

Town of Rico Memorandum

Date: January 12, 2024

TO: Town of Rico Board of Trustees
FROM: Chauncey McCarthy, Rico Town Manager
SUBJECT: January Board of Trustees Regular Meeting

Swearing in of the recently reelected Trustee of the Rico Board of Trustees

Congratulations to Pat Fallon for your reelection as a Rico Trustee.

Appointment of vacant Board of Trustees seat

There is currently one vacant seat for the Board of Trustees. Included in the packet is a letter of interest from Joe Croke for the board's review and consideration.

Appointment of vacant Planning Commission seats

Included in this packet are three letters of interest for the open seats on the Planning Commission.

RLUC 702:

702.1 MEMBERSHIP Composition. The RPC shall consist of five regular members and first and second alternate members who shall be appointed by the Board of Trustees.

702.2 Terms. Members shall be appointed for two year staggered terms commencing on January 1st. The term for 3 regular members and the second alternate shall commence on even numbered years and the term for 2 regular members and the first alternate shall be commence on odd numbered years.

The planning commission has five open seats; three regular seats whose terms have ended, and two alternate seats.

Consideration of first reading of Ordinance 2023-06, an ordinance of the Town of Rico, Colorado amending the short-term rental restrictions and licensing requirements in the Rico Land Use Code.

Included in this packet is ordinance 2023-06 which would amend the short-term rental restriction and licensing requirements in the Rico Land Use Code. In addition to the ordinance, a staff memo summarizing the changes, and reviewing the proposed amendment to the RLUC requirements has been provided.

The board reviewed this ordinance at their November meeting and elected to continue the hearing until there was a chance to further discuss the public comments regarding quadrant reconfiguration that was presented. The board reviewed this concept at the December meeting and elected to move forward with the first reading of the proposed ordinance as drafted.

This item was reviewed by the Planning Commission at their November 8, 2023 meeting and a recommendation was made:

Motion

To recommend approval of Ordinance 2023-06, an ordinance of the Town of Rico, Colorado amending the short-term rental restrictions and licensing requirements in the Rico Land Use Code.

- Moved by Michael Contillo, second by Andrew Romanyshyn
- Vote. A roll call vote was taken, and the motion was approved, 4-0.

Recommended Motion:

- I move to approve the first reading of Ordinance 2023-06, an ordinance of the Town of Rico, Colorado amending the short-term rental restrictions and licensing requirements in the Rico Land Use Code.

Consideration of letter of support for the Rico Geothermal Coalition grant application

Included in the packet is a letter of support for the Rico Geothermal Coalition (RGC) grant application. Teal Stetson-Lee of the RGC will be in attendance to present the letter and answer questions.

Consideration of waiver and modification of certain Rico Land Use Code subdivision provisions for condominium application for Bedrock subdivision Lot 6, BRD LLC applicant

BRD LLC, owners of Bedrock subdivision Lot 6, would like to go through a condominium conversion for their Lot 6 development to allow for the sale of individual units. Per the RLUC the creation of the condominium map would be considered a major subdivision. Since the vertical development of this property is nearing completion there are many provisions within the code that may not be relevant to their application. Due to this their attorney has provided a letter requesting waivers and modifications to RLUC requirement. In addition to the letter the attorney has provided an exhibit addressing each provision of the code. Staff and our attorney have been working with the applicant to help provide direction. An email from myself to the applicant has been included in the packet as well.

This item was reviewed by the Planning Commission at their January 10, 2024 meeting and a recommendation was made:

Motion

I recommend for the applicant to provide preliminary condominium plat and shorten review period from 65 to 20 days. Then submit the materials of the final plat requirements and shorten the review period to 20 days. To waive conceptual plat phase and only require condo map, as-built drawings, and easements and legal documents as necessary for preliminary plat submission process.

- Moved by Kiplynn Smith, second by Gerrish Willis
- Vote. A roll call vote was taken, and the motion was approved, 5-0.

Dark Sky Association presentation

There has been a community driven initiative for Rico to be designated as an International Dark Sky community. Aaron Watson, dark sky certification specialist, will present to the board on the process and next steps.

Voluntary lead soils clean up (“VCUP”) status

Mayor Pieterse to provide an update on the Voluntary lead soils clean up status.

2024 and beyond work plan

Included in the packet is the 2023 and beyond work plan. The board should review the previous work plan and be prepared to discuss the status of current goals and objectives along with providing direction to staff for the upcoming year.

Construction impact mitigation rules and regulations

Included in the packet is the most recent version of the construction impact mitigation rules and regulations including definitions. The board reviewed the definitions last month and had some suggested changes and additions. Once the changes to the definitions have been reviewed and agreed upon this document will then be used to create an ordinance officially adopting the regulations and imposing fees for violations.

Water rates

Staff are currently working on a redline of our Water Rules and Regulations. Through this process, rates, late fees, and escalated or tiered fee schedules have been researched. The Board of Trustees has not reviewed water rates since the end of 2020. (Many municipalities adjust rates yearly) Current residential rates are \$38 a month and commercial \$68 a month. If rates were to be adjusted for inflation over the past four years the residential rate would be increased to \$44 a month and commercial \$78 a month. The residential rate includes 3,000 gallons of water per month and a commercial rate includes 7,000 gallons of water per month. Once that amount of water is exceeded accounts are billed per 1000 gallons of water they consume. (\$5 per thousand residential and \$6 per thousand commercial.)

A common practice for Colorado water providers is to charge for additional consumption based upon a tiered rate schedule. Tiered water pricing is a critical tool used by water utilities to incentivize conservation.

Increasing block price schedules provide strong incentives for customers to conserve water. The lowest tier typically corresponds to an amount of water sufficient to meet basic indoor needs like drinking and bathing. Each subsequent tier charges a higher rate and is designed to discourage households from using water for non-essential things.

Examples of tiered rate schedules from Mountain Village, Ridgway, Ski Ranches, and Eagle River Water District have been included in the packet.

The Town historically charges 2 dollars a month plus 12% annum for late payments. This has been set up in the billing software since we first adopted RVS in 1995. The 2019 water rules and regulations allow for the town to charge \$50 as a late fee plus 12% annum. \$50 a month seems like usury and needs to be adjusted to more align with other utility providers (\$10-25 late fee). With the new online billing software, paperless options, and auto bill pay, account holders have never had an easier way to remit payments or view their usage.

2023 year-end financial review

Included in the packet are comparative income statement to budget for each fund. All funds, excluding sewer, closed out higher than they started. In general, revenue for each fund tracked higher than budget,

and expenditures lower than what was budgeted. The general fund operating expenses were higher than budgeted, due to the VCUP pass-through account. I am happy to discuss any aspect of each fund during the meeting.

Colorado Municipal League annual conference

The 2024 Colorado Municipal League conference will take place June 18 – 21, 2024 at the Embassy Suites by Hilton in Loveland CO. If you would like to attend, please let staff know so when registration becomes available, we can book your accommodation and register you for the event.

RICO TOWN BOARD MEETING MINUTES

December 20, 2023
Call to Order 7:02

Trustees Present: Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Chris Condon
Trustee Joe Dillsworth
Trustee Jordan Carr (Zoom 8:15)

Trustees Absent:
Trustee Benn Vernadakis
Trustee Jordan Carr
Trustee Joe Croke

Staff Present. Chauncey McCarthy, Anna Wolf

Approval of the Agenda

Motion

To approve the agenda.

Moved by Trustee Joe Dillsworth, seconded by Trustee Chris Condon.

Vote. A roll call vote was taken and the motion was approved, 4-0. Trustee Jordan Carr not present.

Approval of the Minutes

Corrections were made by Mayor Nicole Pieterse and Mayor Pro Tem Pat Fallon.

Motion

To approve the minutes October 12, 2023 November 15, 2023 and December 4, 2023 striking the paraphrasing of public comment and the items that were changed by Mayor Pro Tem Pat Fallon.

Moved by Mayor Nicole Pieterse, seconded by Mayor Pro Tem Pat Fallon.

Vote. A roll call vote was taken and the motion was approved, 4-0. Trustee Jordan Carr not present.

Consent Agenda

Payment of the Bills

Motion

To approve payment of the bills.

Moved by Trustee Chris Condon, seconded by Mayor Nicole Pieterse.

Vote. A roll call vote was taken and the motion was approved, 4-0. Trustee Jordan Carr not present.

Public Comment:

Larry Carver: commented regarding about Iron Draw subdivision improvements, grade of the new road in the Dolores Trail subdivision revegetation of the old road and adopting a tree ordinance.

Gerrish Willis: Commented on completion of sound proofing the meeting room
 Skip Zeller: Moment of silence for Marshal Michael Moran and commented on Dark Sky initiative and the USGS is cataloging the heavy metals in the area.

Presentations:

Colorado Housing and Finance Authority (CHFA) State Proposition 123 next steps
 Chris Lopez, Colorado Housing and Finance authority, gives presentation.

San Miguel Power Association micro grid

Terry Schuyler, Wiley Freeman, SMPA gives presentation and announces SMPA grant award of \$15,000 for primitive campsites.

Action Items:

Consideration of second reading of Ordinance No. 2023-06 an ordinance of the Board of Trustees of the Town of Rico, Colorado adopting the year 2024 Town budget; appropriating sums of money; and setting and certifying Town mill levies

Town Manager Chauncey McCarthy gives summary followed by Board discussion/questions

Motion

To approve Ordinance No. 2023-06.

Moved by Trustee Chris Condon, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Consideration of second reading of Ordinance 2023-07 an ordinance of the Town of Rico, Colorado amending and extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments

Town Manager Chauncey McCarthy gives summary, followed by Board discussion/questions.

Motion

To approve second reading of Ordinance 2023-07 an ordinance of the Town of Rico, Colorado amending and extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments

Moved by Mayor Pro Tem Pat Fallon, seconded by Mayor Nicole Pieterse.

Vote. A roll call vote was taken and the motion was approved, 5-0.

Staff Report

Clerk's Report

Nexbillpay: paperless and autopay options now available for water customers.

Manager's report

Vacant seat reminder for planning commission and Board of Trustees

Proposition study through Neptune completed.

Preliminary engineering report of the Sewer system. Presentation to be held during a work session February 15, 2024 at 6:30PM.

February regular meeting to be moved to February 28, 2024.

Employee consideration was discussed.

Discussion Items

Voluntary lead soils clean up ("VCUP") update

Mayor Nicole Pieterse gives update. Tom Bloomfield gives update.

February 1, 2024 6:00PM Public forum AR to present and will include presentation on Columbia Tailings repository.

Short term rental reconfiguration of quadrant boundaries

Board discussion took place. Public comment was taken.

First reading of the amended Ordinance 2023-06 scheduled for January 2024 meeting.

Town operated river corridor campground

Town Manager Chauncey McCarthy gives summary, followed by Board discussion/questions. Public Comment was taken.

IGA and funding request letter Telluride R-1 School District

Town Manager Chauncey McCarthy gives summary, followed by Board discussion/questions. Public Comment was taken.

Board provided direction to speak with school district about park improvements

Construction impact mitigation rules and regulations definitions review

Town Manager Chauncey McCarthy gives summary, followed by Board discussion/questions.. Public Comment was taken.

Anna Wolf
Rico Town Clerk

Nicole Pieterse
Mayor

8
13 Nov. 2023

Rico Town Manager
Board of Trustees

re: Vacant Board Seat - Joe Croke

To whom it may concern;

This letter serves as my
application for the seat on the
board for an additional term.
My Seat expires on 31 Dec.,
2023.

Very Truly Yours,


JOE CROKE



Chauncey McCarthy <townmanager@ricocolorado.gov>

Planning and Zoning next term.

2 messages

Andrew Romanyshyn <andrew.romanyshyn@gmail.com>

Thu, Dec 21, 2023 at 5:02 PM

To: townmanager <townmanager@ricocolorado.gov>

Hey Chauncey I would like to throw my hat into the ring to be a member of the Planning and Zoning for the next term. Let me know if you need anything else from me.

sincerely,

Andrew Romanyshyn

Chauncey McCarthy <townmanager@ricocolorado.gov>

Tue, Dec 26, 2023 at 8:16 AM

To: Andrew Romanyshyn <andrew.romanyshyn@gmail.com>

Thank you. This should be fine.

[Quoted text hidden]

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Chauncey McCarthy
Town Manager - Rico Colorado
O: 970-967-2863

January 3, 2024

Dear Rico Town Board Trustees,

I would like to be appointed for a second term on the Planning Commission.

We are in the midst of revising the Land Use Code and having Commission members who are familiar with the current code and with proposed changes to date makes our review more efficient.

My past experience as Planning Commission member and Chair in another town gives me background that is useful when reviewing land use applications and in making recommendations to the Town Board.

Sincerely,

Gerrish Willis

123 Van Winkle Avenue

Dear Planning and Zoning Commission:

Re: Letter of Interest for Seat on the town of Rico P & Z Commission

I write to express interest in joining the Planning and Zoning Commission for the town of Rico. Our growth and development are of great interest.

By way of a brief introduction, I am a local resident and property owner in Rico (102 N Hancock). Professionally, I sell real estate in the region and have been licensed since 2005. My passions include coaching girl's hockey and advocating for sustainable growth and private property rights.

I moved to the Telluride area in 2001 and have seen recessions and booms, which have created a tremendous amount of growth and need in various ways.

Looking at our town's current and future potential issues I believe I can add value to this panel as follows:

- I have Board experience. I spent seven years in leadership for the Association of Realtors. After a ten-year break, I currently hold a seat on the Board as the local representative at the state level.
- I have experience in seeing growth in our region and how it affects our infrastructure, community and local economy and sustainability.
- Having made this region my home for the past two decades, I am personally invested in seeing sustainable growth. Growth is inevitable and can be wonderful bringing vibrancy and a healthy community to our mountain hamlet for our residents.

Further, I am very comfortable working with people who think differently than I do. At the end of the day, we all love where we live. We might choose different paths and words to get to where we would like to be, but mostly we all want a similar outcome.

Thank you for your consideration.

