	0.00	0.00	0.00	0.00
Subtotal - Excise Tax	2,024.00	0.00	0.00	0.00	0.00
Grants					
Telluride Foundation - Intern & Marketing	5,000.00	5,000.00	-3,750.00	1,250.00	0.00
Economic Analysis Grant		0.00	20,000.00	20,000.00	0.00
Rico Center - River Corridor	4,754.00	0.00	0.00	0.00	5,000.00
Rico Center - LUC Amendments	8,726.00	8,726.00	-5,155.30	0.00	8,726.00
Charge Ahead Colorado - Electric Vehicle Charger / SMPA	0.00	0.00	11,000.00	11,000.00	0.00
Rico Center -Transit	77,717.00	0.00	0.00	0.00	0.00
Rico Center - Town Hall Restroom Remodel		25,000.00	0.00	25,000.00	0.00
Rico Center / Sonoran Institute - Community Meetings	5,000.00	5,000.00	-5,000.00	0.00	3,000.00
Subtotal - Grants	101,197.00	43,726.00	17,094.50	60,820.50	16,726.00
Total Revenues	103,221.00	43,726.00	17,094.50	60,820.50	16,726.00
Expenses					
Capital Improvements Expenses					
Facility Improvements	24,856.66	30,000.00	-26,584.63	56,584.63	50,000.00
Total - Capital Improvements Expense	24,856.66	30,000.00		56,584.63	50,000.00

General Fund – Special Projects & Capital Improvements	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Expenses					
Telluride Foundation - Intern & Marketing	0.00	0.00	0.00	0.00	5,000.00
Rico Center River Corridor	2,500.00	0.00	0.00	0.00	5,000.00
Rico Center Geothermal Development	0.00	1,000.00	-1,000.00	0.00	0.00
Economic Analysis Grant	0.00	0.00	20,300.00	20,300.00	0.00
Rico Center LUC Amendments	0.00	11,000.00	-7,429.50	3,570.50	7,500.00
Charge Ahead Colorado Electric Vehicle Charger	0.00	15,000.00	16,167.00	16,167.00	0.00
Rico Center Transit	77,717.00	15,000.00	-14,660.00	72,672.35	10,000.00
Rico Center / Sonoran Institute Community Meetings	1,635.34	0.00	-5,000.00	340.00	3,000.00
Total – Special Projects Expense	106,709.00	62,000.00	34,962.13	96,692.13	75,500.00
Total Expenses	106,709.00	62,000.00		96,692.13	75,774.00

Street Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Revenues					
Operating Revenues					
Property Tax	9,719.00	9,616.29	-697.50	8,918.79	8,000.00
Sales & Use Tax	6,986.00	7,000.00	0.00	7,000.00	7,000.00
Specific Ownership Tax	409.00	300.00	168.03	468.03	400.00
Delinquent Tax & Interest	0.00	0.00	31.47	31.47	0.00
Franchise Tax	5,713.00	6,000.00	1,311.25	7,311.25	7,000.00
Highway Users Tax	18,643.00	15,000.00	4,488.21	19,488.21	18,000.00
County R&B Reapportionment	10,715.00	10,000.00	649.04	10,649.04	10,000.00
Interest	56.00	50.00	-1.76	48.24	45.00
Miscellaneous	0.00	0.00	25.00	25.00	0.00
Insurance Reimbursement	0.00	0.00	1,344.55	1,344.55	0.00
Other Revenues	1,370.00	0.00	0.00	0.00	0.00
Rico Center Grant – Plowing & Loader Repair					35,000.00
Subtotal - Street Fund Operating Revenues	53,611.00	47,966.29	20,958.29	52,456.66	85,445.00
Capital Improvement Revenues					
Excise Tax	1,006.00	0.00	202.50	202.50	0.00
Subtotal - Street Fund Capital Improvement Revenues	1,006.00	0.00	202.50	202.50	0.00
Total – Street Fund Revenues	54,617.00	47,966.29	21,160.79	69,127.08	85,445.00
Expenses					
Operating Expenses - Labor					
Payroll Transfer	22,680.00	32,033.69	-4,130.79	27,902.90	28,000.00

Street Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Auditor	750.00	2,125.00	-89.25	2,035.75	2,125.00
Accounting Services		0.00	0.00	0.00	0.00
Expenses					
Subtotal – Operating Expenses - Labor	23,430.00	34,158.69	4,220.04	29,938.65	30,125.00
Operating Expenses - Other					
Snow Removal - Contract	0.00	5,000.00	16,688.08	21,688.08	20,000.00
Fuel	5,649.00	6,500.00	1,618.38	8,118.38	9,000.00
Equipment Repairs & Maintenance	924.00	5,000.00	-1,587.77	3,412.23	20,000.00
Insurance	4,038.00	7,500.00	-1,754.05	5,745.95	6,000.00
Supplies	3,898.00	2,500.00	-923.84	1,576.16	2,500.00
Electric	1,155.00	2,200.00	-730.00	1,470.00	2,000.00
Street Lights	1,250.00	1,200.00	-72.00	1,128.00	1,200.00
Utilities - other	1,761.00	2,000.00	-310.11	1,689.89	2,000.00
Treasurer Fees	194.00	300.00	-32.14	267.86	300.00
Subtotal – Other Expenses	42,299.00	66,358.69	8,676.51	75,035.20	93,125.00
Capital Improvement Expenses					
Gravel Project - Various Streets	0.00	3,000.00	-1,487.17	1,512.83	3,000.00
Equipment Lease Loader	23,160.00	25,000.00	-1,840.68	23,159.32	25,000.00
Water Truck	0.00	0.00	0.00	0.00	0.00
Subtotal – Capital Improvement Expenses	23,160.00	28,000.00	3,327.85	24,672.15	28,000.00
Total Street Fund Expenses	65,459.00	94,358.69		64,743.92	121,125.00

Water Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Revenues					
Operating Revenues					
Lien / Water	0	0	0	0	0
Water Revenue	117,877.00	135,000.00	-15,267.10	119,732.90	135,000.00
Interest	1,492.00	150.00	57.18	207.18	150.00
Electric Reimbursement	1,470.00	1,500.00	-76.50	1,423.50	1,500.00
Miscellaneous & Insurance	0.00	0.00	0	500.00	0.00
Subtotal – Water Fund Operating Revenues	120,839.00	136,650.00	-14,786.42	121,863.58	136,650.00
Capital Improvement Revenues					
Water Improvements	0.00	408,000.00	-408,000.00	0.00	0.00
CWCD / SWCD Engineering Report Grant	71,046.00	0.00	0.00	0.00	0.00
Water Meter Replacement & Relocation Grant	0.00	0.00	0.00	0.00	289,909.00
Water Tap	750.00	0.00	600.00	600.00	0.00
Tap Installation	0.00	0.00	0	0	0.00
Subtotal – Capital Improvement Revenues	71,796.00	408,000.00	-600.00	600.00	289,909.00
Total – Water Fund Revenues	139,210.00	186,200.00	-407,400.00	122,463.58	426,559.00
Expenses					
Operating Expenses - Labor					
Payroll Transfer	51,055.00	90,234.51	-46,001.51	44,233.00	50,000.00
Employee Benefits Life	122.00	0.00	122.48	122.48	125.00
Auditor	0.00	2,125.00	-89.25	2,035.75	2,035.75

Water Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Accountant	0.00	750.00	-750.00	0.00	0.00
Attorney	1,290.00	3,000.00	-813.00	2,186.50	3,000.00
Subtotal - Employee and Other Labor Costs	52,467.00	96,109.51	-47,531.78	48,577.73	55,106.75
Operating Expenses - Other					
Insurance	6,712.00	5,400.00	570.96	5,970.96	6,000.00
Repairs & Maintenance & Supplies in 2019	92.00	10,000.00	-4440.89	5,559.11	5,000.00
Supplies	12,667.00	2,000.00	-5,000.00	0.00	5,000.00
Water Samples	2,112.30	5,000.00	-1,766.91	3,233.09	3,500.00
Electric	5,718.00	6,500.00	-1,323.50	5,176.50	5,200.00
Propane	900.00	1,000.00	50.00	1,050.00	1,200.00
Utilities - Other	0.00	0.00	174.53	174.53	1,000.00
Dolores Water Conservation District	2,700.00	2,700.05	0.00	2,700.05	2,700.05
Tank Repairs	0.00	0.00	160,000.00	160,000.00	0.00
Miscellaneous	0.00	750.00	750.00	0.00	500.00
Subtotal Operating Expenses - Other	30,901.00	36,350.05	147,514.19	183,864.24	28,100.05
Capital Improvement Expenses					
Depreciation Expense	0.00	400.00	-400.00	4,536.80	0.00
Water Meter Replacement & Relocation	0.00	1,250.00	-1,250.00	0.00	446,014.00
Pipe replacement between south of King St	54,139.00	0.00	0.00	0.00	0.00
Water Improvements SCADA		510,000.00	-83,025.00	41,825.75	0.00
Water Engineering Service / Study	0.00	0.00	0.00	0.0	0.00
Subtotal – Capital Improvement Expenses	58,675.00	511,650	465,287.45	46,362.55	446,014.00
Total Water Fund Expenses	142,043.00	644,109.56		130,913.03	529,274.80

Sewer Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2020 Proposed Budget
Revenues					
Operating Revenues					
Property Tax	21,448.00	21,220.00	-1,544.00	19,676.00	193,181.00
Specific Ownership Tax	905.00	800.00	356.23	1,156.23	1,000.00
Delinquent Tax and Interest	0.00	100.00	-22.64	77.36	75.00
Interest	106.00	75.00	33.26	108.26	100.00
DOLA grant for PER	35,384.00	0.00	-121,424.65	12,424.65	0.00
Engineering Grant – State Revolving Fund	0.00	0.00	0.00	0.00	500,000
Miscellaneous Income	11,142.00	0.00	0.00	0.00	0.00
Total Sewer Fund Operating Revenues	68,985.00	22,195.00	-11,247.50	33,442.50	694,356.00
Expenses					
Payroll Transfer	0.00	0.00	0.00	0.00	0.00
Employee Consideration	0.00	0.00	0.00	0.00	0.00
Septic Inspection Certification & Training	0.00	3,000.00	-3,000.00	0.00	1,000.00
Treasurer Fees	427.00	500.00	-72.62	427.38	500.00
Insurance	0.00	0.00	0.00	0.00	0.00
Auditor	0.00	0.00	0.00	0.00	0.00
Final Engineering & Permits for Central Sewer					\$784,800.00
OWTS Permit Surcharge	0.00	0.00	0.00	0.00	0.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
PER	35,811.00	0.00	29,919.44	29,919.44	0.00
Total Sewer Fund Operating Expenses	35,811.00	3,500.00		30,346.82	756,300.00

Parks, Open Space & Trails Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2019 Proposed Budget
Revenues					
Operating Revenues					
Sales & Use Tax	6,328.00	7,000.00	903.83	7,903.83	7,500.00
Lodging Tax	214.00	500.00	294.73	794.73	700.00
Interest	56.00	50.00	0.00	39.44	35.00
Excise Tax	1,664.00	0.00	-10.56	1,664.14	0.00
Insurance Reimbursement	0.00	0.00	728.92	728.92	1,500.00
Misc. Income	0.00	0.00	1,664.14	202.50	0.00
Donations	0.00	0.00	728.92	0.00	0.00
Subtotal Park Fund Operating Revenues	8,262.00	7,550.00	3,783.56	11,333.56	9,735.00
Revenues - Grants					
Rico Center Grant	37,000.00	29,000.00	8,000.00	37,000.00	29,000.00
Miscellaneous	5,485.00	0.00	0.00	0.00	
Subtotal Park Fund Revenues	42,485.00	29,000.00	8,000.00	37,000.00	29,000.00
Total Revenues	50,747.00	36,550.00	11,783.56	48,333.56	38,735.00
Expenses					
Operating Expenses					
Repairs & Maintenance	0.00	1,000.00	-316.00	683.94	1,000.00
Insurance	5,416.00	4,083.60	1,662.36	5,745.96	4,083.60
Supplies	9,426.00	6,750.00	5,702.81	12,452.81	6,750.00
Miscellaneous	0.00	0.00	0.00	0.00	0.00
Subtotal Park Fund Operating Expenses	14,842.00	11,833.60	7,049.11	18,882.71	11,833.60