Best,

Kip Smith

Submit to Local Licensing Authority

Fees Due		
Renewal Fee		
Storage Permit	\$100 X _____	\$
Sidewalk Service Area	\$75.00	\$
Additional Optional Premise Hotel & Restaurant	\$100 X _____	\$
Related Facility - Campus Liquor Complex	\$160.00 per facility	\$
Amount Due/Paid		\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

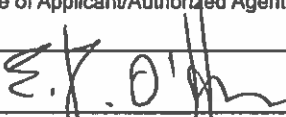
Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name Rico High Inc			Doing Business As Name (DBA) Prospector		
Liquor License # 03-05821	License Type Hotel& Restaurant (City)	Sales Tax License Number 30349519	Expiration Date 12/31/2023	Due Date	
Business Address 124 Glasgow Ave -Rico-Colorado 81332				Phone Number 970-967-3000	
Mailing Address PO Box 65 - Rico- Colorado 81332			Email ricobnb@fone.net		
Operating Manager Eamonn OHara	Date of Birth 12/28/1958	Home Address 20 N. Silver Street -Rico Colorado 81332		Phone Number 970-967-3000	
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease 10/31/2024					
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
3b. If so, which are you renewing? <input type="checkbox"/> Delivery <input type="checkbox"/> Takeout <input type="checkbox"/> Both Takeout and Delivery					
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. Yes No
8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. Yes No

Affirmation & Consent		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.		
Type or Print Name of Applicant/Authorized Agent of Business	Title	
Eamonn O'Hara	President	
Signature	Date	
	12/19/23	
Report & Approval of City or County Licensing Authority		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules. Therefore this application is approved.		
Local Licensing Authority For		Date
Signature	Title	Attest

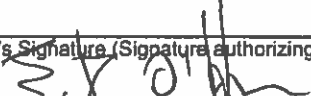
Tax Check Authorization, Waiver, and Request to Release Information

I, Eamonn O'Hara am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Rico High Inc/DBA Prospector (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) Rico High Inc dba Prospector		Social Security Number/Tax Identification Number 46-2212826	
Address 124 Glasgow Ave			
City Rico		State CO.	Zip 81332
Home Phone Number 970-403-7191		Business/Work Phone Number 970-967-3000	
Printed name of person signing on behalf of the Applicant/Licensee Eamonn O'Hara			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed 12/19/23

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

LEASE AGREEMENT

THIS LEASE AGREEMENT (this "Lease") is entered into this 11th day of November, 2023, by and between **RICO HOTEL, LLC**, a Delaware limited liability company ("Lessor") and **RICO HIGH, INC.** ("Lessee") and supercedes and replaces that expired original lease agreement" by and between Lessor and Lessee with an Effective Date of November 6, 2022 between the Parties (the "Original Lease Agreement").

This Lease concerns the old Rico Hotel, now used as apartments (the "Hotel") and adjacent and associated Prospector Restaurant (the "Restaurant") in Rico, Colorado, described herein.

This Lease makes material changes to the Original Lease Agreement and Lease Agreement dated November 1, 2022 by, among other things, removing the Hotel portion from the Lease.

Lessor hereby leases to Lessee and Lessee hereby Leases from Lessor, the Premises, described below, under the terms set forth herein.

1. **Premises and Project.** Lessor is the owner of the Rico Hotel, in Rico, Colorado, which consists of a hotel ("**Hotel**") and Restaurant commonly known as the Prospector (the "**Restaurant**"). The Hotel and Restaurant, together, are situated on land legally described as follows: Lots 25, 26, 27, 28, 29, 30 and 31, Block 5 in the Town of Rico, according to the official plat of said Town, recorded in the office of the Clerk and Recorder, Dolores County, State of Colorado, as known by street and number as: 124 S. Glasgow Avenue, Rico, CO 81332 ("**Project**"). This Lease is solely for the Restaurant, which shall also be referred to as "**the Premises**" and consists of approximately 2,500 square feet, as well as non-exclusive access to certain common areas of the Project, including parking, which Lessee and its guests shall have the right to use free of charge, in common with other users or occupants of the Project ("**Common Areas**"). Lessor may develop rules regarding the use of Common Areas, which Lessee agrees to abide by.
2. **Use.** The use of the Premises shall be as a Restaurant, in compliance with the laws, rules, regulations and orders promulgated by the Town of Rico, Colorado, the County of Dolores, Colorado and/or the State of Colorado.
3. **Town of Rico Reporting Requirements.** Lessee will cooperate with Lessor and Town of Rico to provide the required readings outlined in email from Chauncey McCarthy dated 7/18/2022 related to water use and table covers. Water flows will be recorded weekly and table covers recorded daily. Data will be submitted on the 1st day of the following month to **Steve Swenson** at sswenson@telski.com.
4. **Term.** The Lease Term shall be from November 1, 2023 through October 31, 2024 ("**Term**"). Lessee acknowledges that it has been is currently in possession of the Premises via the expired Original Lease Agreement. Either Party shall have the right to terminate this Lease at any time and for any reason by providing the other Party with thirty (30) days written notice of termination. If not otherwise terminated, the Term may be extended on upon mutual, written consent of the Parties.
5. **Rent.** Lessee shall pay Lessor monthly rent in the amount of One-Thousand

dollars (\$1,000.00) per month or Six percent (6%) of gross revenue, whichever is more, payable on or before the 10th of each month during the Term. Gross revenue shall be defined as all revenue received by Lessee from the sale of goods and services, including all food and beverage sales (alcohol included) at the Restaurant, excluding sales taxes. Nothing else shall be deducted from Gross revenue.

6. **Lessee's Operations.** Lessee shall employ all persons associated with Lessee's operation of the Restaurant under its name and in compliance with all laws and Landlord shall have no role, liability or affiliation with Lessee's operation. Lessor is not a partner of Lessee's nor does this Lease create a joint venture between Lessor and Lessee.
7. **Licenses or Permits.** If any governmental license or permit shall be required for the proper and lawful conduct of the Lessee's operations Restaurant, then Lessee at its sole cost and expense, shall procure and maintain such license or permit. Further, Lessee, at its sole cost and expense, shall at all times comply with the requirements of all such licensees and/or permits.
8. **Assignment, Subletting.** Lessee shall not assign this Lease nor sublet all or any portion of the Premises without the prior written consent of Lessor. Lessor shall have the right to sell, transfer or assign the Premises subject to this Lease, and the right to assign its interest under this Lease.
9. **Restaurant Equipment.** All furniture, fixtures and equipment (the "FF&E") located in the Restaurant are the property of Lessor. Lessee agrees to maintain the FF&E in good condition at all times and to return the FF&E in good condition at the termination of the Lease.
10. **Utilities.** Lessee shall pay all utility charges, including water, sewer, gas, electricity, telephone and other services and utilities used by Lessee on the Premises during the Term of this Lease, unless otherwise expressly agreed in writing by Lessor. Lessee shall cause all utilities to be placed in Lessee's name and pay the utility providers directly. Electricity and water are shared between the Restaurant and Hotel. Lessee and Lessor agree shall split the cost of electricity and water equally. Lessee may deduct Lessor's portion of utilities from monthly rent as long as a copy of respective utility invoice is provided.
11. **Maintenance, Repair.** Lessee has operated the premises for more than 3 years and has been responsible for the maintenance and condition of the premises, by agreement, which included keeping the building and equipment in good use and serviceable condition, as a standard that meets all applicable codes and requirements for lessee's use of the premises as a restaurant. Lessee agrees it shall maintain the Restaurant hood at all times during the Term, and have it professionally cleaned at a minimum of once during the Lease Term. Lessee further agrees it shall maintain the Project septic system at all times during the Lease, and shall have it professionally cleaned and pumped at least twice during the Term. Lessee accepts the Premises in its "AS IS" condition and agrees to return the Premises in good condition, reasonable wear and tear excepted. Lessor has made no representations or warranties regarding the Premises or Lessee's intended use and hereby disclaims anything to the contrary. Lessee shall, at its sole cost and

16. **Noticing.** All notices required or permitted to be given hereunder shall be in writing and shall be effective if sent by electronic mail to the following e-mail addresses:

Rico Hotel, LLC
ssolomon@tellurideskiresort.com
sreeder@tellurideskiresort.com

Rico High, Inc.
ricobnb@fone.com

17. **Modifications and Waivers.** No change, modification or waiver of any provision of this Lease shall be valid or binding unless it is in writing, dated subsequent to the date hereof and signed by the parties hereto. No waiver of any breach term or condition of this Lease by any party shall constitute a subsequent waiver of the same or any other breach, term or condition.
18. **Governing Law /Venue.** The parties consent and agree that Colorado law shall apply to all disputes concerning this Lease, and any and all legal proceedings relating to the subject matter of this Lease shall be maintained in state courts sitting in San Miguel County, Colorado or federal district courts sitting in the District of Colorado, and the parties further consent and agree that jurisdiction and venue for such proceedings shall lie exclusively with such courts.
19. **Severability.** If any one or more of the provisions contained herein for any reason shall be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Lease, but this Lease shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.
20. **Counterparts and Scanned Copies.** This Lease may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. Scanned copies of any party's signature hereon shall be deemed an original for all purposes of this Lease.
21. **Access.** Lessor shall have the right to access the Premises for any reasonable purpose during the Term in such a manner as to not disturb Lessee's operation unless the circumstances require otherwise. Such access shall be to inspect or maintain the Premises.
22. **Authority.** The individuals signing below on behalf of Lessor and Lessee, individually represent and warrant to the each other that they are duly authorized to sign this Lease.
23. **Remedies:** Failure to perform any conditions, covenants or agreements required of tenant, shall give Lessor the right, but not the obligation, to give notice of termination of this Lease agreement, and to take possession of the property and to seek damages from Lessee, together with unpaid rents and costs of collection.

LESSOR:

RICO HOTEL, LLC, A Delaware limited liability company

Sherrri K Reeder

Authorized Signer

11/14/2023

date

LESSEE:

RICO HIGH, INC

E J O'Hara

Eamonn O'Hara, President

11/14/2023

date



TOWN OF RICO
INCORPORATED OCTOBER 11, 1879
2 North Commercial Street
Post Office Box 9
Rico, Colorado 81332
Office # 970.967.2861
Fax # 970.967.2862
www.ricocolorado.gov

To: Rico Board of Trustees

11.9.2023

From: Chauncey McCarthy, Town Manager

Subject: Application for Amendments to the Rico Land Use Code (RLUC) - Short Term Rentals, Ordinance No. 2023-06, an ordinance of the Town of Rico, Colorado amending the short-term rental restrictions and licensing requirements in the Rico Land Use Code.

Included in your packet is a draft of Ordinance No. 2023-06, which would amend the short-term rental restriction and licensing requirements in the Rico Land Use Code.

This amendment addresses deficiencies in the current STR regulations identified during the August 16, 2023 regular Board meeting and other issues identified by Town Staff.

Pursuant to the RLUC § 456.4, new STR license applicants, and prior licensees whose two-year license has expired, are placed in a lottery. This creates practical difficulties for the Town, current property owners, and potential purchasers including, without limitation, the following:

- Resulting uncertainty regarding revenue from application fees, renewal fees and lodging taxes unnecessarily complicates the Town's budget process.
- Cannot reasonably predict the amount of initial or renewal application fees that the Town may collect in any given year to the extent that all the lottery winners could be new licensees, renewing licensees, or a mix of both.
- Cannot anticipate the Town's future lodging tax revenue when it does not know how many STR units will be in operation or the maximum occupancy of such units.
- Current licensees and potential purchasers cannot rely on the continued effectiveness of an STR license, or the related rental income, while pursuing loan alternatives. Any limitation on financing alternatives may be detrimental to the value and marketability of real estate.
- Town residents that use STRs to house visitors may also be affected to the extent that the regular turnover of STR licenses could make it more difficult to know what properties are currently available for their guests.

The proposed draft ordinance will amend the STR Regulations as follows:

- Replaces the lottery system with open enrollment. Allow STR license applications to be submitted at any time and issue licenses on a first come first serve basis. If there are no STR licenses available within a quadrant, applicants will be placed on a waiting list.
- Revises the application fee structure. Add a nonrefundable application fee of \$100 and \$75 for renewals, and make the current application fee a “license fee” to be paid when a license is available.
- Revises the license term and renewal provisions. The initial term of each STR license will begin on the date it is issued and end on the next renewal date. In order to simplify administration, there will be one annual renewal date per year applicable to all STR licenses, regardless of when they were issued. In conjunction with changing to annual renewal, the renewal fee has been reduced from \$1,500 to \$750.

In addition to the forgoing, the draft Ordinance proposes an increase to the penalties for violation of the STR regulations. Based on the current fine amounts, an individual could violate the STR Regulations three times before they were fined an amount equal to the application fee. The amendment would increase penalties as follows: \$2,500 for first offense, \$3,000 for second offense, \$4,000 for third offense, and \$5,000 for fourth and all subsequent offenses.

Please review these proposed changes for compliance with the RLUC amendment standards provided in Section 418 of the RLUC.

Discussion of RLUC Amendment Requirements and Standards

Section 414: Application for Amendment Requirements

- 414.1: Applicant is the Town of Rico Staff (and the Rico Planning Commission if these changes are recommended to the Town Board)
- 414.2: The requested changes are summarized in this cover letter and shown in Exhibit A to Ordinance 2022-05. These changes are general in nature and apply to all properties in the Town.
- 414.3: Not applicable.
- 414.4: Not applicable.
- 414.5: Not applicable.
- 414.6: Not applicable.
- 414.7: Not applicable.
- 414.8: This letter provides the applicable application information.

- 414.9: See above for an explanation of the rationale for the amendment request and see below for additional explanation.
- 414.10: Not applicable.

Section 418: Standards for Review of Amendment Applications

The Planning Commission shall find that either standard 418.1 is met or that standards 418.2 through 418.4 are met prior to recommending approval of the amendment.

418.1. The existing Zone District classification or desired Master Plan land use was adopted in error; or,

- *Not applicable.*

418.2. the proposed Amendment is compatible with the land uses in the surrounding area; and,

- *The proposed amendments will allow the Town to more effectively regulate short-term rentals and ensure that the operation of short-term rentals is consistent with surrounding land uses in the Town.*

418.3. the proposed Amendment will serve a community need and thereby promote the public health, safety, or welfare of the Rico community and the public services and infrastructure are adequate to meet the needs of the proposed Amendment; and,

- *The proposed amendments serve the needs of the Town. The amendments will update the regulation of short-term rentals in the Town to address the issues raised in a recent work session and by town staff. The amendments will also provide additional structure and clarity regarding the issuances of short-term rentals licenses in the Town and will help ensure that violation of the short-term rentals regulations penalties offset the cost of enforcement.*

418.4. the proposed Amendment is consistent with the purposes of the RLUC and the goals and objectives of the Rico Regional Master Plan.

- *The proposed amendments support the purposes of the RLUC, including to “preserve and enhance the integrity, stability and livability of residential neighborhoods.”*

**TOWN OF RICO
ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING
THE SHORT-TERM RENTAL RESTRICTIONS AND LICENSING
REQUIREMENTS IN THE RICO LAND USE CODE .**

WHEREAS, the Town of Rico, Colorado (the “Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rico Home Rule Charter (the “Charter”); and

WHEREAS, by Ordinance No. 2022-05, the Town amended the Rico Land Use Code to impose a license requirement for short-term rentals and remove short-term rentals from special use permit review; and

WHEREAS, on November 8, 2023, the Rico Planning & Zoning Commission considered the amendments to the RLUC contained in this Ordinance at a duly noticed public hearing, and recommended the Board adopt the amendments; and

WHEREAS, the Town desires to preserve small town character while maintaining livability in accordance with the Rico Regional Master Plan by minimizing the adverse effects of short-term rentals on residential neighborhoods and the Town’s housing supply; and

WHEREAS, the Board desires to amend the RLUC §§ 456 and 457 to allow for submission of applications at any time, creation and maintenance of a waitlist, shortening the permit duration to one year, amending the fee schedule and increasing fine amounts; and

WHEREAS, the Board finds and declares that the amendments to the RLUC regarding short-term rentals set forth herein are proper in light of the needs and desires of the Town and in the promotion of the public health, safety, and welfare of the Town’s residents.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO THAT:

Section 1. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. The Rico Land Use Code shall be and is hereby amended as set forth in **Exhibit A** to this Ordinance, incorporated by reference hereto.

Section 3. This Ordinance shall take effect immediately on final adoption.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY ON NOVEMBER 15, 2023.

TOWN OF RICO, COLORADO

Nicole Pieterse, Mayor

ATTEST:

Anna Wolf, Town Clerk

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE IMMEDIATELY ON DECEMBER 20, 2023.

TOWN OF RICO, COLORADO

ATTEST:

Nicole Pieterse, Mayor

Anna Wolf, Town Clerk

Effective Date: December 20, 2023

EXHIBIT A

AMENDMENTS TO THE RICO LAND USE CODE

Additions shown in double underline; deletions shown in ~~strikethrough~~.

456. LICENSE PROCEDURES

456.1 Application Requirements. The owner shall submit the application on the form provided by the Town and shall pay the application fee. The nonrefundable application fee shall be ~~\$2500~~100 for an initial application and ~~\$1500~~75 for an annual renewal application (~~including renewals pursuant to the lottery system~~). Prior to issuance or renewal of a short-term rental license, the applicant shall pay the licensing fee. The licensing fee for a new short-term rental license shall be \$2500 and \$750 for renewal of an existing short-term rental license. Applications for renewal of a short-term rental license starting on January 1 shall be submitted to the Town no later than August 1 of the year preceding calendar year the renewal term.

456.2 Available Licenses, Waitlist. In the event that there are no short-term rental licenses available within the quadrant, as established by Section 454.3(a) above, in which the applicant's proposed short-term rental property is located, the applicant shall be added to a short-term rental license wait list. The Town shall create and maintain a wait list for this purpose for each quadrant.

(a) Priority for issuing a short-term rental license, when available in the applicable quadrant, shall be based on application date such that the applicant that has been on the wait list the longest shall be entitled to receive the next available license upon payment of the licensing fee.

(b) An applicant shall remain on the wait list until a license is issued to the applicant, or the applicant is otherwise removed from the wait list, whichever occurs first. An applicant shall be removed from the wait list for violation of the Short-Term Rental Regulations, or upon transfer of the applicant's proposed short-term rental property to a new owner.

456.3 Application Review, Referral, and Appeal. The Town Manager, in consultation with the Town Planner, shall review applications for short-term rental licenses for compliance with these regulations. The Town shall review applications during the month of August and shall issue license decisions no later than September 15. If the application is in conformity with the Short-Term Rental Regulations, the Town Manager shall issue a short-term rental license, if available, or add the applicant to the waitlist pursuant to Section 456.2 above, within thirty (30) days of submission. The Town Manager may, in his or her sole discretion, refer an application to the Board of Trustees if the application raises issues

on which the Board's input is necessary or desirable. If the application is not approved and the license is not issued, the Town Manager shall state in writing the reason(s) for the denial of the license. The applicant may appeal the Town's denial to the Board of Trustees within thirty (30) calendar days of issuance of the written denial decision.

~~456.4~~ Issuance and Term of License, Initial Term and Renewal. All short-term rental units, except short-term rental dwelling units for which the Town has issued a special use permit as of the date of the ordinance adopting these regulations, shall require a license from the Town. Such license shall only be issued after the short-term rental application has been approved in accordance with the Municipal Code. The short-term rental license shall specify any terms and conditions of the license. All licenses shall be issued to the owner of the property. No natural person or business entity shall be issued more than one short-term rental license, nor shall the owner of an existing short-term rental dwelling unit as of the date of adoption of these regulations be issued a license for an additional short-term rental. Licenses shall not transfer with the transfer of property to a new owner: a change in ownership of the property shall necessitate a new application and issuance of a new license.

(a) Licenses shall be issued for an initial period of ~~two (2) years starting on January 1~~ commencing on the approval date and shall automatically expire on December 31 of the ~~second~~ same year.

(b) The renewal period for each license shall be one (1) year starting on January 1 and shall automatically expire on December 31 of the same year.

~~456.4 Lottery System. If the number of new or renewal license applications submitted for an application cycle would lead to a total number of short term rental units in excess of the number allowed in Section 454.4 (including the total number allowed for any quadrant of the Town), the Town Manager shall issue licenses by random lottery. Such lottery shall not provide a preference to renewal applications over new applications. The Town shall refund the application fees, except for an administrative fee of \$50 which shall be retained by the Town, for applications not issued pursuant to a lottery.~~

456.5 Neighborhood Notification. Upon issuance of a short-term rental license, the property owner shall be responsible for mailing public notification of the license to owners of all real property within two hundred fifty (250) feet of any boundary or edge of the subject property or parcel. The property owner shall provide certification to the Town Manager that proper notice has been provided, including a signed affidavit.

456.6 Revocation of License. A short-term rental license may be revoked at any time by the Board following a hearing if the Town determines that the property is not being operated in compliance with this Short-Term Rental Regulations or any other Town ordinance. A short-term rental license shall be revoked automatically upon the property owner's third conviction in Rico Municipal Court of a violation of any provision in these

Short-Term Rental Regulations with respect to the short-term rental. An applicant whose short-term rental license has been revoked within the last two years shall not be allowed to apply for a new or renewal short-term rental license.

456.7 Tax Collection. A license holder who fails to collect any applicable taxes on a short-term rental, including but not limited to lodging tax, during the license period shall not be allowed to renew the license for the next two-year license cycle. Owners shall present documentation demonstrating the collection and remittance of taxes to the Town as part of the license renewal application.

457. PENALTIES AND ENFORCEMENT

457.1 Penalties for Violations. Any violation of the Short-Term Rental Regulations shall be subject to a fine of ~~two thousand two~~ two ~~five hundred fifty~~ five hundred dollars (\$~~2,500~~2,500.00) for the first offense, ~~three thousand five hundred~~ three thousand ~~five hundred~~ five hundred dollars (\$~~3,050~~3,050.00) for the second offense, ~~seven~~ seven ~~four thousand hundred fifty~~ four thousand ~~hundred fifty~~ four hundred dollars (\$~~7504,000~~7,504,000.00) for the third offense, and ~~one~~ one ~~Five~~ Five thousand dollars (\$~~51,000~~51,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense.



TOWN OF RICO
INCORPORATED OCTOBER 11, 1879
2 North Commercial Street
Post Office Box 9
Rico, Colorado 81332
Office # 970.967.2861
Fax # 970.967.2862
www.ricocolorado.gov

January 17, 2024

Dear Program Manager:

The Rico Board of Trustees have had the opportunity to build a relationship with members of the Rico Geothermal Coalition (RGC) and their associated partners including, Teverra (Geothermal/Geology Consultant) and Academic professionals, focused on the advancement of geothermal technology in Rico. We are addressing this letter to you, pertaining to their application to the Colorado Energy Office Geothermal Energy Grant Program: Community District Heating/Thermal Energy Network, and their associated project, beginning with a Phase 1 Scoping Study to assess the development of a thermal energy network in Rico, Colorado. Based on our experience living in the south-western Colorado region and understanding of the value of a secure, consistent, reliable heating and cooling system, we strongly believe that this project, if successful, will provide value to the Town of Rico and will provide a clear framework and template for similar local municipalities throughout the Rocky Mountain Front Region. We are writing this letter to show my support of the project and support for their application.

Development of a geothermal district heating/cooling system in Rico by the RGC has significant interest as shown by the research studies previously performed and could have significant impact for the community to reduce heating related carbon emissions and heating costs for residents. We will be following the progress of this project as the results will be directly applicable to our municipality and could help our economy through providing additional employment opportunities, more stable heating prices, and a roadmap to further decarbonization and economic sustainability for similar small towns throughout the region and the country. As we continue to see the progress of Phase I, we are confident there will be additional interest in exploring the opportunity for Rico and to implement a district heating/cooling system designed for other municipal buildings, commercial districts and residential housing throughout Colorado.

Therefore, we extend our endorsement of this team and their application for funding and encourage you to give serious consideration to investing grant money in their innovative and promising new approach to geothermal district heating and cooling combining a small-scale geothermal resource with a new generation district heating/cooling system.

Sincerely,

Nicole Y. Pieterse
Mayor



Chauncey McCarthy <townmanager@ricocolorado.gov>

Waiver Request

Chauncey McCarthy <townmanager@ricocolorado.gov>

Thu, Dec 21, 2023 at 11:59 AM

To: Jason Soules <jsoules@ehspartners.com>, Dave Chew <dchew@bedrockrico.com>

Jason and Dave,

Below is a summary of the waiver request and process that BRD LLC should propose to help streamline the subdivisions of lot 6. Once the moratorium lifts on January 1, please provide the application fee for a major subdivision and your waiver request for the Planning Commission and Board of Trustees to review. Your request will need to contain every provision of the code you would like waived and your justification of why.

Per RLUC Section 518 The Planning Commission will review the request and make a recommendation to the board at their January 10 meeting. The board will then review and make a determination at their January 17 meeting. Your application fee and waiver request memo needs to be submitted no later than Thursday 1/4.

Staff is comfortable supporting waiving the following section of the code:

Entire conceptual phase:

- 520 Conceptual plan review process
- 526 Required Maps
- 528 Conceptual plan review

Many of the submittal requirements have been satisfied with the prior subdivision approval of Bedrock. Past submittal materials are still relevant and vertical development has been approved and is close to completion.

Modify preliminary plat requirements:

- 534.2 modify submittals requirements to to meet the intent and state requirements of a of a condo map
- 534.3.B waive engineering requirements as engineering documents were provided in the building permit phase have been reviewed and approved by town's contract engineering and plan review firm
- 534.5 request waiver of other materials expect condo documents and hydrant easements

We do not support the waiver of 534.3.a Improvements survey. As we discussed yesterday we will need an as built of the property.

Final plat requirements:

Staff does not support the waiver of any final plat requirements. If you or your attorney is requesting any waivers regarding the final plat phase please provide the section of code with your justification.

556 Land dedication and development charges

You may request to waive this requirement but the decision for a cash in lieu payment is ultimately at the discretion of the board of trustees

562 Timing for application materials and notice

- 562.1.A. request waiver of conceptual plan materials shall be submitted at least forty-five (45) days prior to a regular meeting of the Planning Commission.
- 562.1.B. request waiver of preliminary plat materials shall be submitted at least sixty-five (65) days prior to a regular meeting of the Planning Commission.
- 562.1.C/D. Staff does not support waiving this

If conceptual phase is waived this requirement should be waived as well since there will be no hearing or materials. Preliminary plat phase: Staff is confident that we can review preliminary plat materials within 20 days of the hearing as a condo map is less intensive than a traditional subdivision

29

We cannot legally waive the noticing requirements for the hearing (562.2)

Have a great holiday weekend.

--

Chauncey McCarthy
Town Manager - Rico Colorado
O: 970-967-2863



Sent via email: townmanager@ricocolorado.gov; Nicole.rplaw@gmail.com; wea@mountainlawfirm.com

Town of Rico
 Board of Trustees
 Planning Commission
 P.O. Box 9
 2 Commercial Street
 Rico, Colorado 81332

Re: Application for Waiver and Modification of Certain Rico Land Use Ordinance Subdivision Provisions for Condominium Application for Bedrock Subdivision Lot 6:

Dear Board of Trustees and Planning Commission Members:

I represent BRD, LLC, the owner and developer of the affordable housing units on Lot 6 of the Bedrock Subdivision (Lot 6), Town of Rico. I would like to first thank the Town of Rico's staff, Planning Commission Members and Board of Trustees for all their assistance to this point in making this project a reality and for the willingness to consider the waivers and modifications requested herein.

As the completion of the construction of the approved ten (10) units and associated improvements on Lot 6 nears, the next step for BRD is to create legally saleable individual condominium units on Lot 6 through the creation and approval and recording of a condominium map and Declaration for such units. This is typically a pretty straightforward process involving the creating and approval of a condo map and declarations which is governed at the state level by Colorado Revised Statute (C.R.S.) 38-33.3-101 et seq, the Colorado Common Interest Ownership Act ("CCIOA"). C.R.S. 38-33.3-209 sets forth the requirements for such map requirements showing a general scheme and plan, locations and dimensions, legal descriptions of units, encroachments, easements serving community, boundaries of units and common elements all certified by a registered land surveyor, which are not nearly as detailed as a full subdivision plat as the improvements are typically already approved and constructed. BRD has engaged David Bulson with Bulson Surveying to create the condo map for Lot 6 and a draft map has been produced which includes all of the items required by CCIOA. However, as we reviewed the Rico Land Use Ordinance there was no real differentiation between the requirements for a full scale subdivision (typically very detailed) and what is typically a simple administrative process to approve a condo map in most jurisdictions; thus, we are presenting an application for a waiver and modification of certain subdivision provisions for your consideration in order to allow both BRD and Rico to proceed in a timely and efficient manner while also ensuring that all matters typical to the creation of condo units are addressed.