Parks, Open Space & Trails Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31st Estimated Budget	2020 Proposed Budget
Special Project Expenses					
Town Clean Up	0.00	1,500.00	-1,239.14	260.00	1,500.00
Winter Trails Program (Grooming Payroll)	3,000.00	4,750.00	1018.77	5,768.77	4,750.00
Winter Trails Program Supplies	0.00	4,000.00	-3,557.53	442.47	4,000.00
Rico Ice Rink Maintenance employee	1,136.00	5,500.00	-4,606.83	1,203.21	5,500.00
Rico Ice Rink Supplies	0.00	500.00	-4,296.79	0.00	500.00
Administrator	24,260.00	22,500.00	13,529.69	36,029.69	25,000.00
Capitol Improvements / Pocket Park	0.00	0.00	0.00	0.00	0.00
Administrator Supplies	0.00	2,00.00	-200.00	0.00	200.00
Rio Grande Southern Extension Trail	0.00	2,000.00	-2,000.00	0.00	2,000.00
Subtotal Park Fund Special Project Expenses	43,238.00	52,783.60	9,804.11	62,578.71	55,283.60
Total Expenses	28,411.00	80,009.50		62,587.71	55,283.60

Colorado Conservation Trust Fund	2018 Actual from Audit	2019 Original Budget	2019 Original vs. Amended	August 31 st Estimated Budget	2019 Proposed Budget
Revenues					
Operating Revenues					
Lottery Proceeds	2,663.00	1,000.00	1,572.55	2,572.55	2,000.00
Reimbursements	0.00	0.00	0.00	0.00	0.00
Total CTF Revenues	2,663.00	1,000.00	1,572.55	2,572.55	2,000.00
Expenses					
Projects - Park Area	2,202.00	5,000.00	-5,000.00	0.00	5,000.00
Total Expenses	2,202.00	5,000.00		2,572.55	5,000.00

VARIANCE APPLICATION - TOWN OF RICO

Applicant Name: Gulch Lodge LLC Phone No. 801-550-6086 (Gerrish)
Gerrish Willis 817-475-7061 (Dee)
Address: 1084 N. Kayenta Dr Fax No. 817-475-7061 (Dee)
M OAB, UT 84532 E-Mail: ggwillis@yahoo.com or deegull@msn.com

Street Address and Legal Description of Subject Property:

Lot 7 VAN Winkle Subdivision - GARFIELD ST.

Zone District of Subject Property: Residential PUD

Description of Variance Request (cite Rico Land Use sections for which variance is sought. Attach additional sheet if necessary):

We would like a 2 1/2 ft VARIANCE of the 7 foot side
setback requirement on the south side of our lot.

Reasons Variance Should be Granted (attach additional sheet if necessary):

The size and shape of this lot makes it difficult to place a house
and the septic drainfield. We have already made the house
smaller to try to stay within setbacks. The setback VARIANCE
is requested to allow exterior stairway and 5 foot deck to be placed
on the south side of house. (Continued Next page)

Attach a site plan and any other information necessary to clearly demonstrate eligibility for the requested Variance based on the application requirements in §430 and review standard in §436 of the Rico Land Use Code. Attach a mailing list with names, addresses, and property owned of all property owners within 200 feet of subject property with certificate of mailing and full Variance application payment of \$200.00.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: Gulch Lodge LLC Date: 8-12-2019

FOR TOWN USE ONLY:

Date Application Received: 8-5-2019 Date of Hearing: 8-14-2019 Planning
8-21-2019 Trustees
Application Fee Received: 8-5-2019 Board of Adjustments Action: _____
Application Complete: _____ Approval Subject to Conditions: _____
Mailing Notice Complete: 8-1-2019 Application Reviewed by: _____

Gulch Lode LLC Van Winkle Lot 7 variance request narrative continued

The shape and size of the lot creates special circumstances existing on the property which do not apply generally to other property in the same area and Zone District. This is a very small and oddly shaped lot. The variance will not unduly impact such things as: snow removal, streetscapes, separation of buildings for fire protection, and opportunity for off-street parking, which are provided by minimum setbacks; solar access, and protection of neighbors' views to the surrounding mountains. Placing the house on the northern part of the lot instead however would impact the neighbor's views. The variance, if granted, will not constitute a material detriment to the public welfare or injury to the use, of property in the vicinity. There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions, access, and location that do not apply generally to other property in the same area and Zone District. The variance is not sought to relieve a hardship to development of the property which has been created by the Applicant. The proposed use is a permitted use in the underlying Zone District.

NOTICE OF VARIANCE APPLICATION

Date: August 1, 2019

RE: Public Hearing Variance Application

Dear Property Owner,

You are receiving this public notice as required by the Town of Rico Land Use Code because you own property within 200 feet of a proposed variance application.

Name of Applicant: Gulch Lode LLC, (Dee Gulledge and Gerrish Willis))

Type of Development Application(s): Building Permit

Legal Description: Lot 7 Van Winkle Subdivision, Garfield Street

Address: Rico, Colorado

Lot or Site Size: 5562 square feet

Review Authority: Rico Planning Commission

Rico Planning Commission Hearing Date: August 10, 2019

Location of Public Hearing: Rico Town Hall, 2 Commercial Street, Rico Colorado, 81332

Send emailed comments addressed to the townmanager@ricocolorado.gov

Or by surface mail to:

Kari Distefano

Town of Rico

PO Box 9

Rico Colorado, 81332

Sincerely,

A handwritten signature in black ink, appearing to read "Gerrish Willis".

Gerrish Willis, property owner

AFFIDAVIT OF MAILING PUBLIC NOTICE LETTER

Town of Rico

Town of Rico

P.O. Box

Rico, Colorado, 81332

Re: Certification and Affidavit of Mailing Public Notice Letter for (legal description of property), Town of Rico.

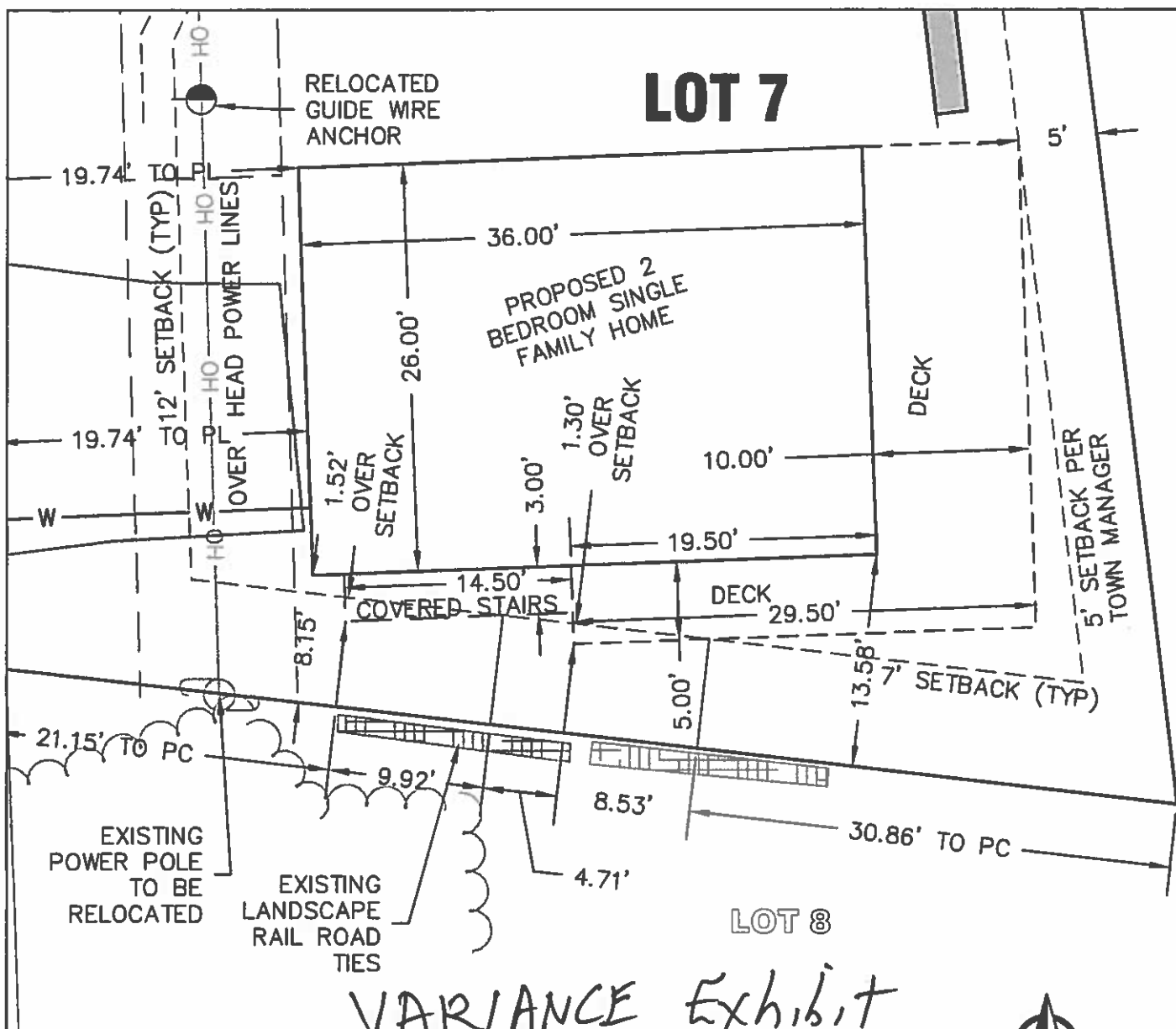
I hereby declare that I, Gerrish Willis, mailed a copy of the Town approved, enclosed public letter via U.S. First Class Mail, postage prepaid thereon on August 2, 2019 to the attached list of property owners. The public notice letter was prepared and mailed in accordance with the public noticing requirements of the Rico Land Use Code. The public notice letter was placed in the mail on August 2, 2019, which was 20 days prior to the Rico Planning Commission public hearing to be held on September 11, 2019. The list of property owners includes all lot and condominium property owners located within 200 feet of the boundary of the existing or proposed lot(s). The adjacent property owner list was compiled from the Dolores County GIS website or Assessors Office.

Attached is the copy of the noticing letter, list of all property owners noticed, including their lot number and mailing address, a copy of the vicinity map mailed with the noticing letter, and a map showing all lots that were included within the 200 foot noticing area.

I declare under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct.



LOT 7



VARIANCE Exhibit

NOTES

1. THIS IS A CONCEPTUAL PLAN FOR SITE PLANNING PURPOSES ONLY AND NOT TO BE USED FOR CONSTRUCTION OR SUBMITTALS.
2. ALL TOPOGRAPHIC AND BOUNDARY INFORMATION PROVIDED BY ALL POINTS LAND SURVEYING LLC.
3. HOUSE, STAIR AND DECK DIMENSIONS PROVIDED BY OWNER
4. THIS PLAN DOES NOT DEPICT ANY ROOF OVERHANGS.