BRD, pursuant to Section 518 of Rico's Land Use Ordinance, requests the following determinations, waivers and modifications of the Rico Land Use Ordinance's subdivision provisions as set forth in the attached Schedule A which we hope details in an efficient manner the following requested waivers:

PO Box 1902
 Telluride, Colorado 81435

970.708.5070
jmahoney@telluriderlaw.com



1. Determination as a Minor Subdivision. BRD would like a determination that the creation of 10 condominium units on Lot 6 is a Minor Subdivision pursuant to section 514 as such application fits the criteria of a minor subdivision as (i) it is not the division of one lot into more than 3 lots as no new lots will be created; and (ii) Lot 6 is served by Town water and other public utilities and abuts a public right of way. In most jurisdictions a condo map application is either a staff level review and approval or a minor subdivision as it does not occur until the underlying subdivision of land has been approved and created (in this case the Bedrock subdivision), the units have been designed approved and constructed (which has occurred in this case) with the only remaining item being to create each individual unit for legal ownership. I would also note that the only difference between a major and minor subdivision in Rico is the consolidation of review stages into one review stage (section 514.2), which makes sense given the simplicity of condo maps. In the event the Commission and Trustees do not deem this to be a minor application we would, as an alternative, request to waive or combine certain review stages as set forth below.
2. Conceptual Review Waiver. BRD would request that the conceptual review process as set forth in Section 520, 522 and 528 be waived in its entirety. We understand that Rico's staff supports this waiver which is appropriate as this is really geared towards a division of land into lots which has already occurred with the Bedrock Subdivision.
 - a. BRD would also request the waivers of section 526 and its subsections due to those conceptual maps having already been provided with the Bedrock Subdivision and no new lots, roads etc.... being created as further detailed in Exhibit A which is consistent with having the conceptual review stage waived.
3. Preliminary and Final Review Required Materials Waiver/Modifications. BRD would request to modify the plats and maps required for both Preliminary and Final review applications to be consistent with Colorado law with what is required for the creation of condo units as further detailed in Exhibit A.
 - a. Section 544.2 Final Plat Requirements and Section 556. This is noted in Exhibit A, but land dedications other than an easement for the fire hydrant on Lot 6 are not appropriate given land dedications already occurred with the Bedrock Subdivision.
4. Scheduling and Notice Waivers/Modifications. BRD would request that if the applications is not deemed to be minor with all applications phases consolidated that Rico consolidate the Preliminary Plat Approval and Final Plat approval (see sections 532 and 440). The Preliminary Plat Approval process can take in excess of 135 days (over 4 months) with 30 days to review the completeness of an application, 60 days to agendize with the Planning Commission and then another 45 days for the Board of Trustees to agendize and hear the application. This is followed by another 30 days for the completeness application for the Final Plat Approval and then scheduled with the Planning Commission at their next meeting followed by the Board of Trustees next meeting which could take 30 days each for another possible 90 total days which could result in a process of well over 6 months to approve a condo map. Most condo map subdivision approvals are at a staff level and take less than 30 days so a 6-month review period would be very lengthy. Therefore, BRD would propose that the preliminary review and final review be combined with the following timelines for review and notice:
 - a. Upon submittal of an application Rico would have 10 days to review for completeness after submittal of Application and request review agency comments.



- b. Once the application is submitted the application will be scheduled for the Planning Commissions next meeting, with at least 20 days for mailing of notice to be sent out and 10 days for published notice.
 - c. The Board of Trustees meeting to follow at the next agendaized meeting following completion of the Planning Commission meeting (notice to be provided simultaneously with the Planning Commission meeting notice).¹
5. Other Waivers/Modifications as Noted in Exhibit A. BRD requests further modifications and waivers as set forth in Exhibit A including but not limited to Sections 534, 538, 544, 554, 550.2 and 556.

Again, we thank you for your assistance in reviewing the requested waivers and are happy to provide more information and answer questions at your respective meetings.

Sincerely,

James Mahoney

¹ Our goal is to submit for the February Planning Commission and Board of Trustees Meeting.

BRD, LLC WAIVER APPLICATION LETTER EXHIBIT A

Land Use Code Proposed Waivers Chart

Rico Land Use Code	Proposed Status	Comments/Appeal
<p>500. SUBDIVISION REGULATIONS These regulations set forth the procedures and standards for the review of subdivision applications.</p> <p>504. PURPOSE This Article establishes procedures and standards for the subdivision of land and structures, re-subdivision of land and structures, and replat of recorded plats. The procedures are intended to facilitate the preparation of a subdivision application for final plat approval by informing the applicant of necessary information required for proper review and setting forth review schedules. The standards are intended to promote the health, safety, and welfare of the Rico community, which includes the following specific purposes:</p> <p>504.1 Proper Arrangement and Size of Streets, Lots, and Easements: Promoting the proper and efficient arrangement and size of streets, lots, and easements in relation to existing or planned streets, lots, and utility lines and in relation to the Rico Regional Master Plan, for the intended land use and anticipated future land uses.</p> <p>504.2 Provision of Municipal Services and Water Supply: Promoting the proper and efficient access of municipal services to each lot and adjacent lots and property and providing for public water supplies to serve the potable water, fire protection, and other water needs of intended land use.</p> <p>504.3 Provision of Open Space and Avoidance of Congestion: Promoting adequate and convenient open space for traffic, utilities, recreation, light, air, and avoidance of congestion.</p>	Applicable	<p>While these section 504 subsections are overall applicable certain items will not be applicable to this application (example: arrangements of streets as no streets are created). Also, provision of services has already been agreed to with the Bedrock subdivision application and approval with no new services requested or required.</p> <p>Already arranged and approved</p> <p>Already provided for 10 units constructed on site.</p> <p>Already provided.</p>

<p>504.4 Avoidance of Unsuitable Lands: Discouraging and restricting development activities on unsuitable lands and promoting an efficient system for the monitoring of any development activities on unsuitable lands.</p> <p>504.5 Apportionment of Public Service Costs: Requiring the apportionment of the costs of public services and facilities serving subdivision residents through payment of fees, provision of facilities, and dedication of land and rights-of-way to the Town in order to assure that new development pays its way and does not burden the Town's fiscal resources.</p> <p>504.6 Coordination of Public Improvements and Programs: Encouraging the efficient coordination of inter-jurisdictional public improvements, plans and programs.</p> <p>504.7 Promoting Accurate and Complete Subdivisions: Requiring that the property is accurately surveyed, that the separate interests created and conveyed by the subdivision are of permanent public record, that the subdivider owns the land proposed to be sold, and that necessary access, improvements and utilities are provided to each property and lot.</p> <p>504.8 Promotion of Master Plan: Promoting the implementation and realization of the Goals and Objectives of the Rico Regional Master Plan.</p> <p>506. JURISDICTION AND APPLICABILITY</p> <p>506.1 The Rico Subdivision Regulations shall apply to the subdivision activities listed below within the municipal boundaries of the Town of Rico and limited only to control with reference to the Major Street Plan, all land within three miles of the municipal boundary of the Town of Rico. In the event that two or more parcels of land, previously separately conveyed, described, granted, patented, or otherwise created, are or come under single ownership,</p>		<p>Already addressed.</p> <p>Already addressed.</p> <p>Already addressed.</p>
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<p>the division of such land into two or more lots, tracts, sites, parcels, separate interests, interests in common, or other division, even if divided along the line of previously described or conveyed parcel, shall constitute a subdivision of land. Nothing herein shall be deemed to apply to a lot shown on a recorded subdivision plat, unless such subdivision plat has not received the required approvals by state or local law.</p> <p>A. The division of a lot, tract, or parcel into two or more lots for the purpose of sale or of building development.</p> <p>B. The division of land subject to annexation by the Town of Rico.</p> <p>C. The re-subdivision of a subdivision, replatting of recorded lots and the vacation of an existing lot line or lines.</p> <p>D. The division of contiguous parcels of land held in common ownership into tracts, lots or parcels less than thirty-five (35) acres; and,</p> <p>E. The division of any structure, dwelling unit, condominium unit, apartment unit, or unit in a multi-family structure, which creates a greater number of separately owned units than previously existed.</p> <p>506.2 The following divisions of land are exempt from application of the RLUC:</p> <p>A. Any division of a tract of land that creates parcels of land each of which comprises thirty-five or more acres of land;</p> <p>B. Any division of land pursuant to a judicial partition;</p> <p>C. Any division of land that creates a cemetery lot; or,</p> <p>D. Any division of land occurring from the foreclosure of a deed of trust.</p>		
<p>510. SUBDIVISION APPROVAL PROCEDURES</p> <p>512. OVERVIEW OF SUBDIVISION PROCEDURES The subdivision approval process consists of Conceptual Plan Approval, Preliminary Plat Approval, and Final Plat Approval.</p> <p>514. MINOR SUBDIVISION APPLICATIONS</p>		

<p>514.1 Minor Subdivisions include:</p> <p>A. The division of one lot or parcel of land which creates not more than three lots;</p> <p>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;</p> <p>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.</p> <p>514.2 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.</p>	<p>Request Determination of applicability as a Minor Subdivision</p>	<p>This application to create separately owned units in existing multi-family structures on one lot, does NOT create more than three lots. This application creates condominiums (defined as, per Section 9 RLUC: Condominium: A building, or buildings, consisting of separate fee simple estates to individual units of a multi-unit property together with an undivided fee simple interest in common elements.)</p> <p>N. new lots created.</p> <p>No replatting required of lots and no extension of water lines or street improvements are being requested so consolidation is appropriate.</p>
<p>516. APPEALS TO BOARD OF TRUSTEES</p> <p>Any final decision of the Planning Commission may be appealed to the Board of Trustees for their review by the Applicant, any property owner in the Town of Rico, or any citizen registered to vote in the Town of Rico. A final decision is defined as an approval, approval with conditions, or denial decision at any review stage of the subdivision process. Written notice of intent to appeal the decision of the Planning Commission shall be hand delivered or sent by first class mail to the Town Clerk, Town of Rico, P.O. Box 56, Rico, CO 81332, within (fifteen) 15 days after the date of the decision of the Planning Commission. Failure to file a Notice of Appeal shall be deemed to be a waiver of any right to challenge the decision of the Planning Commission. The Notice of Appeal shall state any and all reasons for appealing the decision of the Planning Commission. The Board of Trustees shall set a public hearing date to review the Planning Commission decision within (forty-five) 45 days of receiving the</p>	<p>Applicable</p>	

<p>Notice of Appeal. Copies of all subdivision application materials, any and all information, reports, and comments which were made part of the Planning Commission record, and minutes of the Planning Commission meeting shall be provided to the Board of Trustees at least (ten) 10 days prior to the public hearing date. The Board of Trustees shall review all such materials and consider all comments from the Applicant. Planning Commission, relevant agencies, and the public, before rendering a decision based on compliance with the relevant subdivision review standards</p>		
<p>518. GENERAL APPLICATION DISCRETION. Certain application submittal requirements may not be necessary for an informed and meaningful review of the application by the Town Planner and Planning Commission. The Town Planner has the discretion to provide guidance to an Applicant regarding certain application submittal materials that may be waived; however, such submittal requirement waivers shall be specifically requested by the Applicant and shall include a statement by the Applicant explaining the rationale for such waiver. The Planning Commission and Town Board shall have the authority to approve waivers of any specific submittal requirements as part of their respective review of the application and the waiver by one board shall not be deemed to be a waiver by the other board. Any grant of a waiver in the required submittal materials shall not be deemed to create a precedence for waiver of application submittal materials for other applications or other Applicants.</p>	<p>Applicable</p>	<p>This section provides the ability to request the waivers and modifications sought by the applicant.</p>
<p>520. CONCEPTUAL PLAN REVIEW PROCESS</p> <p>522. OVERVIEW OF CONCEPTUAL PLAN PROCEDURES (ORD. NO. 2022-06, § 522.2, 522.3 06-15-22)</p> <p>522.1 Overview. The Conceptual Plan Review Process is the first stage of the subdivision approval process. The Conceptual Plan Review Process is intended to determine the overall feasibility and compatibility of the proposed</p>	<p>Request to be Waived (staff supported) Section 520-522</p>	<p>The entire conceptual plan process is unnecessary as these items have already been provided and occurred with the Bedrock Subdivision and approval of improvements. No new lots, roads or services are being requested.</p>

<p>subdivision in relation to the Town's service ability and capacity and in relation to the Rico Regional Master Plan. Approval at the Conceptual Plan stage generally approves the proposed density, use, and general layout of the subdivision.</p> <p>522.2 Sitewalk, Work session. After a Conceptual Plan application is submitted to the Town Planner, the Town Planner shall review and determine within 30 days whether the application is complete. If the application is incomplete, the Applicant shall be required to resubmit a complete application. After the Town Planner determines that the Conceptual Plan application is complete, the Planning Commission Chairperson and Town Planner shall schedule a date for receipt and review of the Conceptual Plan application on the next available Planning Commission agenda. Review of the Conceptual Plan may involve a site walk and work session with the Applicant. An initial work session may be requested by the Town Planner, Planning Commission Chairperson, or the Applicant. A public hearing and review decision action item will be scheduled within thirty-five (35) days after an initial work session unless a later date or general continuance is mutually agreed upon by the Applicant. If a work session is not desired, then a public hearing for Conceptual Plan review may be scheduled for the first meeting with the Planning Commission. The public hearing and review decision action item may be continued for an additional period not to exceed sixty (60) days after the initial work session, or determination that a work session is not desired, if the Town Planner or Planning Commission determines that additional time is necessary to incorporate comments from review agencies pursuant to Section 522.3.</p> <p>522.3 Review by Other Agencies. At the work session, the Planning Commission or Town Planner may decide to send the Application to any appropriate review agency, including, but not</p>		
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<p>limited to: Colorado Department of Health, Division of Minerals and Geology, Colorado Geologic Survey, Division of Wildlife, Department of Transportation, U.S. Forest Service, the U.S. Army Corps. of Engineers, and the Town Engineer. If a work session is not desired, the Town Planner may send the Application to any appropriate review agency after determining whether the application is complete.</p> <p>522.4 Required Information. The Applicant must supply eleven (11) copies of all required information. Required information includes the Subdivision Application, Conceptual Plan Map, Location Map, Slope Study Map, and Constraints Map. Maps may be consolidated, or separate maps may be used to convey the required information as long as the information is clearly delineated. See 560 and 562 for the scheduling and timing of application submittal materials and notices.</p>		
<p>524. SUBDIVISION APPLICATION The Applicant shall complete a “Subdivision Application” form provided by Town.</p> <p>526. REQUIRED MAPS All maps listed below in 526.1 through 526.4 shall include the Applicant's name and subdivision name and may appear as a single map. The Planning Commission, if it deems necessary, may require separate maps for any and all of the required information.</p> <p>526.1 Conceptual Plan Map: The Applicant shall submit a Conceptual Plan Map showing the following information: A. Conceptual lot, street, and utility access layout; B. Approximate layout of individual lots, access to lots, and square footage of proposed lots; C. Existing plat or lot lines for replat, re-subdivision, and vacation applications; D. Proposed land dedications, rights-of-way, easements, and open space reservations and</p>	<p>Overall Applicable</p> <p>Request to be Waived (staff supported)</p> <p>Request to be Waived (staff supported)</p>	<p>The required maps in this section have been provided when the bedrock subdivision was approved. The condo map won't alter any of the lots, streets, utility access, lot lines, parking, etc.</p> <p>Same as above</p>

<p>dedications, and identification of areas reserved for future public acquisition; E. Proposed off-street parking spaces; F. Existing utility lines, rights-of-way, and easements; and, G. Contour intervals at 2 feet if the slope is less than 10 percent or contour intervals of 10 feet if the slope is equal to or greater than 10 percent</p>		
<p>526.2 Location Map: The Applicant shall submit a Location Map showing the following information: A. Location of the proposed subdivision; B. All adjacent lands within 200 feet from the boundary of the subdivision in which the Applicant has an ownership interest or option to acquire an ownership interest; C. Zone districts, taxing districts and any other special districts in which the proposed subdivision is located and zone district classifications extending 200 feet, including public rights-of-way, from the boundary of the proposed subdivision. D. Commonly known land marks; E. Buildings and structures within the proposed subdivision area and within 50 feet of the boundaries of the proposed subdivision area</p>	<p>Request to be Waived (staff supported)</p>	<p>Same as above - submitted already and approved. In addition the condo map will show the location and the buildings and structures within Lot 6.</p>
<p>526.3 Slope Study Map: The Applicant shall submit a Slope Study Map if any land exceeds seven (7) percent slope angle within the proposed subdivision area, or within 50 feet of the proposed subdivision area. The Slope Study Map shall show the following information: A. Areas with zero through seven percent slope angle (0% - 7%); B. Areas with eight through fifteen percent slope angle (8% - 15%); C. Areas with sixteen through thirty percent slope angle (16% - 30%); and, D. Areas greater than thirty percent slope angle (>30%).</p>	<p>Request to be Waived (staff supported)</p>	<p>Same as above, already provided and approved with Bedrock Subdivision.</p>
<p>526.4 Constraints Map: The Applicant shall submit a map, or maps if necessary to convey all distinctive characteristics which may affect the feasibility and appropriateness of the</p>	<p>Waived (Staff supported)</p>	<p>Same as above</p>

<p>proposed development activity within the proposed subdivision area and within 50 feet of the boundaries of the proposed subdivision area. The Constraints Map shall include the following information:</p> <p>A. Known landmarks and contour lines sufficient to show topography and location for reference;</p> <p>B. Streams, ponds, and water-ways;</p> <p>C. Natural or man-made drainages;</p> <p>D. Location of any road or trail grades and estimate of average grade;</p> <p>E. Description of vegetation types, designation of general vegetation type areas, and location of all trees of at least 20" caliper for all areas not proposed for Open Space or Park Dedications</p> <p>F. Identification of all Areas of State and Local Interest as defined in ARTICLE IV; and,</p> <p>G. Irrigation ditches, bridges, and culverts.</p>		
<p>528. CONCEPTUAL PLAN REVIEW (ORD. NO. 2022-06, § 528.1, 06-15-22)</p> <p>528.1 Planning Commission Review: The Rico Planning Commission shall review the Conceptual Plan and all supporting documents and information and shall review all comments taken at the public hearing and all comments taken from other reviewing agencies. The Planning Commission shall approve, approve with conditions, or deny the Conceptual Plan Application based upon compliance with 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 its review decision if mutually agreed upon by the Applicant and the Planning Commission, or if in the judgment of the Planning Commission and Town Staff the issues presented in the Conceptual Plan require additional time for review.</p> <p>528.2 Standards: This paragraph sets forth the standards for Conceptual Plan Review. The Planning Commission shall cite specific standards when imposing conditions on</p>	<p>Request to be Waived (staff supported)</p>	<p>Already approved and nothing alters land uses, lots, roadways, etc.</p>

<p>approval, or denying, any Conceptual Plan Approval Application.</p> <p>A. The proposed land use shall be consistent with the underlying zoning.</p> <p>B. All lots shall meet the subdivision design standards as defined in 550.</p> <p>C. All lots shall have building sites and access that are not in any known hazards or constraints to development.</p> <p>D. All roadways and utility routes shall avoid Areas of State and Local Interest as defined in ARTICLE IV.</p> <p>E. All roads and driveways shall comply with the subdivision design standards.</p> <p>F. The proposed subdivision layout shall not cause excessive cut and fill excavation or removal of trees and vegetation in relationship to feasible alternatives.</p> <p>G. The proposed subdivision shall not exceed or overburden the capacity of any existing Town facilities or services unless the Applicant expands the Town facilities or service capacity to meet the increased demand of the proposed subdivision.</p> <p>H. The proposed subdivision shall be consistent with the Rico Regional Master Plan.</p> <p>I. The proposed subdivision shall not violate any laws of the Town of Rico, State of Colorado, or United States of America.</p> <p>J. Proposed deviation from the standards in this paragraph shall include the following findings prior to approval:</p> <p>(1) Reasonable alternative subdivision plans (at least two) have been presented and considered;</p> <p>(2) The proposed plan represents a better overall design in relationship to the purposes set forth in 104 and 504 than that allowable under strict application of the subdivision design standards; and,</p> <p>(3) Proposed deviations from the subdivision design standards can be mitigated and the preparation of a suitable mitigation plan is a condition to approval.</p>		
530. PRELIMINARY PLAT APPROVAL		

<p>532. OVERVIEW OF PRELIMINARY PLAT APPROVAL PROCEDURES (ORD. NO. 2022-06, § 532, 06-15-22)</p> <p>The Preliminary Plat Approval process is the second stage of the subdivision approval process.</p> <p>The Preliminary Plat Approval process is intended to review and approve technical drawings, surveys, and engineering plans in relation to Town standards and existing Town utilities, facilities, and other services. Approval at the Preliminary Plat stage generally approves the technical aspects of the proposed subdivision. After the Conceptual Plan is approved and a Preliminary Plat Approval application is submitted to the Town, the Town Planner shall review and determine within thirty (30) days whether the application is complete. If the application is incomplete, the Applicant shall be required to resubmit a complete application. After the Town Planner determines that the Conceptual Plan application is complete, copies of the Preliminary Plat Approval application shall be forwarded to all appropriate agencies for their review and comment and the Town Manager and/or Planner shall schedule a date for official receipt and review of the Preliminary Plat on a Planning Commission agenda within the next sixty (60) days. The Planning Commission review date may be continued for an additional period if in the judgment of the Planning Commission and Town Staff additional time is required to address comments from reviewing agencies pursuant to Section 538.2. The Applicant must supply all required information and meet all required review standards for approval of the Preliminary Plat. Required information includes: revised reports from the Conceptual Plan stage if any changes were made or required when the Conceptual Plan was approved, a Preliminary Plat and any other required materials.</p>	Request to Modify Timeline.	We would request that the Preliminary Plat we would request that the preliminary review be consolidated with the final review as set forth in the Application Letter.
534. PRELIMINARY PLAT, MAPS AND OTHER REQUIRED MATERIALS	Request to Modify	Note modification proposal in 534.2. Relevant materials agreed for

<p>534.1 Required Materials and Copies: The Applicant shall submit copies of the Preliminary Plat and Improvements Survey of a scale sufficient to be clearly legible and useful for review purposes, and copies of other required materials according to the following schedule:</p> <p>A. One mounted Preliminary Plat and one copy of other required materials for public presentation and inspection.</p> <p>B. Eleven (11) copies of the Preliminary Plat and other required materials [seven copies for Planning Commission members, one copy for Town Planning Staff, one copy for Town Attorney, one copy for Town Engineer, one copy for Town Clerk.]</p> <p>C. Three copies of the Improvement Survey and Engineering Plans, if any improvements are proposed [one copy for Town Engineer, one copy for Town Clerk, one copy for Town Planning Staff].</p> <p>D. Additional copies of the Preliminary Plat, Improvements Survey, Engineering Plans, and other required materials as determined at the Conceptual Plan Approval stage for the purpose of obtaining necessary or appropriate review and comment from other agencies.</p>	<p>Request to Modify to require condo map consistent with CCIOA requirements</p> <p>Request to Waive</p> <p>Request to Waive</p>	<p>submittal in 534.2 will be provided as per 534.1</p> <p>Can provide for condo map with modifications in 534.2</p> <p>Improvements have already been approved and constructed so this should be waived.</p> <p>Same as above.</p>
<p>534.2 Preliminary Plat Requirements: The accuracy of location of alignments, boundaries, and monuments on the Preliminary Plat shall be certified by a registered land surveyor licensed to do such work in the State of Colorado. All plats and maps shall indicate true north line, name of subdivision, name of applicant, USGA township, range, section and quarter section, block, and lot number. A workman like execution of the plan shall be made in every detail. A poorly drawn or illegible plan shall be a sufficient cause for its rejection. The Preliminary Plat shall contain the following data:</p> <p>A. Contour intervals at 2 feet if the slope is less than 10 percent or contour intervals of 5 feet if the slope is equal to or greater than 10 percent.</p> <p>B. Block, lot, and street layout with consecutive numbering of lots and blocks, and</p>	<p>Modify to submit condo map consistent with CCIOA.</p>	<p>For the purpose of creating condominiums, we can submit:</p> <ul style="list-style-type: none"> a) Condo Map showing condominium units and common areas, certified by a registered land surveyor licensed to do such work in the State of Colorado and conforming to the requirements of CCIOA. b) Condo Declarations c) Easement for fire hydrant access to the Town of Rico

<p>dimensions of all lots, street rights-of-way, roadways, and street drainages.</p> <p>C. Location, identification, and dimensions of all existing and proposed public and private easements.</p> <p>D. Existing and proposed street names.</p> <p>E. Abutting property lines and the respective owners' name.</p> <p>F. Designation of zoning or uses other than detached single family residential on and adjacent to the proposed subdivision.</p> <p>G. Additional information as determined at the Conceptual Plan Approval stage.</p>		
<p>534.3 Improvements Survey and Engineering Plans: The Applicant shall submit an Improvements Survey and any Engineering Plans if any improvements are proposed, or engineering plans are required for review of proposed mitigation, as determined at the Conceptual Plan Approval stage. The Improvements Survey and Engineering Plans shall meet the following specifications and contain the following information:</p> <p>A. The Improvements Survey shall be signed and sealed by a registered land surveyor and shall be at the same scale as the Preliminary Plat, depicting existing and recorded section lines, streets, easements, utilities, watercourses, improvements, and any other major feature in and adjacent to the proposed subdivision area.</p> <p>B. Any Engineering Plans shall provide sufficient detail for review by the Town Engineer and shall meet the minimum standards of certified engineers in the State of Colorado.</p> <p>534.5 Other Materials: The Applicant shall submit other materials associated with the Preliminary Plat Approval application including, but not limited to:</p> <p>A. Background studies and reports supporting the Preliminary Plat Approval application or addressing anticipated concerns from other agencies; and,</p> <p>B. Revised Location Map, Slope Study Map, Features Map, and Subdivision Information Report if changes have been made; and,</p>	<p>Request to Waive or Modify</p> <p>Request to Modify</p> <p>Request to Waive</p> <p>Request to Waive</p>	<p>Structures and improvements have already been approved and constructed. The proposed condo map will show the layout of improvements which is the only thing applicable in this section. As built site plan will be provided as noted below.</p> <p>A. As-built site plan depicting existing and recorded section lines, streets, easements, utilities, watercourses, improvements, and any other major feature in and adjacent to the existing subdivision area will be provided if the condo map does not include all details.</p> <p>Already provided with Bedrock subdivision and approved.</p> <p>All requirements of this section have already provided with Bedrock subdivision and approved.</p>

C. Additional information as determined at the Conceptual Plan Approval stage		
<p>538. PRELIMINARY PLAT REVIEW (ORD. NO. 2022-06, § 538.1, 538.3, 06-15-22)</p> <p>538.1 Planning Commission Review and Board of Trustees Approval: The Rico Planning Commission shall review the Preliminary Plat and all supporting documents and information at a public hearing and shall review all comments taken at the public hearing and all comments taken from other reviewing agencies. The Planning Commission Board shall recommend that the Board of Trustees approve, approve with conditions, or deny the Preliminary Plat Application based upon compliance with 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 its review if mutually agreed upon by the Applicant and the Planning Commission, or if in the judgment of the Planning Commission and Town Staff the issues presented in the Preliminary Plat require additional time for review. After the Planning Commission issues its recommendation on the Preliminary Plat application, the Board of Trustees shall review the application at a regularly scheduled Board of Trustees meeting within the next forty-five (45) days. The Board of Trustees shall hold a public hearing on the application and shall approve, approve with conditions, or deny the Preliminary Plat application based upon compliance with standards in this Section and other applicable laws of the Town of Rico, State of Colorado, or United States of America.</p>	Request to Waive or Modify	The submittals for condo map approvals are typically fairly basic as all major subdivision matter have been addressed with the approval of the underlying lots which occurred with the Bedrock Subdivision applications and approvals. Therefore we are requesting combining preliminary and final review as set forth in the Application Letter.
<p>538.2 Reviewing Agencies: All reviewing agencies may make recommendations within thirty (30) days after mailing by the Town or its authorized representative unless a necessary extension of not more than ninety (90) days has been consented to by the Applicant and the Planning Commission.</p>	Modify	See Application letter request #4.