0 10'

SCALE: 1" = 10'

LOT 7 VAN WINKLE, TOWN OF RICO, CO CONCEPTUAL DECK AND STAIRS SETBACK VARIANCE EXHIBIT



ALPINE LAND
CONSULTING, LLC

PROJECT MANAGER:

GEA

DATE:

AUGUST 1, 2019

DRAWN BY:

GEA

PROJECT #:

2019008

P O. BOX 234
RICO, COLORADO 81332
970-708-0326
GREGG@ALPINELANDCONSULTING.COM



0 20'

SCALE: 1" = 20'

P.O. BOX 234
RICO, COLORADO 81332
970-708-0326
GREGG@ALPINELANDCONSULTING.COM

PROJECT MANAGER:	GEA	DATE:	AUGUST 1, 2019
DRAWN BY:	ADM/GEA	PROJECT #:	2019008

Silver Street

Garfield Street

Van Winkle Avenue

Soda Street

Atlantic Richfield

San Juan National Forest

Baron

Roberts

Gass

Rico House

Stramel

Hackelton

1 Hay
2

Holt Family Trust
3

5 Gulick

6 Laub

Gulch Lode Lot
7

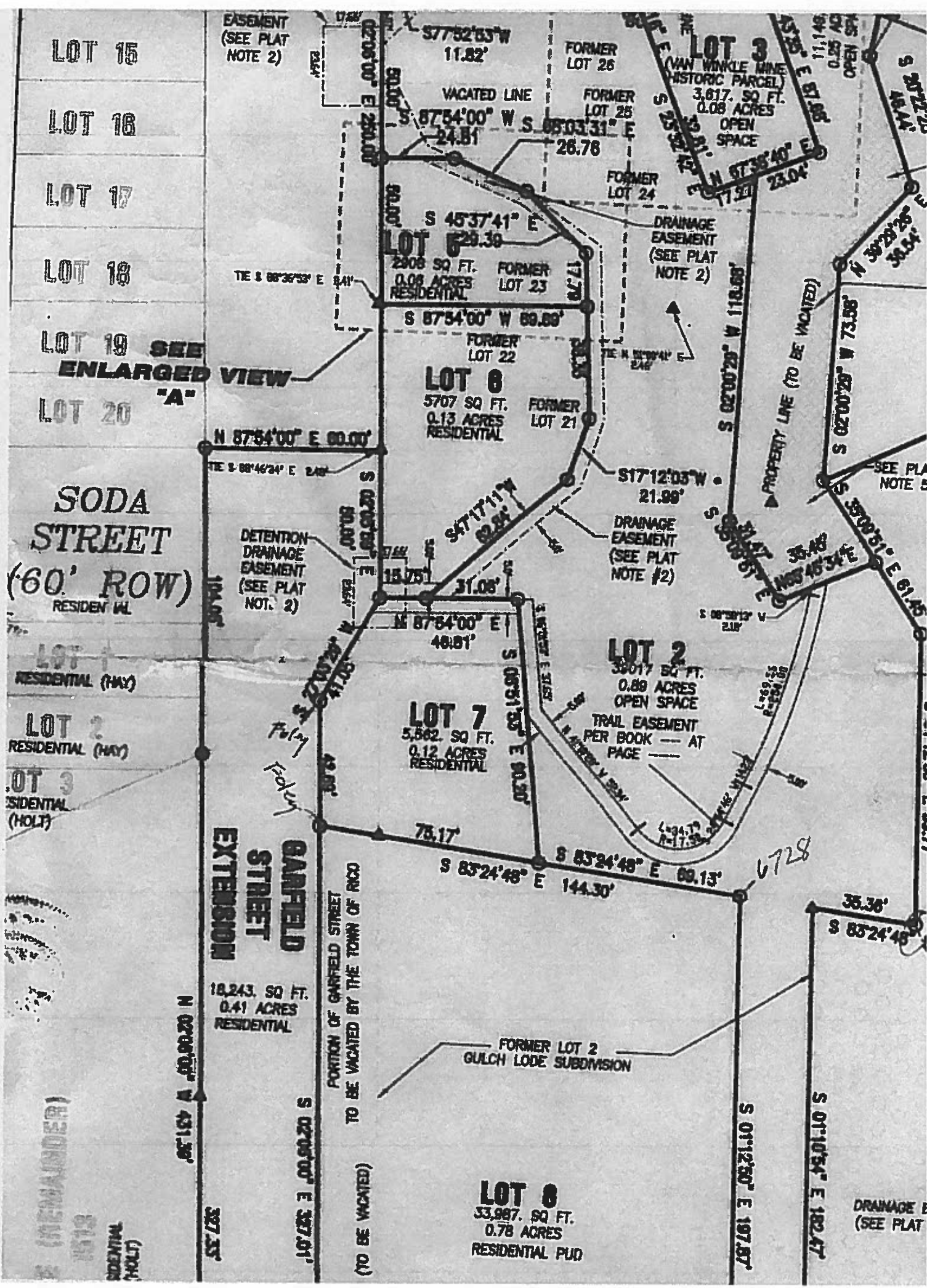
Holt
8

4 AAllred

Gulch Lode
9

Rico Town
3

2



LOT 15

LOT 16

LOT 17

LOT 18

LOT 19 SEE
ENLARGED VIEW
"A"

LOT 20

SODA
STREET
(60' ROW)
RESIDENTIAL

LOT 1
RESIDENTIAL (HAY)

LOT 2
RESIDENTIAL (HAY)

LOT 3
RESIDENTIAL (HOLT)

EASEMENT
(SEE PLAT
NOTE 2)

TE S 88°26'33" E 841'

DETENTION
DRAINAGE
EASEMENT
(SEE PLAT
NOTE 2)

GARFIELD
STREET
EXTENSION

18,243. SQ. FT.
0.41 ACRES
RESIDENTIAL

N 02°06'00" W 431.38'

PORTION OF GARFIELD STREET
TO BE VACATED BY THE TOWN OF RCO
(TO BE VACATED)

S 77°52'53" W
11.82'

VACATED LINE

S 87°54'00" W 24.81'

S 87°54'00" W 26.76'

S 45°37'41" E 23.04'

2308 SQ. FT.
0.08 ACRES
RESIDENTIAL

S 87°54'00" W 89.89'

FORMER
LOT 22

LOT 6
5707 SQ. FT.
0.13 ACRES
RESIDENTIAL

FORMER
LOT 21

N 87°54'00" E 89.89'

TE S 88°46'24" E 240'

S 02°06'00" E 89.89'

S 87°54'00" E 49.81'

M 87°54'00" E 49.81'

S 02°06'00" E 89.89'

LOT 7
5,582 SQ. FT.
0.12 ACRES
RESIDENTIAL

S 83°24'48" E 144.30'

S 83°24'48" E 69.13'

S 83°24'48" E 144.30'

S 83°24'48" E 69.13'

S 83°24'48" E 144.30'

S 83°24'48" E 69.13'

S 83°24'48" E 144.30'

S 83°24'48" E 69.13'

S 83°24'48" E 144.30'

S 83°24'48" E 69.13'

S 83°24'48" E 144.30'

S 83°24'48" E 69.13'

S 83°24'48" E 144.30'

LOT 8
53,987. SQ. FT.
0.78 ACRES
RESIDENTIAL PUD

FORMER LOT 2
GULCH LODGE SUBDIVISION

FORMER
LOT 26

FORMER
LOT 25

FORMER
LOT 24

DRAINAGE
EASEMENT
(SEE PLAT
NOTE 2)

TE N 88°41' E 240'

DRAINAGE
EASEMENT
(SEE PLAT
NOTE #2)

LOT 2
3,817 SQ. FT.
0.08 ACRES
OPEN SPACE

TRAIL EASEMENT
PER BOOK -- AT
PAGE --

LOT 3
(VAN WINKLE MINE
HISTORIC PARCEL)
3,817. SQ. FT.
0.08 ACRES
OPEN
SPACE

N 87°35'40" E 23.04'

17.21'

S 02°06'00" S 02°06'00" S

PROPERTY LINE (TO BE VACATED)

S 02°06'00" W 73.58'

S 02°06'00" W 73.58'

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S 02°06'00" W 73.58'

DRAINAGE
(SEE PLAT

Parcel

ANAME1	AADDR1	AADDR2	AADDR3	AADDR4	ASTAZIPCD	APADDR	PIN
SAN JUAN NATIONAL FOREST	DEPT. OF AGRICULTURE		15 BURNETTE COURT	DURANGO	CO 813010000		504701100002
GULCH LODGE LLC			1084 N. KAYENTA	MOAB	UT 845320000	LOT 9 VAN WINKLE	504736200019
AMARILLO HOLDINGS, LLC			352 GREEN VALLEY LANE	ST. GEORGE	UT 847700000		504736200014
HOLT FAMILY TRUST	HOLT P. DUANE & JUDY L. TRUSTEES		P.O. BOX 30	GILA BEND	AZ 853370030	35 N GARFIELD STREET	504736211023
HACKLETON LYNDA & LOHARA	EAMONN (JT)		P O BOX 14	RICO	CO 813320000	20 N SILVER STREET	504736211025
BARON JAMES H.			4038 HAYHURST LANE	TUCSON	AZ 857120000	104 N SILVER STREET	504736202006
ATLANTIC RICHFIELD COMPANY	C/O BP AMERICA ATTN: PROPERTY TAX DEPARTMENT		P.O. BOX 941709	HOUSTON	TX 770949535		504736200012
RICO TOWN OF			P.O. BOX 56	RICO	CO 813320000	110 N GARFIELD ST/VAN WINKLE MINE	504736200013
GULICK TIMOTHY B.			P.O. BOX 1057	NEVADA CITY	CA 959590000	106 N. GARFIELD ST.	504736200015
LAUB LAUREN LYNN & STEPHEN HENRY	LAUB		P.O. BOX 326	RICO	CO 813320326	102 N. GARFIELD STREET	504736200016
GULCH LODGE LLC			1084 N. KAYENTA	MOAB	UT 845320000	LOT 7 VAN WINKLE	504736200017
HOLT DUANE & TRUST			P.O. BOX 30	GILA BEND	AZ 853370030	LOT 8 VAN WINKLE SUB-DIV	504736200018
JUDY HOLT FAMILY			P.O. BOX 27	RICO	CO 813320000	107 N GARFIELD	504736202017
ROBERTS CHRISTY KOPASZ			P.O. BOX 4	RICO	CO 813320000	103 N GARFIELD	504736202016
GASS ANDREA (JT)							

ANAME1	AADDR1	AADDR2	AADDR3	AADDR4	ASTAZIPCD	APADDR	PIN
J & ELIZA JANE GASS						STREET	
RICO HOUSE LLC			P.O. BOX 52	RICO	CO 813320000	38 N SILVER STREET	504736211014
STRAMEL ENTERPRISES			14070 COUNTY RD. 20.7	CORTEZ	CO 813210000	32 N SILVER STREET	504736211026
HAY JONATHAN			9950 W. 20TH AVE	LAKEWOOD	CO 802150000	37 N GARFIELD STREET	504736211020

Variance Application



Applicant Name Strategic Design Group LLC Phone Number 303-588-2695
Address PO Box 199 Rico CO 81332 Cell Phone Number same
Email erin@fence.net Fax Number _____
Street Address of Subject Property 122 W. Garfield St. Rico, CO 81332
Legal Description of Subject Property Lots 31-34, Block 24, Town of Rico

Zone District of Subject Property R- Residential

Attachments Required:

- ☒ Description of Variance Request – cite Rico Land Use sections for which the variance is sought.
- ☒ Narrative of reasons that Variance should be granted
- ☒ Statement from County Treasurer showing the status of current taxes due on affected property TBP
- ☒ Letter of agency if applicant is other than the owner of the property
- ☒ An application fee in the amount of \$200.00
- ☒ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property. TBP
- ☒ A copy of the deed for the property.
- ☒ Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:
TBP

✓ North Arrow

✓ Adjacent streets with labels

✓ Scale not greater than 1" = 20' unless the entire site will not fit on a 24"x 36" sheet

✓ Areas of environmental concern if applicable

✓ Vicinity Map

✓ Location of existing buildings if applicable

✓ Lot lines with dimensions

✓ Location of proposed building if applicable

✓ Easements with dimensions

✓ Location of existing utilities if applicable

✓ Acreage of lot

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature:  Manager Date 8/23/19

Date Application Received 8.23.2019

Application Reviewed by KLO

Application Fee Received 8.23.2019

Date of Hearing Sept. 11 + Sept. 18

Application Complete 8.23.2019

Rico Planning Commission Action _____

Mailing Notice Complete 8.23.2019

Approval Subject to Conditions _____

Other comments:

Erin Johnson
Attorney at Law, L.L.C.
9 S. Glasgow Avenue, POB 189
Rico, Colorado 81332
303-588-2695
erin@fone.net

August 23, 2019

Kari Distefano
Rico Town Manager
PO Box 9
Rico, CO 81332

RE: Strategic Design Group LLC Variance Application

Kari,

The Strategic Design Group LLC Variance Application submitted today requests a waiver of Rico Land Use Code (LUC) section #222 for the side lot setback of seven feet.

The schoolhouse is structure is located right on the north property line of the Strategic Design Group (SDG) property. When we first purchased the property in 2018 I was aware that the building was near the property line. When we recently did the survey I found out that the building was right on the line.

We have been working with the owner of the adjacent lot since we purchased the property to address the situation. We offered to purchase the small separate parcel that is immediately north of the SDG property, but the other property owner would not agree to sell. However, he stated from the start that he would work out something with me.

The existing zero foot setback of the building is a pre-existing condition, but it needs to be more comprehensively addressed. In working with the adjacent lot owner, they have agreed to grant a 20 foot wide exclusive easement to SDG that would run the length of the north boundary of the SDG property. The easement would allow SDG to regrade the area and construct utilities and drainage features within the easement area. No structures would be allowed in the easement area by either owner, except for a small portion of the retaining wall on the east side of the building and any portion of the new foundation for the building that will be over the property line. This easement will also serve to provide a snowshed area for the schoolhouse roof, and for any future structures that might be built on the adjacent property. A small portion of the northeast corner of the eave also overhangs in the easement area and this would continue to be allowed in accordance with the restoration plan for the building.

This waiver is necessary because the adjacent lot owner will not sell any part of their property, so the setback cannot be cured in that manner. The easement serves the purposes of the setback requirements and is the only feasible way to resolve the setback issues.

Sincerely,

Erin Johnson

STATE OF COLORADO
DOLORES COUNTY

CERTIFICATE OF TAXES DUE
Thru Tax Year 2018

Certificate No 122
Printed 08/26/2019

Assessed Owner:

STRATEGIC DESIGN GROUP, LLC
P.O. BOX 189
RICO CO 81332

SCHEDULE NUMBER
TAX DISTRICT
ROLL PAGE

504736201001 R
102
1631

Ordered by: E Johnson

===== N O T I C E =====

I, the undersigned, County Treasurer in and for said County, do hereby certify that there are no unpaid taxes or unredeemed tax lien sale certificates, except as shown below, as appears of record in this office, on the following described property, to-wit:

TAXING ENTITIES	\$/THOUS	TAX
SCHOOL DIST RE-2J	18.576	
DOLORES COUNTY	28.013	
TOWN OF RICO	18.744	
RICO FIRE PROTECTION	7.468	
S W WATER CONS	.407	
DOLORES WATER CONS	2.221	
TOTALS	75.429	

LEGAL DESCRIPTION OF PROPERTY

RICO LOTS 31-34 BLK 24 36-40-11
B-22 P-416(D) B-51 P-39(D) B-60 P-338 B-95 P-350(ORD)
B-193 P-342(WD) B-207 P-482 (APPT) B-238 P-309-325(SWD)
B-238 P-326-336(QC) B-250 P -23(QC) B-333 P-297(WTR)
167888(QC) 167889(SA)

ZERO TAX ON CURRENT ROLL

Total Now Due

\$.00

IN WITNESS WHEREOF; I have hereunto set my hand and the seal of my office,
this 26TH day of AUGUST 2019

JANIE STIASNY
DOLORES COUNTY

BY: 



This Certificate does not certify as to any taxes which may, or may not, be due on any Mobile Home, Improvement, Personal Property, Oil, Gas, Mineral Rights, or Special Assessments which may, or may not, be located on the Property described above, unless specifically listed and described. Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the board of county commissioners, the county clerk and recorder, or the county assessor.

*Strategic Design Group LLC
9 S. Glasgow Avenue, POB 189
Rico, Colorado 81332
303-588-2695
erin@fone.net*

August 23, 2019

Kari Distefano
Rico Town Manager
PO Box 9
Rico, CO 81332

RE: Strategic Design Group LLC Variance Application

Kari,

The Strategic Design Group LLC (SDG) hereby authorizes Erin Johnson and Erin Johnson Attorney at Law LLC to act as its agent with regard to the Variance Application submitted today for a waiver of Rico Land Use Code (LUC) section #222 for the side lot setback of seven feet on the SDG property.

Sincerely,



Erin Johnson
Manager, Strategic Design Group LLC

Erin Johnson
Attorney at Law, L.L.C.
9 S. Glasgow Avenue, POB 189
Rico, Colorado 81332
303-588-2695
erin@fone.net

August 23, 2019

Kari Distefano
Rico Town Manager
PO Box 9
Rico, CO 81332

RE: Strategic Design Group LLC Variance Application

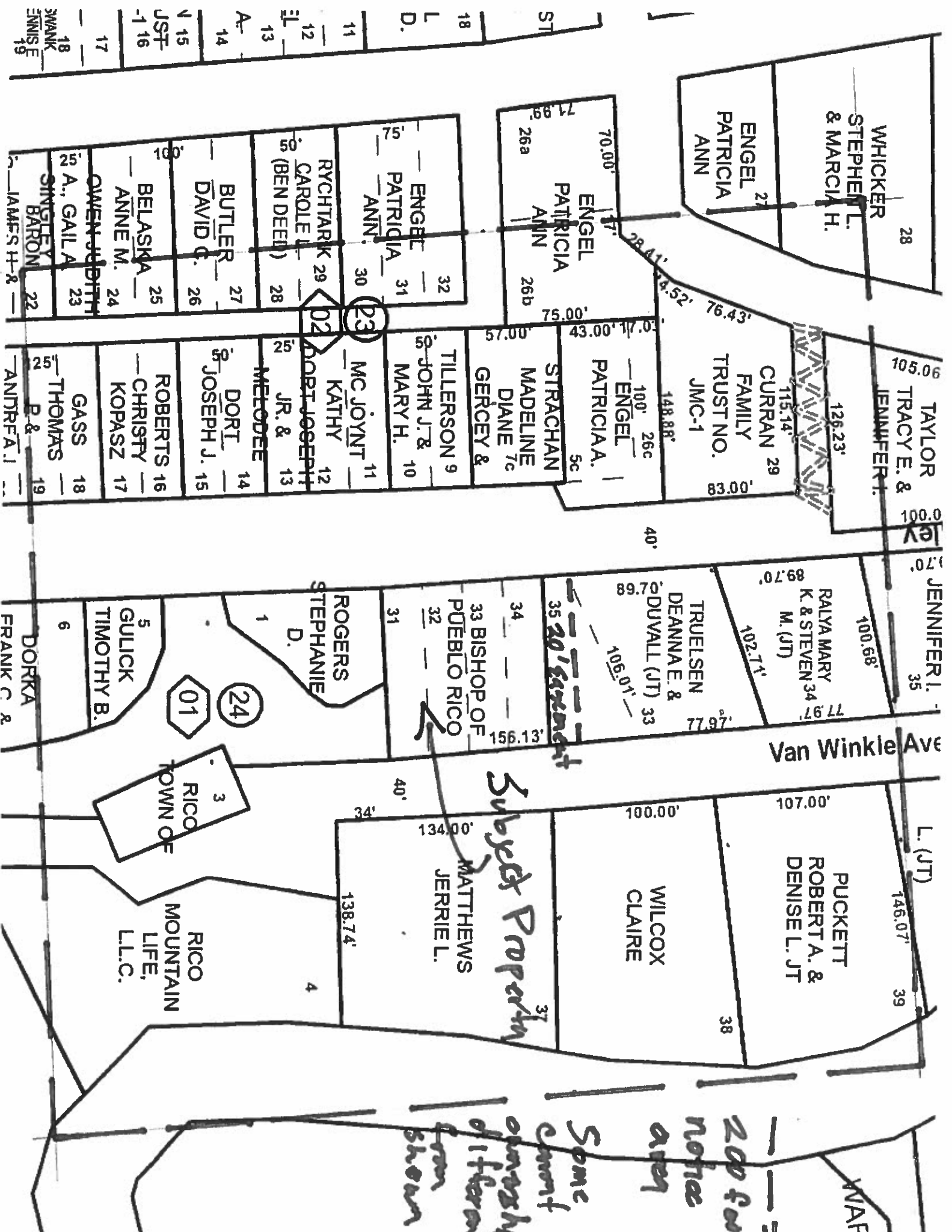
Kari,

CERTIFICATE OF MAILING

I hereby certify that on August 23, 2019, I mailed by first class mail a copy of the completed Notice of Pending Variance Application, a copy of the vicinity map and a copy of the proposed site plan to the owners of property located within 200 feet of the Subject Property. A site map and mailing list of the notified property owners are attached as Exhibits to this letter.



Erin Johnson



WHICKER CHARLYNN BOYCE
1200 RICHLAND OAKS DRIVE
RICHARDSON TX 75081

ENGEL PATRICIA ANN
P.O. BOX 62
RICO CO 81332

TAYLOR TRACY E. &
JENNIFER I.
P.O. BOX 24
RICO CO 81332

CURRAN FAM TR NO. JMC-1
C/O MIKE CURRAN
215 HIDEAWAY HILLS DRIVE
HOT SPRINGS AR 71901-8841

RALYA MARY K. & STEVEN
M.
3113 TRAILS ENDS LANE
BRENHAM TX 77833

TRUELSEN DEANNA E. &
DUVALL
P.O. BOX 458
DOLORES CO 81323

CARRO BENJAMIN &
TAMARA CARRO
40602 N. LAUREL VALLEY WY
ANTHEM AZ 85086

WILCOX CLAIRE
36 VISTA MONTANA LOOP
PLACITAS NM 87043

EVERS RONALD P. &
PATRICIA A. ENGEL
P.O. BOX 62
RICO CO 81332

RYCHTARIK CAROLE L.
502 DARTMOOR DR.
CELINA TX 75009

BUTLER DAVID C.
302 SOUTH 7TH STREET
FAIRFIELD IA 52556

BELASKA ANNE M.
P.O. BOX 264
RICO CO 81332

OWEN JUDITH A., GAIL A.
SINGLEY, LEXIE C. WALDROP,
SHANNON M. SORENSEN
15646 CEDARBROOK DRIVE

MORRISON CO 80465

BARON JAMES H.
4038 HAYHURST LANE
TUCSON AZ 85712

KENWORTHY NICHOLAS B.
P.O. BOX 298
RICO CO 81332-0298

T & B HOLDINGS, LLC
5010 ENGLISH PLACE
FARMINGTON NM 87402

MC JOYNT KATHY
P.O. BOX 8
RICO CO 81332

DORT JOSEPH JR. & MELODEE
6072 MILLER LANE
LISLE IL 60532

ROBERTS CHRISTY KOPASZ
P.O. BOX 27
RICO CO 81332

GASS ANDREA J. & ELIZA
JANE GASS
P.O. BOX 4
RICO CO 81332

ROGERS STEPHANIE D.
P.O. BOX 72
RICO CO 81332

ATLANTIC RICHFIELD CO
C/O BP AMERICA INC.
ATTN: PROPERTY TAX DEPT
P.O. BOX 941709

HOUSTON TX 77094-9935

GULICK TIMOTHY B.
P.O. BOX 1057
NEVADA CITY CA 95959

LAUB LAUREN LYNN &
STEPHEN HENRY LAUB
P.O. BOX 326
RICO CO 81332-0326

IALEGGIO MICHAEL &
BEUALAH IALEGGIO
P.O. BOX 292
TELLURIDE CO 81435

TOWN OF RICO
PO BOX 56
RICO CO 81332

AALLRED HOLDINGS, LLC
352 GREEN VALLEY LANE
ST. GEORGE UT 84770

NOTICE OF PENDING VARIANCE APPLICATION

Date: August 23, 2019

RE: Public Hearing on Variance Application

Dear Property Owner,

You are receiving this public notice as required by the Town of Rico Land Use Code because you own property within 200 feet of a proposed variance application. (please describe the nature of the variance)