<p>538.3 Standards: This paragraph sets forth the standards for Preliminary Plat Review. The Planning Commission and Board of Trustees shall cite specific standards when recommending or imposing conditions on approval, or denying, a Preliminary Plat application.</p> <p>A. The Preliminary Plat shall conform in all major respects to the Conceptual Plan as previously reviewed and approved by the Planning Commission and shall address any conditions imposed at the Conceptual Plan stage.</p> <p>B. The Preliminary Plat and other engineering related materials, including proposed mitigation plans, are reviewed, and approved, or approved with reasonable modifications by the Town Engineer.</p> <p>C. The Preliminary Plat Shall meet the Minimum Subdivision Standards for subdivision design in Section 550, including standards for landscape preservation (550.1), Lots (550.2) and streets (552.1).</p> <p>D. All comments from other reviewing agencies have been reviewed by appropriate Town Staff, Planning Commission, and the Board of Trustees. All comments are addressed and resolved by the Planning Commission and the Board of Trustees</p>	<p>Request to Modify</p> <p>Request to Waive</p>	<p>These materials should be waived as there are not mitigation, or engineering aspects to a Condominium Map.</p> <p>This isn't a true subdivision, merely the creation of units where landscape preservation and streets have already been approved so this standard should not be applicable.</p>
<p>540. FINAL PLAT APPROVAL</p> <p>542. OVERVIEW OF FINAL PLAT APPROVAL PROCESS (ORD. NO. 2022-06, § 542, 06-15-22)</p> <p>The Final Plat process is the final stage of the subdivision approval process. The Final Plat process is intended to produce the final plats, agreements, covenants, restrictions, and other required materials for approval by the Planning Commission, final adoption by the Board of Trustees, and recording in the office of the Town Clerk and in the office of the Dolores County Clerk and Recorder. After Preliminary Plat Approval has been obtained and a Final Plat Approval Application is submitted to the Town's Planning Staff, the Town Planner shall review and determine within 30 days whether</p>	<p>Overall Applicable</p>	

<p>the application is complete. If the application is incomplete, the Applicant shall be required to resubmit a complete application. After the Town Planner determines that the Final Plat application is complete, the Planning Commission Chairperson and the Town Planning Staff shall schedule a date for receipt and review of the Final Plat on the next available Planning Commission agenda.</p> <p>The Applicant must supply all required information and meet all required review standards for approval of the Final Plat. Required information includes the Final Plat and all accompanying materials.</p>		
<p>544. FINAL PLAT – REQUIRED MATERIALS</p> <p>544.1 Final Plat Materials and Copies: The Applicant shall submit copies of the Final Plat in the same scale as the Preliminary Plat. The Final Plat shall be twenty-four (24) inches by thirty-six (36) inches. Contiguous parcels owned by different parties may be embraced in one Plat, provided that all owners join in the dedication and acknowledgement; however, non-contiguous parcels or multiple plats are not allowed on a single sheet. The Final Plat may be submitted in sections provided the first section contain an index map indicating the sections designated for the entire tract. The following copies shall be submitted:</p> <p>A. One copy of the Final Plat on mylar or other permanent type material that is reproducible. Copies for permanent filing with the Town of Rico, Dolores County Clerk and Recorder, and other agencies shall be either blue or black reproductions with the supporting certificates signed in original for each copy; and,</p> <p>B. Eleven (11) copies of the Final Plat and other required materials [seven copies for Planning Commission members, one copy for Town Planning Staff, one copy for Town Clerk, one copy for Town Attorney, and one copy for Town Engineer].</p>	Request to Modify	<p>Same/Revised materials as Preliminary Materials</p> <p>A. Condo Map showing condominium units and common areas, certified by a registered land surveyor licensed to do such work in the State of Colorado and conforming to CCIOA.</p> <p>B. Condo Declarations</p> <p>C. Easement for fire hydrant access to the Town of Rico</p> <p>D. As-built site plan depicting existing and recorded section lines, streets, easements, utilities, watercourses, improvements, and any other major feature in and adjacent to the existing subdivision area if the condo map does not show all details and improvements.</p>
<p>544.2 Final Plat Requirements: The Final Plat shall be prepared and certified as to its accuracy by a registered land surveyor licensed</p>	Request to Modify	

<p>to do such work in the State of Colorado. A work-man like execution of the Final Plat shall be made in every detail. A poorly drawn or illegible plat shall be a sufficient cause for its rejection. The Final Plat shall meet the following requirements:</p> <p>A. The Final Plat shall conform in all major respects to the Preliminary Plat as previously approved and shall incorporate all modifications required in the Preliminary Plat Approval stage.</p> <p>B. All blocks, and all lots within each block shall be consecutively numbered;</p> <p>C. On curved boundaries and all curves on the plat, sufficient data should be given to enable the re-establishment of the curves. Any curves should include: Points of curvature, points of tangency, radius of curve, arc length, and angle or curve by arc definition.</p> <p>D. Excepted parcels shall be marked "Not included in this plat" and the boundary completely indicated by bearings and distances.</p> <p>E. All streets, walkways and alleys shall be designated as such, and bearings and dimensions shall be given.</p> <p>F. All streets shall be named.</p> <p>G. All easements shall be designated as such, and bearings and dimensions given.</p> <p>H. All dedications of land to the Town or other agencies shall be designated as such and bearings and dimensions shall be given.</p> <p>I. All lands within the boundaries of the Plat shall be accounted for either by lots, walkways, streets, alleys, or excepted parcels.</p> <p>J. All dimensions of irregularly shaped lots shall be indicated in each lot.</p> <p>K. Bearings shall be given for all lot lines, except that bearings need not be given for interior lot lines where the bearings are the same as those of both exterior lot lines.</p> <p>L. Other information on the Plat shall include:</p> <p>(1) Name of subdivision, true north line and date;</p> <p>(2) Name of owner or owners of record and address;</p> <p>(3) Total acreage of tract and total number of lots;</p>		<p>No streets created by condo map.</p> <p>Same as above</p> <p>BRD will dedicate an easement to the Town Rico for access and maintenance to the fire hydrant on Lot 6 either in the condo map or through a separate easement. No further dedication are appropriate as land dedications already happened and this is not a full subdivision.</p> <p>Already accounted for in Bedrock subdivision plat approved and recorded.</p> <p>No lots being created.</p>
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<p>(4) Township, Range, Section and Quarter-Section, block and lot numbers; and, (5) Graphic scale.</p> <p>M. Permanent reference monuments shall be located and set in compliance with state laws, except that there shall be at least one permanent monument located no more than six hundred (600) feet apart along any straight boundary line.</p> <p>N. The surveyor making a Plat shall certify on the Plat that it is correct and that the monuments described in it have been placed as described and shall affix his name and seal.</p> <p>O. All utilities and easements shall be shown on the Plat along with a certificate from all utility companies showing their approval.</p>		<p>Already set.</p> <p>Already set with Bedrock subdivision plat.</p> <p>No new utility easements created, already addressed so should not be applicable.</p>
<p>544.3 Other Materials: The Applicant shall submit final copies of all supporting documents required at the Preliminary Plat Approval stage with any changes, modifications, and revisions required as a condition to approval at the Preliminary Plat Approval stage. In addition, the Applicant shall submit the following:</p> <p>A. Improvements agreement for all on-site or off-site improvements and mitigation measures required by the Application; and,</p> <p>B. Covenants and restrictions on any property required by the Application.</p>	<p>Request to Modify</p>	<p>Improvements already completed.</p> <p>Condo declarations to be submitted.</p>
<p>546. FINAL PLAT REVIEW (ORD. NO. 2022-06, § 546, 06-15-22)</p> <p>546.1 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 the Town's determination that the Final Plat application is complete. 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, or if in the judgment of the Planning Commission and Town Staff the issues presented in the Final Plat require additional time for review.</p>	<p>Applicable to the extent not waived or modified by above requests.</p>	

546.2 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.

548. BOARD OF TRUSTEES APPROVAL (ORD. NO. 2022-06, § 548, 06-15-22)

Review: After the Planning Commission approves, or approves with conditions, the Final Plat, the Board of Trustees of the Town of Rico shall act on the Final Plat within thirty-five (35) days of the later of the Planning Commission approval or date of receiving revised Final Plat materials from the Applicant that are determined by the Town Planner to be complete. The Board of Trustees shall approve, approve with conditions, or deny, the Final Plat based upon compliance with the standards in 546.2. The Board may continue Final Plat review if in the judgment of the Board and Town Staff the issues presented in the Final Plat require additional time for review.

549. FINAL PLAT RECORDING

549.1 Recording Final Plat: The Applicant shall provide two copies of all materials for recordation with such revisions as are determined by the Town Board approval. The Town shall record one copy of the Final Plat with the Dolores County Clerk and Recorder within ten (10) working days of receiving completed Final Plat materials in compliance with the approval by the Board of Trustees.

<p>549.2 Certified Copy Returned to Town Planner: One copy of completed final plat materials for recordation shall be filed in the Town by the Town Planner.</p>		
<p>550.2 Lots: All lots shall meet each of the following standards:</p> <p>A. Access routes for vehicles, utilities, and trails should avoid hazardous areas, wetlands and waterways, and wildlife habitat areas.</p> <p>B. All building lots shall abut a public dedicated roadway. Each lot in the R, MU, RPUD Zone Districts shall have a minimum of fifty (50) feet of street frontage. Each lot in the HC, CM, or CPUD Zone Districts shall have a minimum of twenty- five (25) feet of street frontage. All non-building lots shall abut a public right of way with a minimum frontage of twenty (20) feet.</p> <p>C. All building lots shall meet the minimum size requirements for the permitted use.</p> <p>D. All building lots shall be arranged to accommodate the permitted use within the setbacks required by the zoning district.</p> <p>E. Each building lot shall provide at least one feasible building site that is suitable for the permitted use which is not in an avoidable or un-mitigatable hazardous area.</p> <p>F. All building lots shall have adequate space for off-street parking with a maximum 4% grade and driveway access with a maximum 12% grade.</p> <p>550.3 Streets: All streets and roadways shall meet the Road Design Standards in 478.</p>	<p>Request to Waive or Modify</p>	<p>Not applicable as these were already created.</p> <p>Already addressed in Bedrock subdivision application so not applicable.</p> <p>Lots not altered so not applicable.</p> <p>Lots not altered so not applicable.</p> <p>Lots not altered so not applicable.</p> <p>Lots not altered so not applicable.</p>
<p>554. IMPROVEMENTS (ORD. NO. 2008-3, § 554, 03-19-08)</p> <p>The Applicant shall provide a Subdivision Improvements Agreement in a form supplied by Town for the construction of any improvements required by the Application. The Applicant shall post a bond in the amount of 125% of the cost of the improvements in favor of the Town at the time the Subdivision Improvements Agreement is executed.</p>	<p>Request to Waive</p>	<p>All improvements are complete, and a development agreement was already entered into covering all these aspects that actually requires this condo map application.</p>
<p>556. LAND DEDICATIONS AND DEVELOPMENT CHARGES</p>	<p>Request to Waive</p>	<p>This application is to create condominiums on a previously created subdivision, at which point a land dedication was made to the Town of</p>

<p>Usable land in the amount of ten percent (10%) of the total land area proposed for development shall be dedicated to the Town for public purposes, including but not limited to Parks, Public Facility Areas, and Schools. The land dedication calculation shall not include proposed Open Space areas, road rights-of-way, or the proposed land for dedication. Additional land dedications may also include sites inappropriate for development and buffer areas around such sites, parks for recreation, open space for recreation and view corridor protection, green belts for view corridor protection and separation of incompatible uses, and trails for non-motorized access through and around Town. The Town may accept a payment in lieu of a land dedication where the Applicant's property does not offer practical, beneficial, or useful land dedication areas.</p>		<p>Rico. It is not typical for a land dedication to occur when simply creating the legal mechanism to sell units that have already been constructed.</p>
<p>558. OWNERS' ASSOCIATIONS</p> <p>558.1 Applicability. When a subdivision contains any physical facilities, structures, improvements, systems, areas or grounds held in common and necessary or desirable for the welfare of the area or subdivision, or that are of common use or benefit and that are not or cannot be satisfactorily maintained by the Town or another public agency, the Town may require the establishment and creation of a mandatory owners "association to assume and be responsible for the continuous and perpetual operation, maintenance and supervision of such facilities, structures, improvements, systems, areas or grounds.</p> <p>558.2 Approval. If the establishment and creation of a mandatory owners" association is required by the Town, a copy of the agreements, covenants and restrictions establishing and creating the association must be approved by the Town Attorney and Board of Trustees prior to the approval of the final plat of the subdivision and must be filed of</p>	<p>Applicable</p>	

<p>record with said final plat in the Map and Plat Records of Dolores County, Colorado. Said final plat shall clearly identify all facilities, structures, improvements, systems, areas, or grounds that are to be operated, maintained and/or supervised by said association.</p> <p>558.3 Responsibilities. Such mandatory owners' associations shall be responsible for the continuous and perpetual operation, maintenance and/or supervision of landscape systems, features or elements located in parkways, common areas, between screening walls or living screens and adjacent curbs or street pavement edges, adjacent to drainageways or drainage structures, or at subdivision entryways. Subdivision entryway treatments or features shall not be allowed unless a mandatory owners' association as required herein is established and created.</p> <p>558.4 Dedications to Association. All facilities, structures, improvements, systems, areas, or grounds that are to be operated, maintained and/or supervised by a mandatory owners' association, other than those located in public easements or rights-of-way, shall be dedicated by easement, or deeded in fee simple ownership interest to said association. Such easements or ownership shall be clearly identified on the final plat of the applicable subdivision.</p>		
<p>560. SCHEDULING OF SUBDIVISION APPLICATIONS</p> <p>560.1 Due to the necessity for site walks and site analysis, the Planning Commission Chairperson, or the Planning Commission if it decides to act, may delay Conceptual Plan review, or Preliminary Plat review, if snow cover or inclement weather restricts site walks and analysis.</p> <p>560.2 In the event that the Planning Commission agenda is full for one or more months, an</p>	<p>Modify</p>	<p>A site walk shouldn't be necessary so this should be modified and applications not delayed.</p>

<p>562.3 Notices of Preliminary Plat and Final Plat review shall be mailed to all property owners within 200 feet of the subject property and posted and published in the designated official paper of record at least 10 days prior to the public hearing review date.</p>		
<p>570. EXPIRATION OF APPROVALS: Applicants are required to diligently process subdivision applications to a final decision. Any decision by the Planning Commission or by the Board of Trustees for Conceptual Plan, Preliminary Plat or Final Plat must proceed to the next review stage in the review process within four (4) months of the date of the last action by the Planning Commission or Board of Trustees. If the Applicant fails to provide the information required to be submitted for the next stage of subdivision review within four (4) months of the last Planning Commission or Board of Trustee action, then sufficient grounds for denial for failure to diligently pursue a subdivision applicant shall be deemed to exist. The Town Board may elect to deny the application for failure to diligently pursue a subdivision application and shall provide ten (10) days prior written notice to the Applicant of the Town Board's consideration of denial on such grounds. The Applicant may request an extension of time in writing prior to the expiration of the four (4) month period and the Town Board may approve an extension of such time as it deems appropriate based on the complexity and scope of the application. The Town Board may also approve a longer timeframe for processing subdivision applications by ordinance in conjunction with providing vested rights for a conceptual, preliminary, or final subdivision plan</p>	<p>Applicable</p>	

Town of Rico Construction Rules and Regulations

Definitions

Disturbance shall be anything that is an interruption of a settled and peaceful condition.