Waiver of side lot setback requirement subject to easement restricting construction of structures

Name of Applicant: Strategic Design Group LLC

Type of Development Application(s): Variance of side lot setback requirement

Legal Description: Lots 31-34, Block 24, Town of Rico

Address: 122 N. Garfield St., Rico, Colorado

Lot or Site Size: 100 x 100

Review Authority: Rico Planning Commission

Rico Town Council Hearing Date: September 18, 2019, 7:00 PM

Location of Public Hearing: Rico Town Hall, 2 Commercial Street, Rico Colorado, 81332

Send emailed comments addressed to the townmanager@ricocolorado.gov

Or by surface mail to:

Kari Distefano

Town of Rico

PO Box 9

Rico Colorado, 81332

Sincerely,

Kari Distefano, Rico Town Manager

167888
Page 1 of 3
LaRita Randolph, County Clerk & Recorder
Dolores County, CO RP \$0.00
06-04-2018 02:06 PM Recording Fee \$23.00

QUITCLAIM DEED

THIS DEED, made this 21st day of May, 2018, between:

Bishop of Pueblo, a Corporation Sole, whose address is 101 N. Greenwood Ave., Pueblo,
CO 81003 (GRANTOR); and

Strategic Design Group, LLC, a Colorado limited liability company, whose address is PO
Box 189, Rico, CO 81332 (GRANTEE):

WITNESS that GRANTOR, for and in consideration of the sum of Ten and no/100
Dollars, and other good and valuable consideration, the receipt and sufficiency of which is
hereby acknowledged, has remised, released, sold and QUITCLAIMED to GRANTEE, and by
these presents does remise, release, sell and QUITCLAIM to GRANTEE, its heirs, successors
and assigns forever, all the right, title, interest, claim and demand which GRANTOR has in and
to the real property, together with improvements, if any, situate, lying and being in the County of
Dolores, State of Colorado, described as follows:


LOTS 31, 32, 33, and 34, Block 24, Town of Rico.

SUBJECT TO the deed restrictions attached as Exhibit A.

County of Dolores
State of Colorado

TO HAVE AND TO HOLD the same in all and singular the appurtenances and
privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right,
title, interest and claim whatsoever of GRANTOR, either in law or in equity, to the only proper
use, benefit and behoof of GRANTEES, their heirs and assigns forever.

IN WITNESS WHEREOF, GRANTOR has executed this Quitclaim Deed on the date
set forth above.

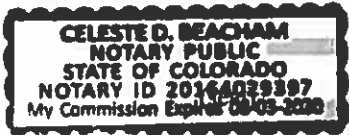
Bishop of Pueblo


John Daneluk
Its: CFO

STATE OF COLORADO)
) ss.
COUNTY OF Pueblo)

167888 06-04-2018 Page 2 of 3

The foregoing instrument was acknowledged before me this 24th day of May, 2018, by John Daneluk, as CFO and Representative of the Bishop of Pueblo, a Corporation Sole.



My commission expires:

Celeste D. Beacham
Notary Public
101 North Greenwood Street
Address
Pueblo, CO 81003-3164
08/03/20

UNOFFICIAL DOCUMENT

BISHOP OF PUEBLO - DEED RESTRICTIONS

The Grantee, its successors and assigns agrees and covenants that the subject property will not be used for any of the following purposes:

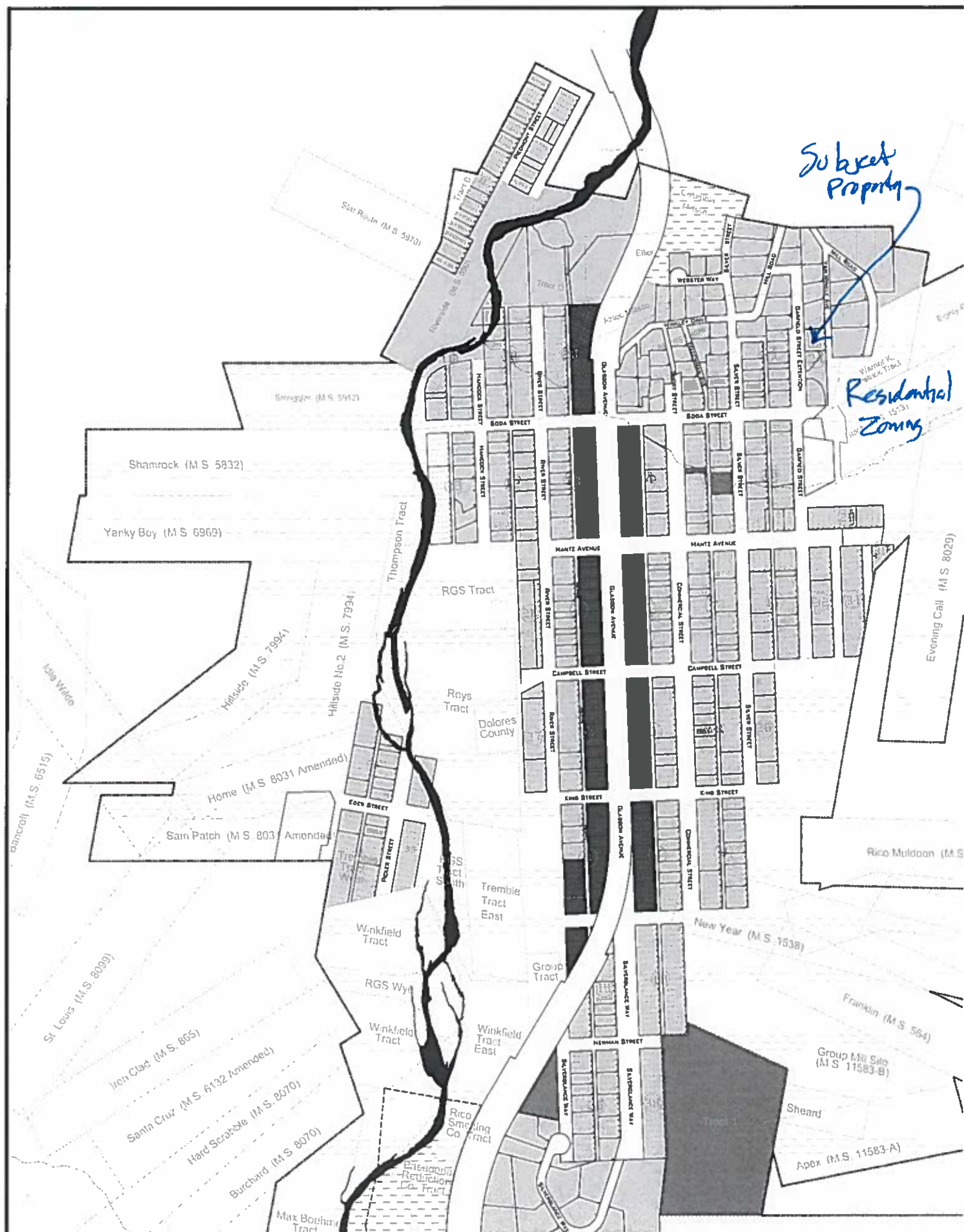
1. A church or similar place for people to meet for religious observances or activities that is promoted or held out as Roman Catholic, but without express approval of the Bishop of Pueblo;
2. An abortion clinic or medical facility that provides abortion services or promotes availability of abortion; a counseling service that supports, recommends, or facilitates abortion; or a political action group or similar organization with a principal policy of advocating for abortion or abortion rights;
3. A clinic or medical facility that provides euthanasia services or promotes euthanasia; a counseling service that supports, recommends, or facilitates euthanasia; or a political action group or similar organization with a principal policy of advocating for euthanasia or euthanasia rights ("euthanasia" includes physician assisted suicide);
4. A clinic or medical facility that provides gender transition services or medication or promotes gender transition; a counseling service that supports, recommends, or facilitates gender transition; or a political action group or similar organization where a principal policy is the advocacy of gender transitioning; or
5. A sexually-oriented business, including but not limited to an adult book store, adult movie theater, strip club or similar sexually-oriented cabaret, adult novelty business, topless bar, or any other sexually-oriented establishment.

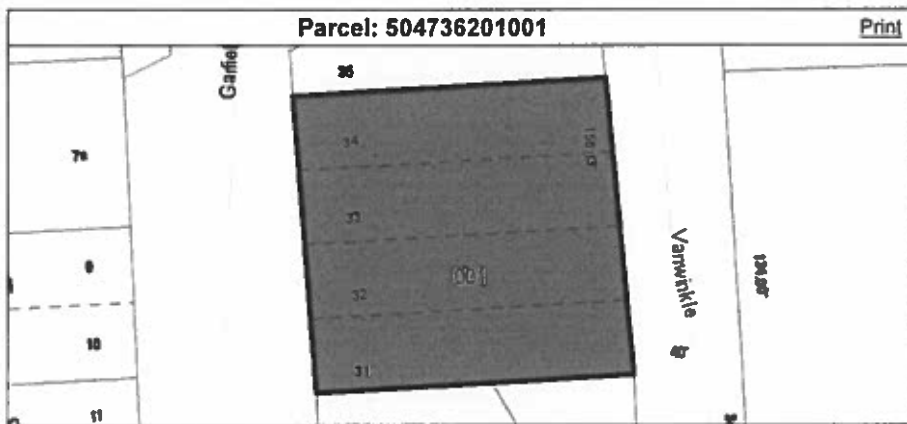
The foregoing restrictions are separate. If any of them are adjudged invalid or unenforceable, such adjudication shall not affect the validity or enforceability of the other restrictions.

Upon application by an interested party, the Grantor may remove the above restrictions with a writing signed by Grantor in its sole discretion. Within sixty days thereafter, the Grantor shall, provide its response to interested parties as to whether a proposed use would violate the restrictions ("interested parties" are contract vendees and potential purchasers, including at foreclosure sales).

In the event of breach of any of these deed restrictions, the Grantor, and its successors and assigns, may, after fifteen days written notice to the title holder and the opportunity to cure, terminate the estate conveyed and retake possession of the subject property by sending a second written notice to the Grantor stating that there has been no cure. In such a circumstance, title and all interest in the subject property shall automatically revert to the Grantor. If Grantor is required to initiate court proceedings in order to effect reverter or reacquire possession, it shall, if it prevails, be entitled to attorneys fees and costs.

103367257_1





Legal #1	RICO LOTS 31-34 BLK 24 36-40-11		
Legal #2	B-22 P-416(D) B-51 P-39(D) B-60 P-338 B-95 P-350(ORD)		
Legal #3	B-193 P-342(WD) B-207 P-482(APPT) B-238 P-309-325(SWD)		
Legal #4	B-238 P-326-336(QC) B-250 P-23(QC) B-333 P-297(WTR)		
Legal #5	167888(QC) 167889(SA)		
Section	36	Township	40
		Range	11



No photo available for this property.

Sale Information

Date	05/24/2018	Book	
Price	41300	Page	
Grantor	BISHOP OF PUEBLO		
Grantee	STRTEGIC DESIGN GROUP, LLC		

Improvement Information

Building Value	18461
Extra Feature Value	0
Bathrooms	0
Bedrooms	0
Heated Sqft	704
Year Built	1874

Account Information

Owner	STRATEGIC DESIGN GROUP, LLC
Owner Address	
Address Line 2	
Address Line 3	P.O. BOX 189
Address Line 4	RICO
State	CO
Zipcode	813320000
Site Address	122 N. GARFIELD ST.
Acres	0
Land Use	Residential Improved
Tax Area	102
Mill Levy	0.075616
Building Value	18461
Extra Feature Value	0
Land Value	40000
Total Value	58461
Assessed Value	4180

No certification or accuracy of information is made or implied. Information may be changed without notice. This map is for informational purposes only and is not a legal map. Call 970-677-2385 with any questions.

Minor Subdivision & Re-subdivision Application



Applicant Name Will Lochte & Sandra K Lochte Phone Number 970 967-2711

Address PO Box 206 Cell Phone Number 970 749 6010

Email will@the.lochtes.com Fax Number _____

Street Address of Subject Property 1 S River St Rico, CO

Legal Description of Subject Property Lots 1 & 2, Block 28, Townsite of Rico, plus tract - see copy of deed provided for full legal description:

Deed recorded in Dolores County on 4/20/03 at Rec # 00146024

Zone District of Subject Property Residential - see attached zoning map

Attachments Required:

☒ Two (2) 24" by 36" paper Plats (1) electronic (pdf) site plan showing the following signed and stamped by a surveyor licensed in the State of Colorado:

Draft attached - full size paper plats to be provided (TRP)

☒ North Arrow and Scale

☒ Notes

☒ Legend

N/A Mortgage consent if applicable

LPR Vicinity Map

☒ Dolores County Clerk's acceptance

☒ Legal Description

☒ Lot lines with dimensions

☒ Surveyor's Certificate

N/A Easements with dimensions

TRP Title Insurance Company Certificate

☒ Lot and street labels

TRP County Treasurer's Certificate

N/A Right-of-way dimensions

N/A Dedication

TRP Zone district labels

☒ Approval by Rico Planning Commission

☒ Adjoining lots with labels

☒ Approval by Town of Rico

take off

-
- ☒ Statement from County Treasurer showing the status of current taxes due on affected property **TBP**
 - ☒ Letter of agency if applicant is other than the owner of the property
 - ☒ An application fee in the amount of \$750.00
 - ☒ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.
 - ☒ A copy of the deed for the property.

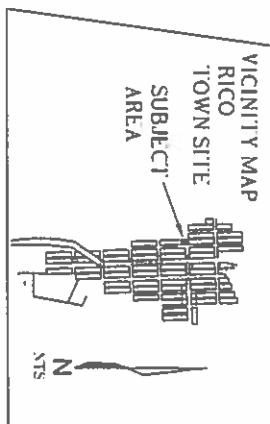
I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature:  Date 8/23/19

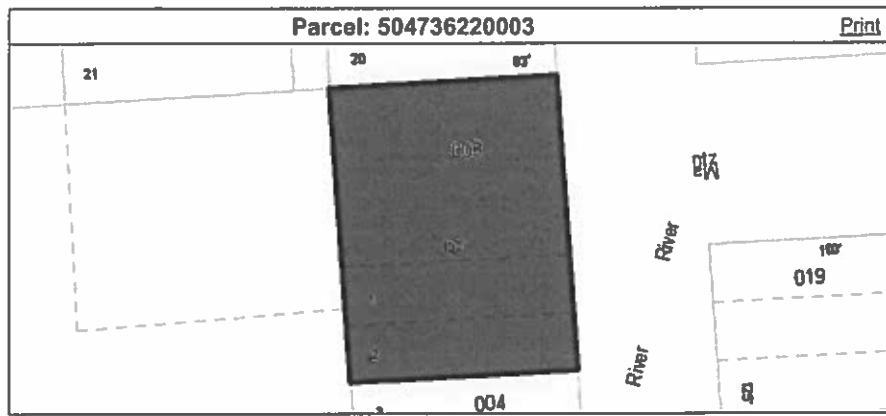
Date Application Received <u>8.23.2019</u>	Application Reviewed by <u>KLD</u>
Application Fee Received <u>8.23.2019</u>	Date of Hearing <u>Sept 11 ~ Sept 15</u>
Application Complete <u>8.23.2019</u>	Rico Planning Commission Action <u> </u>
Mailing Notice Complete <u>8.23.2019</u>	Approval Subject to Conditions <u> </u>

Other comments:

A 24"x 36" mylar will be required for recording if the subdivision is approved.



DATE/7/23/2019	JOB#_19045
DRAWN BY	IC
CHECKED BY	
	SHEET-1-OF-1



Legal #1	17-5047-362-20-003 FROM: CHARLES/ALIZA KNOX		
Legal #2	RICO TR WEND MANTZ AVE, LTS 1,2 BLK 28 36-40-11		
Legal #3	B-187 P-40-42 B-193 P-342 B-233 P-496,497		
Legal #4	B-238 P-318 B-264 P-212,213B-264 P-214,215(POA)		
Legal #5	B-265 P-468(RELEASE OF ROW)B-318 P-465(WD)		
Section	36	Township	40
		Range	11



No photo available for this property.

Sale Information

Date	04/30/2003	Book	321
Price	0	Page	257
Grantor	LOCHTE, WILL & SANDRA K.		
Grantee	LOCHTE, WILL & SANDRA K. (JT)		

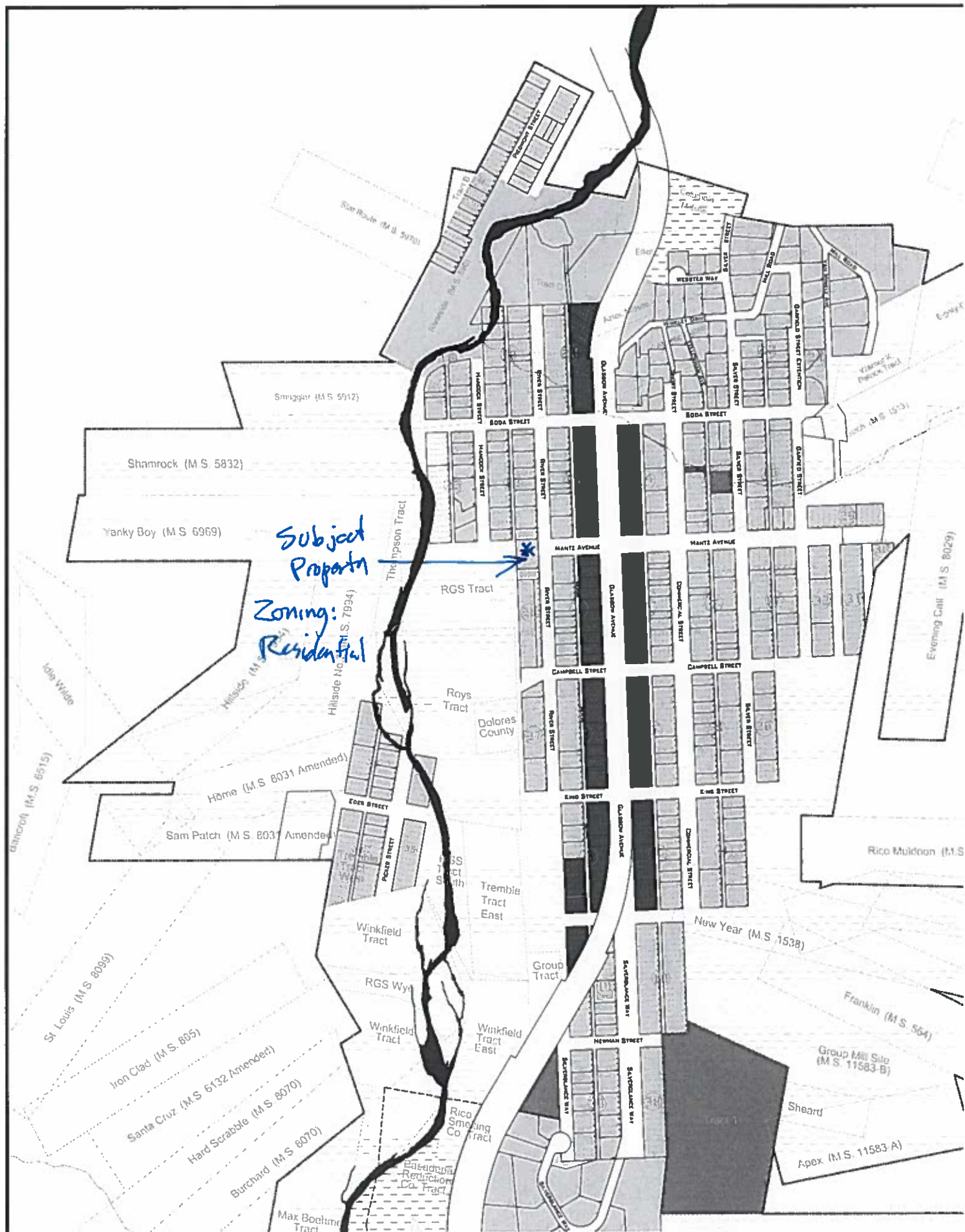
Improvement Information

Building Value	176217
Extra Feature Value	0
Bathrooms	2
Bedrooms	2
Heated Sqft	1508
Year Built	2007

Account Information

Owner	LOCHTE WILL & SANDRA K. (JT)
Owner Address	
Address Line 2	
Address Line 3	P.O. BOX 206
Address Line 4	RICO
State	CO
Zipcode	813230000
Site Address	1 S RIVER STREET
Acres	0
Land Use	Residential Improved
Tax Area	102
Mill Levy	0.075616
Building Value	176217
Extra Feature Value	0
Land Value	97500
Total Value	273717
Assessed Value	19571

No certification or accuracy of information is made or implied. Information may be changed without notice. This map is for informational purposes only and is not a legal map. Call 970-677-2365 with any questions.



STATE OF COLORADO
DOLORES COUNTY

CERTIFICATE OF TAXES DUE
Thru Tax Year 2018

Certificate No 123
Printed 08/26/2019

Assessed Owner:

LOCHTE WILL & SANDRA K. (JT)
P.O. BOX 206
RICO CO 81323

SCHEDULE NUMBER

504736220003 R

TAX DISTRICT

102

ROLL PAGE

1000

Ordered by: E Johnson

===== N O T I C E =====

I, the undersigned, County Treasurer in and for said County, do hereby certify that there are no unpaid taxes or unredeemed tax lien sale certificates, except as shown below, as appears of record in this office, on the following described property, to-wit:

TAXING ENTITIES	\$/THOUS	TAX		
SCHOOL DIST RE-2J	18.576	305.06		
DOLORES COUNTY	28.013	460.03	2018 TAX AMT	1238.70
TOWN OF RICO	18.744	307.82	2018 TAX PD	1238.70-
RICO FIRE PROTECTION	7.468	122.64		
S W WATER CONS	.407	6.68		
DOLORES WATER CONS	2.221	36.47		
TOTALS	75.429	1238.70		

LEGAL DESCRIPTION OF PROPERTY

17-5047-362-20-003 FROM: CHARLES/ALIZA KNOX
RICO TR W END MANTZ AVE, LTS 1,2 BLK 28 36-40-11
B-187 P-40-42 B-193 P-342 B-233 P-496,497
B-238 P-318 B-264 P-212,213 B-264 P-214,215 (POA)
B-265 P-468 (RELEASE OF ROW) B-318 P-465 (WD)
B-318 P-462 (POA) B-321 P-257 (QC)
B-333 P-297 (WTR)

TAXES HAVE BEEN PAID IN FULL

Total Now Due

\$.00

IN WITNESS WHEREOF; I have hereunto set my hand and the seal of my office,
this 26TH day of AUGUST

JANIE STIASNY
DOLORES COUNTY

BY: 



This Certificate does not certify as to any taxes which may or may not, be due on any Mobile Home, Improvement, Personal Property, Oil, Gas or General Rights, or Special Assessments which may, or may not, be located on the Property described above, unless specifically listed and described. Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the board of county commissioners, the county clerk and recorder, or the county assessor.