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Excessive shall be anything beyond what is typical or normal.

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Construction Activity shall include the disturbance of soils associated with clearing, grading, excavating, filling, hardscaping, ~~landscaping~~, landscaping, operation of chainsaw or other similar activities. In addition to construction, alteration, and/or repair of a structure and its associated components.

Construction Impact(s) shall include excessive noise, excessive dust, any windblown trash, and excessive fugitive dirt, mud, aggregate, or concrete from clean out.

Construction Management Site Plan is a combination of diagrams, documents, drawings, and specifications that clearly define the steps that will be taken to demonstrate how the impacts to the community will be minimized, managed, or mitigated.

Material Storage shall mean any area from which a project material is staged or from which a project is partially staged and shall include on-site staging areas and off-site staging areas.

Blasting shall mean the process of cracking rock material by using ~~a small amount of~~ explosive substances so that the rock is destroyed into several pieces.

Construction Vehicle shall mean any private or commercial vehicles or heavy equipment actively involved in the construction process or in the delivery or storage of tools, supplies or materials.

Trash or debris shall mean any and all trash, refuse, junk, solid waste, recyclable materials, construction materials not used in the project, or other debris, which is produced during the construction of the project, including preparation for construction and cleanup after completion of construction.

Hazard shall mean anything that has the potential for harm.

Purpose

In order to ensure that any construction activity within the Town is done in the most sensitive manner possible and to minimize construction impacts to owners and guests, the following Construction Regulations shall be enforced during the construction period. This document shall be known as the "**Construction Rules and Regulations**" and may be referred to herein as the "Regulations." Each Owner shall ensure that all construction activity that is performed on their Construction Site shall be performed in accordance with the following requirements.

A. Access and Parking

Construction Vehicles shall gain access to Construction Sites only from existing roads adjacent to the Construction Sites. Parking in the town right-of-way shall not impede traffic, emergency access, or town road maintenance operations. Special safety precautions may be necessary for the road including, but not limited to, safety cones, barriers, and flaggers.

B. Blasting

No blasting shall be performed on any site without the Building Officials prior consent.

Notification shall be provided a minimum of 48 hours in advance of any blasting operations. Blasting must occur only Monday - Friday between the hours of 10:00 AM and 4:00 PM. Blasting may be subject to certain restrictions, which shall be determined by the Building Official in its sole and absolute discretion, and which may vary from Site to Site.

C. Construction Equipment and Material Storage

Each Owner or Owner's Representatives and their contractors shall ensure that all construction material is stored in a designated materials storage area either onsite or stored in the right-of-way. Such storage areas shall be indicated on the Construction Management Site Plan and be approved by the building official.

D. Debris and Trash Removal

Owners, Owner's Representatives, and their contractors shall be responsible debris and trash removal. The requirements are as follows:

- At the end of each day, all trash and debris on the Construction Site is cleaned up and stored in proper containers or organized piles in a manner that will not be affected by wind.
- All food trash must either be removed from the site at the end of each workday or bear-proof poly-cart must be on-site.
- All trash and debris shall be kept off of adjacent property at all times. Dumpsters may be stored in the right-of-way at the discretion of the building official. Dumpsters in the right-of-way shall not impede traffic, emergency access, or town road maintenance operations. Dumpster location shall be indicated on the Construction Management Site Plan and only placed in the right-of-way during the timeframe provided.

E. Construction Hours

Construction activity may only take place between 7:00 A.M.- 7:00 P.M. Monday – Saturday.

F. Deliveries

Construction Vehicles must obey all posted speed limits and traffic regulations within the Town. During winter months, construction and delivery trucks must be capable of traveling on snow packed roads.

G. Hazards Marked

All hazards should be marked on site and fenced at the discretion of the building official.

H. Fire Protection

At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available on site.

I. Prohibited General Practices

All Owners will be responsible for the conduct and behavior of their contractors, and sub-contractors in the Town. The following practices are prohibited within the Town:

- Changing oil on any vehicle or equipment on the Construction Site;
- Allowing concrete suppliers and contractors to clean their equipment or dump material on any Town owned lot, roadway, right-of-way, ditch, easement, or other property;
- Removing any rocks, plant material, topsoil, or similar items from any property of others within Town;
- Using disposal methods or units other than those approved by the Town; ([Ordinance 2009-02](#))
- Working before or after the scheduled construction hours;
- Driving trucks with uncovered loads the in the Town.
- Amplifying music that can be heard beyond the jobsite

J. Roadway Maintenance

Owners and their contractors and sub-contractors shall keep all Town roads and road rights-of-way free and clear of all materials, rubbish, and debris, unless otherwise approved, resulting from Owner's Construction Activity and shall repair and revegetate any damage to roads, road rights-of-way, landscaping, and other streetscape improvements within the Town caused by Construction Vehicles used in connection with Owner's Construction Activity. Job site adjacent to Colorado Highway 145 Contractors must keep the Site driveway and all adjacent roadshighway clean from mud, and debris.

K. Dust

Daily mitigation required. Water shall be on site to suppress dust.

L. Sanitary Facilities

On-Site, enclosed, chemical toilets must be available at all times when Construction Activity is taking place on a Construction Site. Chemical toilets shall be screened from view and shall be located so as to minimize any adverse impacts on adjacent lots. In no instance shall chemical toilets be placed within any road right-of-way or on the road. Location of sanitary facilities shall be indicated on the Construction Management Site Plan

M. Signage

One temporary construction sign not to exceed 20 square feet overall shall be located on the Site and shall be easily visible from the adjacent roadway. The sign must conform generally to the layout shown below with only the name, address and telephone number of the developer, contractor, and location. All information listed must be shown in uniform type style and color.

PROJECT LOCATION

Building Permit #
Developer/Owner: [Name and Phone #]
Contractor: [Name]

N. Additional construction mitigation requirements imposed on a site by site based as conditions warrant.

Water Infrastructure

Goal: Reactive silver creek water system

Objective	Timeframe	Persons Responsible	Statuses	Comments/Add' Information
Impose development fees for subdivisions, PUD and large scale developments	Ordinance adopted by End of year 2023	Chauncey McCarthy/legal/Board of Trustees	In process	In process
RFP for engineering documents for the necessary improvements needed to reactive silver creek	Select Firm by Jan-2024	Chauncey McCarthy/Board of Trustees		May be able to use 2018 Water PER
Pursue funding to reactive silver creek	To run concurrent with engineering	Chauncey McCarthy/Engineering firm		State revolving fund, grants, and potential federal funding will all be necessary to offset this project's cost
Go out to bid for water system improvements, construct improvements, reactive silver creek	Contingent upon funding. Ideally breaking ground summer 2025	Chauncey McCarthy/Engineering Firm/ Board of Trustees / Construction company		Funding is the biggest hurdle for this project. As federal infrastructure funds roll out there will be a better understanding of the potential timeline

Goal: Repair or replace third storage water tank

Objective	Timeframe	Persons Responsible	Statuses	Comments/Add' Information
Research and determine funding sources	Complete by Sep-2023	Chauncey McCarthy	In process	Funding for tank rehab is limited. Water taps sales may offset cost
Pursue funding via grant, state revolving fund, water taps sold. Budget for repairs	Complete by Dec-2023	Chauncey McCarthy	In process	Estimate from summer 2022 was 250,000
Go out to bid for water tank rehabilitation and complete necessary work	Complete by Oct-2024	Chauncey McCarthy/Board of Trustees/Tank Rehabilitation company		

Street Fund and Infrastructure

Goal: Construct New Town Shop

Objective	Timeframe	Persons Responsible	Status	Comments/Add' Information
Finalize construction documents	End of Feb-2023	Chauncey McCarthy/Goff Engineering/Wiley Architecture	Completed	Almost Completed
Apply for DOLA EIAF grant to offset construction cost	Grant Due March-2023 Awarded June-2023	Chauncey McCarthy	Completed	
Finalize lease purchase option need to fund the project and amend budget	Budget amendment July-2023	Chauncey McCarthy/Troy Bernberg/Board of Trustees	Completed	Include sale of town owned space as revenue
Go out for bid for construction	July-2023 through August-2023	Chauncey McCarthy/ Board of Trustees	Completed	
Construct shop	August-2023 through October-2024	Chauncey McCarthy/Construction company	In Process	Project will include public parking, bathroom, and secured yard storage

Goal: Maintain employees and update equipment

Objective	Timeframe	Persons Responsible	Status	Comments/Add' Information
Pursue a mill levee increase during the November 2024 election	November-2024 election	Chauncey McCarthy/Legal/Anna Wolf/Board of Trustees/Resident electors		This failed at the ballot in 2021. A different approach will need to be taken to be successful
Purchase new smaller front end loader*	Order by October-2024	Chauncey McCarthy /Board of Trustees		Hopefully the small dresser loader can last one more winter season
Provide pay raises to stay competitive with other employers	Yearly	Chauncey McCarthy/Board of Trustees		Increase wages based on CPI and other comp sets

*large purchases will be more manageable with a mill levy increase. If mill levy fails again these purchases will need to staggered greater than what is proposed.

Sewer Infrastructure

Goal: Centralized Sewer System*

Objective	Timeframe	Persons Responsible	Status	Comments/Add' Information
Complete amended PER for town waste water treatment and collection system	Final Report Feb-2024	Chauncey McCarthy/Board of Trustees/Engineering Firm	In Process	Bohannan Huston selected
Pursue funding to continue project	Ongoing	Chauncey McCarthy/Board of Trustees/Engineering Firm		State revolving fund, grants, and potential federal funding will all be necessary to offset this project's cost
Successfully release the 2.5 million dollars of congressionally directed spending	Ongoing	Chauncey McCarthy/Engineering firm		EPA is still working through how the funds will be released.
Create construction documents, install improvements, and construct treatment facility	Unknown	Chauncey McCarthy/Engineering Firm/ Board of Trustees / Construction company/Engineering Firm		Project may be phased based upon funding opportunities.

*Due to the size, scope, and complexity of this project timelines at this point are near impossible to determine. Once the amending PER is completed and funding is investigated there should be a better understanding of what is feasible. Still waiting to see how federal funding will be dispersed

Municipal Documents

Goal: Update Municipal Documents

Objective	Timeframe	Persons Responsible	Status	Comments/Add' Information
Rico Land Use Code global revision	Complete by April 2024	Chauncey McCarthy/Jennifer Stark/Planning Commission/Board of Trustees/Legal	In Process	In process now. Will require planning commission recommendation and Board of Trustees adoption
Revise Home Rule Charter	Complete by May 2024	Chauncey McCarthy/Board of Trustees/Legal		Work through charter amendments during Trustee meetings
Go to ballot with proposed Home Rule Charter amendments	November 2024 Election	Chauncey McCarthy/Legal/Anna Wolf/Board of Trustees/Resident electors		This will require a majority vote
Revise Rico Master Plan	Start in 2024	Chauncey McCarthy/Board of Trustees/Master Planning Committee		This is a large project and the town may want to consider working with a consultant through the process
Revise Water Rules and Regulations	Adopt by end of 2023	Chauncey McCarthy/Board of Trustees/Legal/Pat Drew	In Process	Address water conservation and revise document in its entirety
Codify current legislation	Start once new RLUC is adopted	Chauncey McCarthy/Board of Trustees/Municode		Engage with Municode, process takes two years.

Parks and Open Space

Goal: Improve Parks

Objective	Timeframe	Persons Responsible	Status	Comments/Add' Information
Activate Community Engagement Team and gain community input	February 2023 - April 2023	Chauncey McCarthy/CET Team/ FPM Consulting	Completed	
Create park design and budget	April 2023 - May 2023	Chauncey McCarthy/FPM Consulting	Completed	Tetris exercises community input meeting held 7/9/23
Pursue funding for park improvements	August 2023 - June 2024	Chauncey McCarthy/FPM Consulting	In Process	
Construct park improvements	July 2024 - Sept 2024	Chauncey McCarthy/FPM Consulting/Construction firm		
Park Grand Opening	October 2024	Chauncey McCarthy/FPM Consulting/Local Community		
Improve trails within town and surrounding area	On going	RTA/Local Community		

Additional Notes

Close out VCUP in 2023 (Town wide storm drainage, soil management contractor, remediate roads, adopted IC, educate residents, promote participation)

Continue learning from other communities' success and downfalls.

Save Money, responsible purchases and spending

Provide support for school district initiative

Citizen communication and engagement (post agendas in additional locations, provide meeting summary to mailserv list, host two community participation meetings a year)

Revisit recycling program

Help local businesses by providing support. (Chamber of commerce)

Research and investigate impact fees for large scale developments

Provide support to RFPD

Promote open space

Town shop project includes a parking lot which can be used as an intercept lot during snow removal

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO as follows:

SECTION 1.

Ridgway Municipal Code Section 9-1-17 Water Service Rates, is repealed and replaced, as follows:

* * *

9-1-17 WATER SERVICE RATES.