The Lochtes
POB 206
Rico, Colorado 81332
970-749-0711
will@thelochtes.com

August 23, 2019

Kari Distefano
Rico Town Manager
PO Box 9
Rico, CO 81332

RE: Lochte Minor Subdivision Application

Kari,

Will Lochte and Sandra K. Lochte hereby authorizes Erin Johnson and Erin Johnson Attorney at Law LLC to act as its agent with regard to the Minor Subdivision Application submitted today for a two lot minor subdivision located at 1 S. River Street in Rico.

Sincerely,



Will Lochte



Sandra K. Lochte

Erin Johnson
Attorney at Law, L.L.C.
9 S. Glasgow Avenue, POB 189
Rico, Colorado 81332
303-588-2695
erin@fone.net

August 23, 2019

Kari Distefano
Rico Town Manager
PO Box 9
Rico, CO 81332

RE: Lochte Minor Subdivision Application

Kari,

CERTIFICATE OF MAILING

I hereby certify that on August 23, 2019, I mailed by first class mail a copy of the completed Notice of Pending Subdivision Application, a copy of the vicinity map and a copy of the proposed site plan to the owners of property located within 200 feet of the Subject Property. A site map and mailing list of the notified property owners are attached as Exhibits to this letter.



Erin Johnson

REGAN TIMOTHY
P.O. BOX 248
RICO CO 81332

TOWN OF RICO
PO BOX 56
RICO CO 81332

JOHNSON BENJAMIN D. &
REBECCA B. WILLIS
P.O. BOX 2624
FORT DEFIANCE, AZ 86504

DISPOSITION PROP, LLC
C/O EMMERSON ENT., INC.
14555 N. SCOTTSDALE RD, 330
SCOTTSDALE AZ 85254

PYLE BLAIR W. &
CLEVELAND, BRYNDA L.
7411 E. VISAO DR.
SCOTTSDALE AZ 85266

NOLAN WILLIAM III & EMILY
JEAN NOLAN
19 MULE DEER RUN
SNOWMASS CO 81654

BENNETT THOMAS W. &
GORDON R.,JR
P.O. BOX 830
RIDGEWAY CO 81432

MOGETZ LINDA LEIGH
P.O. BOX 41
TAOS SKI VALLEY NM 87525

UNGER GEOFFREY
1221 NE 60TH AVE.
PORTLAND OR 97213

HEUERTZ JOHN
957 S. 73RD PLACE
KANSAS CITY KS 66111-2871

EJG-HLG FAMILY TRUST
6340 WIND RIVER POINT
COLORADO SPRINGS CO 80923

CLARK DOUGLAS A. &
CHERYL A.
6545 EAST STALLION ROAD
PARADISE VALLEY AZ 85253

PEREGRINE CAPITAL INV, LLC
6545 EAST STALLION ROAD
PARADISE VALLEY AZ 85253

PIHLGREN DAVID IRR TRUST
P.O. BOX 3822
TELLURIDE CO 81435

KEES BLAKE GREGORY
P.O.BOX 462
PLACERVILLE CO 81430

BURLEY JW & CO, LLC
P.O. BOX 189
RICO CO 81332

RICO TELEPHONE CO, INC
TAX DEPT-KIP WILSON
P.O. BOX 324
ROCKLAND ID 83271

CLARK NITA
P.O. BOX 55
RICO CO 81332

EVERS RONALD P.
P.O. BOX 94
RICO CO 81332

MULDOON CORNELIUS F. &
BARBARA D
13142 6100 ROAD
MONTROSE CO 81403

RTC 3, LLC
P.O. BOX 8
RICO CO 81332

NOTICE OF PENDING MINOR SUBDIVISION APPLICATION

Date: August 23, 2019

RE: Public Hearing on Re-Zoning Application

Dear Property Owner,

You are receiving this public notice as required by the Town of Rico Land Use Code because you own property within 200 feet of a proposed minor subdivision application.
(please describe add address and/or legal description of subject property)

1 S. River Street, Rico, CO 81332

Name of Applicant: Will Lochte and Sandra K. Lochte

Type of Development Application(s): 2 lot minor subdivision

Legal Description: Lots 1 & 2, Block 28, Townsite of Rico, and Tract. See Dol CO 50473620003

Address: 1 S River Street, Rico, Colorado

Lot or Site Size: Current: 130 x 100. Proposed: 2 lots, each 65 x 100

Review Authority: Rico Planning Commission

Rico Planning Commission Hearing Date: Sept 11, 2019, 7:000 PM

Rico Town Council Hearing Date: Sept 18, 2019, 7:00 PM

Location of Public Hearing: Rico Town Hall, 2 Commercial Street, Rico Colorado, 81332

Send emailed comments addressed to the townmanager@ricocolorado.gov

Or by surface mail to:

Kari Distefano

Town of Rico

PO Box 9

Rico Colorado, 81332

Sincerely,

Kari Distefano, Rico Town Manager

S. Glasgow Ave.



Note: Some curra + ownerships different from those labels

00146024 04/30/2003 04:02pm BK: 0321 PG: 257
EARLENE WHITE DOLORES COUNTY CLERK & RECORDER

QUITCLAIM DEED

THIS DEED, made this 26TH day of MARCH, 2003,
between
WILL LOCHTE AND SANDRA K. LOCHTE

of the said *County of La Plata and State of
Colorado, grantor, and

WILL LOCHTE AND SANDRA K. LOCHTE
whose legal address is 4086 CR 119
HESPERUS, CO 81326

of the said County of La Plata and State of Colorado, grantees:

WITNESS, that the grantor, for and in consideration of the sum of Ten Dollars and other good and valuable consideration DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does
remise, release, sell and QUITCLAIM unto the grantees, their heirs, successors and assigns forever, not in tenancy in common but in joint
tenancy, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any,
situate, lying and being in the said County of Dolores and State of Colorado,
described as follows:

Lots 1 and 2, Block 28, TOWNSITE OF RICO, according to the plat thereof filed for record in the
office of the Dolores County Clerk and Recorder.

AND

A tract of land in Rico Township, also being within the NW1/4 of Section 36, Township 40 North,
Range 11 West, N.M.P.M., being more particularly described as follows:

BEGINNING at the NE Corner of Block 28, Rico Township, according to the plat thereof filed for
record in the office of the Dolores County Clerk and Recorder;

THENCE North 02°06'34" West a distance of 80.00 feet to the SE Corner of Block 12, said Rico
Townsite;

- " South 87°53'26" West a distance of 100.00 feet to the SW Corner of Lot 20 of said Block 12;
- " South 02°06'34" East a distance of 80.00 feet to the NW Corner of Lot 1 of said Block 28;
- " North 87°53'26" East a distance of 100.00 feet to the point of beginning.

also known by street and number as:
assessor's schedule or parcel number:

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise
thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper
use, benefit and behoof of the grantees, their heirs and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

WILL LOCHTE

SANDRA K. LOCHTE

DD 18775 E

COLORADO LAND TITLE CO.
631 E. Main
Cortez, CO 81321
(970) 564-9770

STATE OF COLORADO

County of

Montezuma

ss.

QUIT CLAIM DEED

THIS DEED, made this _____ day of _____, 2019,
Between the Town of Rico, a Colorado Municipal Corporation, of the County of
Dolores, State of Colorado, Grantor, and,

Charlynn Boyce Whicker
1200 Richland Oaks Drive
Richardson Texas, 75081

Of the County of Dallas, State of Texas, Grantee

WITNESSTH, that the grantor, for in consideration of the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has released, remised, sold and QUIT CLAIMED, and by these presents do remise, release, sell and QUIT CLAIM unto the grantee, his heirs, successors and assigns, forever, all the right, title, interest claim and demand which the grantor has in and to the real property lying and being in the County of Dolores and State of Colorado, described as follows:

A 10 foot wide utility easement across Lot 28, Atlantic Cable Subdivision, Town of Rico,
as described and created by the Atlantic Cable Subdivision Plat recorded at Book 2, Page7,
Dolores County Clerk and Recorder's Office;

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in otherwise thereunto appertaining, and all the estate, right, title, interest, claim whatsoever, of the grantor, either in law or in equity, to the only proper use, benefit and behoof of the grantee, his heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

By: Zach McManus, Mayor

Attest: _____
Linda Yellowman, Town Clerk

State of Colorado)
)
County of Dolores)

The forgoing instrument was acknowledged before me this ____ day of _____, 2019, by Zach McManus as the Mayor of Rico and Linda Yellowman as Rico Town Clerk.

From: Paul Ruud pruud@telluride-co.gov
Subject: FW: Rico Colorado Utility Easement Question
Date: September 4, 2019 at 12:38 PM
To: Kari Distefano townmanager@ricocolorado.gov, Asa Van Gelder asavangelder@gmail.com



Good Afternoon,

Please see the correspondence below from Cody Bailey, who I understand to be the engineering/easement person for Rico Telephone Company.

I hope this helps.

Paul

From: Cody Bailey <cbailey@directcom.com>
Sent: Wednesday, September 04, 2019 11:41 AM
To: Paul Ruud <PRuud@telluride-co.gov>
Subject: Re: Rico Colorado Utility Easement Question

I have reviewed all of our maps and did an on-site walk through of the lots in question. Rico Telephone does not have any utilities running through or on the site described in the attachments of this email.

Thank you,
Cody Bailey
Rico Tel
Operations manager
(801)-789-2821
cbailey@directcom.com

On Aug 23, 2019, at 3:50 PM, Paul Ruud <PRuud@telluride-co.gov> wrote:

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Paul Ruud <PRuud@telluride-co.gov>
Date: 8/22/19 3:35 PM (GMT-07:00)
To: Cody Bailey <cbailey@directcommunications.com>
Subject: FW: Rico Colorado Utility Easement Question

Hello Cody,

Please see the email below. The ladies in the Direct Communication office provided me with your email. The Town of Rico did discuss this easement at the normally scheduled meeting last night. Prior to that meeting, the San Miguel Power Association provided the letter that I have attached to this email. The Town of Rico is attempting to understand if there are any existing utilities that are in the easement within the private property. The desire is to see the easement vacated on Tract 28.

Fyi, last night the Rico Town Trustees were also discussing the possible abandonment of other portions of the same 'diagonal' easement.

Please feel free to give me a call. My hope is to get a letter from Rico Telephone Company that is similar to the SMPA one.

Thank you.

Paul Ruud
970-728-3077 (W)
970-729-1016(C)

From: Paul Ruud
Sent: Friday, August 16, 2019 1:17 PM
To: support@ricotelephone.com
Subject: Rico Colorado Utility Easement Question

Good Afternoon,

My name is Paul Ruud and I am under contract to purchase a vacant lot in Rico, Colorado. The lot has a utility easement that runs diagonally across the lot – please see the attached Improvement Survey Plat for Tract 28, Atlantic Cable Subdivision, Rico, Colorado, for a depiction of the easement in quest. I have also attached an ariel photo of the lot and the surrounding vicinity to help you identify the location of the lot and easement.

My Real Estate Broker, Asa Van Gelder, has been in communication with Rico Town Manager Kari Distefano about the easement in question. Please see a portion of their correspondence below. The discussion has resulted in a request of Rico Telephone Company about whether the Rico Telephone Company has any infrastructure located in this particular easement. Any help you could provide would be of great service. Please let me know if I should contact someone else for this information.

Referenced correspondence between Asa and Kari: "It would be helpful to know

that there are no utilities in that easement. As I said, our public works guy doesn't know of any but a statement from Rico Telephone and SMPA stating that they had no utilities there would be helpful."

Thank you for your time. Please let me know if I should contact some else or talk to our local Rico Telephone Company representative.

Paul Ruud
PO Box 35
Rico, CO 81332
970-729-1016(C)

<19050 isp-24X36 PLAN.pdf>

<Ariel Photo of Northeast Rico Colorado.pdf>

<Lot 28 Rico SMPA Letter August 2019.pdf>



August 19th 2019

To Whom It May Concern:

San Miguel Power Association (SMPA) does not have any facilities within the 10' utility easement platted for Lot 28 (East of St Louis Rd) within Atlantic Cable Subdivision, Town of Rico, Colorado. We also do not plan to utilize this corridor.

Future service connections will be based on our Line Extension Policy as found in SMPA's Rules, Regulations, and Policies.

Best regards,

Jeremy Fox
Service Planning Supervisor
Office: 940.626.5549 x202
Email: Jeremy@smpa.com



SERVICES AGREEMENT

This Agreement is made and entered into this 18th day of September, 2019 by and between the Board of Trustees of the Town of Rico, whose address is P.O. Box 9, Rico, Colorado 81332, hereinafter “Rico”, and Bryan Lewis of Lewis Excavating Inc., whose address is _____, hereinafter referred to as “Contractor”.

Material to this Agreement are the following points of agreement, which Rico and Contractor agree provide sufficient and good consideration for this Agreement to be binding upon the parties:

1. Contractor is qualified and willing to provide snowplowing services as described in Exhibit A, attached to this contract:

Now therefore, in consideration of the mutual representations, promises and conditions contained herein, the parties agree as follows:

- A. Services to be Provided.** Contractor will provide snowplowing services at the rate of \$150.00 per hour for a loader with chains, \$100.00 per hour for a pick-up plow truck, \$120.00 per hour for a skid steer with blower and chains, with a total not to exceed \$20,000.00 for the contract period. Contractor will provide an invoice for work pursuant to the provisions to paragraph 2(B) below.
- B. Payment.** The Town of Rico will pay Contractor at the rates listed in paragraph A above. In the absence of an express written agreement to revise the rates, Contractor’s rates shall remain as provided for the term of the Agreement.
- C. Term.** The term of this Agreement is from December 1st, 2019 through April 1st, 2020, and may be extended as agreed upon by the parties.
- D. Insurance and Taxes.** Contractor shall not be an employee for purposes of benefits, and workmen’s compensation, and shall instead be considered an independent contractor. Contractor is responsible to obtain insurance, if contractor deems it necessary. Contractor is responsible for any taxes owed to federal, state or local government entities and will be issued a 1099 from Rico for any monies Rico paid to Contractor under this agreement.
- E. Indemnification.** Contractor shall defend, hold harmless and indemnify Rico against any tort, professional liability claim, or demand or other legal action,

whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Contractor's duties.

F. Governmental Immunity. Contractor understands and acknowledges that Rico relies on, and does not waive or intend to waive by any portion of this Agreement any provision of the Colorado Governmental Immunity Act, C.R.S. 24-10-101, et seq.

G. Assignment. This Agreement is a personal services contract and may not be assigned by either party.

H. Modification or Amendment. No modification or amendment to this Agreement shall be binding or of any force or effect whatsoever unless mutually agreed upon as evidenced by a written amendment or modification with signatures authorized for each party.

I. Not a Multi-Year Financial Obligation. This Agreement does not obligate Rico to budget or authorize funds beyond the Term.

J. Notices. Any written notice required or authorized by this Agreement shall be sent, postage pre-paid by United States Postal Service addressed as follows:

County: Board of Trustees
Town of Rico
P.O. Box 9
Rico, CO 81322

Contractor: Bryan Lewis
P.O.
Rico, CO 81322

K. Entire Agreement. This Agreement as written contains the entire agreement of the parties with respect to the subject matter of temporary, contract employment. This Agreement replaces and supersedes any oral representations or agreements.

L. Severability. If any part, term or provision of this Agreement is held by the courts to be illegal or in conflict with any federal or state law, the validity of the remaining portions or provisions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provisions held to be invalid.

M. Governing Law. This Agreement shall be governed by the laws of the State of Colorado, both as to interpretation and performance, and the courts of the state of Colorado shall have exclusive jurisdiction to resolve any disputes arising from this Agreement, with venue in Dolores County, Colorado.

N. Attorneys' Fees. The prevailing party in any action to enforce the terms and conditions of this Agreement shall collect all reasonable costs and expenses incurred in such action, including, but not limited to, reasonable attorneys' fees.

Attested by:

Town of Rico

Linda Yellowman
Town of Rico Clerk

By: Kari Distefano, Manager

Date: _____

Brian Lewis

Date: _____

Exhibit A

Tuesday, August 20, 2019

LEWIS EXCAVATION INC.

SNOW REMOVAL RATE SHEET

HOURLY

LOADER WITH CHAINS	150.00
PICK-UP PLOW TRUCK	100.00
SKID STEER WITH BLOWER AND CHAINS	120.00

PREDICTED SEASONAL SNOW REMOVAL HELP

LOADERS	80 HRS	12,000.00
PLOW TRUCK	25 HRS	2,500.00
SKID BLOWER	25 HRS	3,000.00

**INTERGOVERNMENTAL AGREEMENT CONCERNING THE ADMISSION
OF THE TOWN OF RICO, COLORADO AS A MEMBER
OF THE SAN MIGUEL AUTHORITY FOR REGIONAL TRANSPORTATION
AND INCLUSION OF THE BOUNDARIES OF THE TOWN OF RICO WITHIN THE
BOUNDARIES OF THE SAN MIGUEL AUTHORITY
FOR REGIONAL TRANSPORTATION**

THIS AGREEMENT (“Agreement”) is made and entered into as of the ____ day of _____, 2019 by and between the SAN MIGUEL AUTHORITY FOR REGIONAL TRANSPORTATION (“SMART”) and the TOWN OF RICO, COLORADO (“the Town of Rico”).

RECITALS

WHEREAS, the Town of Telluride, the Town of Mountain Village and San Miguel County (“the Initial Members”) entered into an Intergovernmental Agreement dated November 9, 2016 to form a regional transportation authority, known as the San Miguel Authority for Regional Transportation, pursuant to Section 43-4-601, et seq., Colorado Revised Statutes; and

WHEREAS, on November 8, 2016, the electors within the boundaries of the Initial Members approved the formation of a rural transportation authority; and

WHEREAS, the SMART formation Intergovernmental Agreement (“SMART IGA”), attached as Exhibit “A”, provides a method for adding additional members to SMART in Section 8.03, effective upon:

- “(a) The adoption of a resolution of the Board in accordance with Section 3.09 herein, the effectiveness of which may be conditioned by agreement and compliance of such new Member with any conditions which the Board, in its sole discretion, sees fit to impose;
- (b) Unless the new Member is the State, approval of such new Member’s participation in the Authority by the electors residing within the territory of the new Member that is to be included in the Boundaries of the Authority; and
- (c) Compliance with any other conditions to the admission of such new Member as a Member or its execution of the amended Agreement imposed under the Act, the Intergovernmental Relations Statute or any other applicable law.”

WHEREAS, SMART imposes a .75 mill levy and .25 sales tax within its boundaries; and

WHEREAS, pursuant to Colorado Revised Statutes Section 43-4-605(2), the SMART Board may include property within the boundaries of the Authority which is within a municipality only if certain conditions are met; and

WHEREAS, one of the requirements of inclusion of additional property within the Authority boundaries is that the governing body of the municipality to be included must consent to the inclusion; and

WHEREAS, SMART and the Town of Rico entered into that “Intergovernmental Agreement for Transit Service Between the Town of Rico, Colorado and the San Miguel Authority for Regional Transportation” as of the 10th day of January, 2019, paragraph 3(b) of which provides for the Town of Rico to place an initiative on the November 2019 Town of Rico ballot seeking formal acceptance to SMART and requesting that the Town of Rico approve the .75 mill levy for the purpose of entering SMART, a copy of which is attached as Exhibit “C”; and

WHEREAS, the Board of Trustees of the Town of Rico at a duly-noticed public meeting held on August 21, 2019, called an election on November 5, 2019, at which the Town will submit to its registered electors ballot measures including the following:

SHALL THE PROPERTY WITHIN THE BOUNDARIES OF THE TOWN OF RICO BE INCLUDED IN THE BOUNDARIES OF THE SAN MIGUEL AUTHORITY FOR REGIONAL TRANSPORTATION (SMART) AND BE SUBJECT TO THE SMART .75 MILL LEVY AND 0.25% SALES TAX FOR THE PURPOSES OF PROVIDING PUBLIC TRANSPORTATION BETWEEN RICO AND TELLURIDE AND ALLOWING RICO TO HAVE A SEAT ON THE SMART BOARD OF DIRECTORS?

; and

WHEREAS, both SMART and the Town of Rico desire to include all property within the Town of Rico in the boundaries of SMART, provided that a majority of the registered electors of the Town of Rico approve the ballot measure set forth above

; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The SMART Board agrees to commence the process to amend the SMART IGA as follows:
 - a. No later than September 15, 2019, SMART will provide a Notice of Hearing pursuant to Section 43-4-605, C.R.S., a copy of which is attached as Exhibit “D”, to all property owners in the Town of Rico. The Town shall request Dolores County to provide a list of property owners together with their addresses, o to SMART for mailing by the SMART Executive Director and Administrator no later than September 10, 2019. All costs of obtaining the list of property owners

and of the mailing shall be paid by the Town of Rico. SMART shall pay all other costs of providing the Notice of Hearing;

- b. The SMART Board shall conduct a hearing pursuant to the aforementioned Notice at its meeting on Thursday, October 10, 2019, as such meeting may be continued and adjourned to hear any objections to the inclusion; and
- c. SMART shall solicit the approval of this Agreement and consent for the admission of the Town of Rico as a Member and inclusion of the boundaries of the Town of Rico into the boundaries of SMART by formal action of the Town of Mountain Village, the Town of Telluride, the Town of Rico and the Board of County Commissioners of San Miguel County; and
- d. The SMART Board shall, no later than November 10, 2019, consider a Resolution, substantially in the form attached hereto as Exhibit "F", to amend the SMART IGA to include the Town of Rico as a member of SMART and increase the number of Board members from 6 to 7 Members, to allow for the appointment of one Board Member by the Town of Rico; and
- e. To provide for continuation of the existing transit services provided by SMART within the Town of Rico corridor, as set forth in the Intergovernmental Agreement attached as Exhibit "B", as may be amended by direction of the SMART Board.

2. The Town of Rico shall pay all costs associated with the November 5, 2019 election, .

3. The Town of Rico agrees that, if the electors of the Town of Rico approve the ballot question, the Town of Rico agrees to become a member of SMART upon the adoption of the Resolution of SMART.

NOW, IN WITNESS TO THIS AGREEMENT, SMART and the Town of Rico have signed and executed this Agreement the ____ day of _____, 2019.

SAN MIGUEL AUTHORITY FOR REGIONAL
TRANSPORTATION

ATTEST:

By: _____
Todd Brown,
Chairman, Board of Directors

Secretary to the Board

THE TOWN OF RICO, COLORADO

ATTEST:

By: _____
Zach McManus,
Mayor

Town Clerk