- (A) (1) Single family homes, mobile homes, churches, and non-profit lodges and civic organizations shall be subject to the following charges for each meter serving the customer:

Type of Customer	Minimum Monthly Charge 0 to 5,000 gal/mo	Rate for Use over 5,000 and up to 10,000 gal./month	Rate for Use 10,000 and up to 18,000 gal./month	Rate for Use Over 18,000 gal./month
Customer age 65 & over owning a single family home or mobile home, and enrolled in the Senior Rate prior to 1/1/2009*	Beginning on 11/1/19: Base gallons: 5000 Base Cost: \$42.75;	\$11.00/1,000 gal.	\$13.00/1,000 gal.	\$15.00/1,000 gal.
Vacancy Rate	Beginning on 11/1/19: \$30.00;	N/A	N/A	N/A
All other Residential per dwelling unit (Multi-unit meters over their base allotment will be averaged and charged according to tier) ADUs = 0.72XUnit rate	Beginning on 11/1/19: Base gallons: 5000 Base Cost: \$52.00;	\$11.00/1,000 gal.	\$13.00/1,000 gal.	\$15.00/1,000 gal.

* Senior rates are no longer offered after 1/1/2009

(2) In order to qualify for the vacancy rate, the customer must notify the Town of the vacancy and pay a shut-off fee of \$30.00. Before the water can then be turned back on, the customer must pay a turn-on fee of \$30.00. No water may be used at that meter during the vacancy period. In the event of failure to meet these requirements, the bill shall be adjusted to the regular rate.

- (B) (1) Accessory dwelling units shall be subject to a minimum monthly charge per unit calculated to be 0.72 x the principal residential unit rate as provided in Subsection (A)(1) above. Any usage over the base allocation will be billed at typical residential rates provided in Subsection (A)(1).

Eagle River Water & Sanitation District (ERWSD) Rates & Charges

The rates & charges below impact customers in the Vail water subdistrict boundaries (East Vail through West Vail).

VAIL WATER SERVICE CHARGE / SFE / MONTH

Water Service Charge	\$22.76
Debt Service Charge	\$8.65
Capital Replacement Charge	\$7.70
Water Service Charges (per SFE)	\$39.11

ERWSD Water Use Rate Structures

INDIVIDUALLY METERED RESIDENTIAL / Kgal / MONTH		COMMERCIAL, MIXED, MULTI-FAMILY, MUNI / SFE / MONTH	
TIER 1 (0 - 6 kgals)	\$3.70	TIER 1 (0 - 6 kgals)	\$3.70
TIER 2 (6 - 12 kgals)	\$6.72	TIER 2 (6 - 12 kgals)	\$6.72
TIER 3 (12 - 18 kgals)	\$13.28	TIER 3 (12 - 18 kgals)	\$13.28
TIER 4 (18 - 30 kgals)	\$20.15	TIER 4 (18 - 24 kgals)	\$27.67
TIER 5 (Greater than 30 kgals)	\$28.21	TIER 5 (Greater than 24 kgals)	\$41.51

2024 Water and Sewer Rates

MOUNTAIN VILLAGE

Classification (Per LUO or other)	Tap Fee per tap	Square Footage	Extra Square footage	EBU Factor (1)	Water/Sewer Regs Classification	Rate Structure	Monthly Rate Table	Monthly Rate Water	Monthly Rate Sewer	Notes
Single Family	\$ 43,300	3,000	\$8,660 / 500 sf	100%	Residential	Seasonal	SF	\$ 83.01	\$ 83.01	
Sewer Surcharge				100%	Residential				10.00	
Condo	\$ 43,300	3,000	\$8,660 / 500 sf	100%	Residential	Seasonal	CD	83.01	83.01	
Sewer Surcharge				100%	Residential				10.00	
Guesthouse	\$ 21,650	1,500	\$8,660 / 500 sf	50%	Residential	Seasonal	SG	41.51	41.51	
Sewer Surcharge				50%	Residential				5.00	
Combined Rate Table (Main + Guest)	\$ 64,950	4,500	\$8,660 / 500 sf	150%	Residential	Seasonal	CRT	124.52	124.52	Each tap has separate meter - base fees 1 1/2
Sewer Surcharge				150%	Residential				15.00	
Subdividable Duplex - 2 taps	\$ 43,300	3,000	\$8,660 / 500 sf	100%	Residential	Seasonal	SF	83.01	83.01	Each tap has separate meter - base fees are per meter
Sewer Surcharge				100%	Residential				10.00	
Non Subdividable Duplex - 2 taps	\$ 43,300	3,000	\$8,660 / 500 sf	100%	Residential	Seasonal	SF	83.01	83.01	Each tap has separate meter - base fees are per meter
Sewer Surcharge				100%	Residential				10.00	
Hotel	\$ 8,660	500	\$1,083 / 50 sf	20%	Commercial	Seasonal	HO	16.60	16.60	5 hotel units equals 1 EBU Commercial
Sewer Surcharge				20%	Commercial				2.00	
Hotel Efficiency	\$ 12,990	750	\$1,083 / 50 sf	30%	Commercial	Seasonal	HE	24.90	24.90	3 hotel efficiency units equals 1 EBU Commercial
Sewer Surcharge				30%	Commercial				3.00	
Lodge Efficiency (Kitchen)	\$ 10,825	750	\$1,083 / 50 sf	25%	Commercial	Seasonal	EE	20.75	20.75	4 lodge units equals 1 EBU Commercial
Sewer Surcharge				25%	Commercial				2.50	
Employee Condo/Apartment	\$ 21,650	3,000	\$4,330 / 500 sf	50%	Deed Restricted	Seasonal	DR	41.51	41.51	
Sewer Surcharge				50%	Deed Restricted				5.00	
Employee Dorm	\$ 10,825	3,000	\$8,660 / 500 sf	25%	Deed Restricted	Seasonal	EA	20.75	20.75	
Sewer Surcharge				25%	Deed Restricted				2.50	
Commercial (per 2,000sf)	\$ 43,300	2,000		100%	Commercial	Seasonal	CM	83.01	83.01	
Sewer Surcharge				100%	Commercial				10.00	
Fireman	\$ 43,300	3,000	\$8,660 / 500 sf	100%	Residential	Seasonal	F1	-	n/a	Base water free then escalating rate structure
Construction	n/a	n/a	n/a	n/a	Construction	n/a	CT	-	n/a	structure
Snowmaking	n/a	n/a	n/a	n/a	Snow Commercial	n/a	Snow	-	n/a	Approximately \$3.37/1,000 gallons (pond) and \$3.67/1,000 gallons on hydrants
Common Irrigation (May thru Oct)	n/a	n/a	n/a	n/a	Irrigation	Seasonal	I1	83.01	n/a	Individual meters
Irrigation Added to House Usage	n/a	n/a	n/a	n/a	Irrigation	Seasonal	I2	-	n/a	Usage added to house meter
Common Irrigation - year round	n/a	n/a	n/a	n/a	Irrigation	Year Round	I3	83.01	n/a	Year round, for outdoor hot tubs or equivalent

Water/Sewer Classification Rates

Residential - Commercial - per EBU (1)

Winter - October thru May	\$/1,000 Gal
1 to 8,000 gallons	Base
8,001 to 16,000 gallons	\$6.29
16,001 to 24,000 gallons	\$8.38
24,001 to 32,000 gallons	\$10.48
32,001 to 40,000 gallons	\$12.57
40,001 plus	\$20.95

Summer - June thru September	\$/1,000 Gal
1 to 14,000 gallons	Base
14,001 to 16,000 gallons	\$6.29
16,001 to 24,000 gallons	\$8.38
24,001 to 32,000 gallons	\$10.48
32,001 to 40,000 gallons	\$12.57
40,001 plus	\$20.95

Deed Restricted - per EBU (1)

Winter - October thru May	\$/1,000 Gal
1 to 4,000 gallons	Base
4,001 to 8,000 gallons	\$6.29
8,001 to 16,000 gallons	\$8.38
16,001 to 24,000 gallons	\$10.48
24,001 to 32,000 gallons	\$12.57
32,001 plus	\$20.95

Summer - June thru September	\$/1,000 Gal
1 to 7,000 gallons	Base
7,001 to 8,000 gallons	\$6.29
8,001 to 16,000 gallons	\$8.38
16,001 to 24,000 gallons	\$10.48
24,001 to 32,000 gallons	\$12.57
32,001 plus	\$20.95

Construction

Year Round Rate Structure	usage @	\$/1,000 Gal
1 to 10,000 gallons		\$3.67
10,000 to 16,000 gallons		\$6.29
16,001 to 24,000 gallons		\$8.38
24,001 to 32,000 gallons		\$10.48
32,001 to 40,000 gallons		\$12.57
40,001 plus		\$20.95

Irrigation

Seasonal Rate Structure-Summer May thru October	\$/1,000 Gal
1 to 12,000 gallons	Base
12,001 to 16,000 gallons	\$6.29
16,001 to 24,000 gallons	\$8.38
24,001 to 32,000 gallons	\$10.48
32,001 to 40,000 gallons	\$12.57
40,001 plus	\$20.95

Year Round Rate Structure	\$/1,000 Gal
1 to 10,000 gallons	Base
10,001 to 16,000 gallons	\$6.29
16,001 to 24,000 gallons	\$8.38
24,001 to 32,000 gallons	\$10.48
32,001 to 40,000 gallons	\$12.57
40,001 plus	\$20.95

Notes -

1. EBU = equivalent billing unit or 1 single family equivalent

SKI RANCHES

Classification (Per LUO or other)	Tap Fee per tap	Square Footage	Extra Square footage	EBU Factor (1)	Water/Sewer Regs Classification	H2O Rate Table	Base Rate Water	Notes
Single Family	\$21,650	3,000	\$4,330 / 500 sf	100%	Residential	W1	\$192.42	
Guesthouse	\$10,825	1,500	\$4,330 / 500 sf	50%	Residential	WJ	96.21	
Construction	n/a	n/a	n/a	n/a	Construction	WT	n/a	Usage billed \$5.50 / 1,000 gallons up to 10,000 gal then escalating rate structure
Fireman	\$21,650	3,000	\$4,330 / 500 sf	100%	Residential	F2	n/a	Base water free then escalating rate structure
Vacant Lot	n/a	n/a	n/a	n/a	Residential	ZZ	n/a	Proposed no charge after 12/31/03
Common Irrigation (May thru Oct)		n/a	n/a/	n/a	Irrigation	I5	192.42	Individual meters
Irrigation Added to House Usage	n/a	n/a	n/a	n/a	Irrigation	SRI	n/a	Usage added to house meter

SKYFIELD

Classification (Per LUO or other)	Tap Fee per tap	Square Footage	Extra Square footage	EBU Factor	Water/Sewer Regs Classification	H2O Rate Table	Base Rate Water	Notes
Single Family	\$32,475	3,000	\$6,495 / 500 sf	100%	Residential	SK	\$192.42	
Guesthouse	\$16,238	1,500	\$6,495 / 500 sf	50%	Residential	SL	96.21	
Fireman	\$32,475	3,000	\$6,495 / 500 sf	100%	Residential	F3	n/a	Base water free then escalating rate structure
Vacant Lot	n/a	n/a	n/a	n/a	Residential	YY	n/a	\$52.50 monthly until meter is installed
Common Irrigation (May thru Oct)	n/a	n/a	n/a/	n/a	Irrigation	I6	192.42	Individual meters
Irrigation Added to House Usage	n/a	n/a	n/a	n/a	Irrigation	I7	n/a	Usage added to house meter

Water Classification Rates

Residential - Per EBU (1)

Rate Structure-Winter October thru May

\$/1,000 Gal

1 to 8,000 gallons	BASE
8,001 to 16,000 gallons	\$9.43
16,001 to 24,000 gallons	\$12.57
24,001 to 32,000 gallons	\$15.71
32,001 to 40,000 gallons	\$18.86
40,001 plus	\$31.43

Rate Structure-Summer

June thru September

\$/1,000 Gal

1 to 14,000 gallons	BASE
14,001 to 16,000 gallons	\$9.43
16,001 to 24,000 gallons	\$12.57
24,001 to 32,000 gallons	\$15.71
32,001 to 40,000 gallons	\$18.86
40,001 plus	\$31.43

Irrigation

Rate Structure-Summer May thru October

\$/1,000 Gal

1 to 12,000 gallons	BASE
12,001 to 16,000 gallons	\$9.43
16,001 to 24,000 gallons	\$12.57
24,001 to 32,000 gallons	\$15.71
32,001 to 40,000 gallons	\$18.86
40,001 plus	\$31.43

Construction

Year Round Rate Structure

\$/1,000 Gal

1 to 10,000 gallons	usage @ \$5.50
10,001 to 16,000 gallons	\$9.43
16,001 to 24,000 gallons	\$12.57
24,001 to 32,000 gallons	\$15.71
32,001 to 40,000 gallons	\$18.86
40,001 plus	\$31.43

Notes -

1. EBU = equivalent billing unit or 1 single family equivalent

NEW TOWN OF RICO - GENERAL FUND
BALANCE SHEET
DECEMBER 31, 2023

ASSETS

CURRENT ASSETS		
CASH - CHECKING	\$	490,504.05
C-SAFE		1,226,038.36
CASH WITH TREASURER		374.95
		<hr/>
TOTAL CURRENT ASSETS		1,716,917.36
PROPERTY AND EQUIPMENT		
		<hr/>
TOTAL PROPERTY AND EQUIPMENT		0.00
OTHER ASSETS		
		<hr/>
TOTAL OTHER ASSETS		0.00
		<hr/>
TOTAL ASSETS	\$	<u><u>1,716,917.36</u></u>

LIABILITIES AND CAPITAL

CURRENT LIABILITIES		
FICA & FEDERAL W/H PAYABLE	\$	34,670.34
STATE W/H PAYABLE		968.43
COPFL		293.25
EMPLOYEE PERA		11,458.24
		<hr/>
TOTAL CURRENT LIABILITIES		47,390.26
LONG-TERM LIABILITIES		
		<hr/>
TOTAL LONG-TERM LIABILITIES		0.00
		<hr/>
TOTAL LIABILITIES		47,390.26
CAPITAL		
FUND BALANCE		1,001,210.29
NET INCOME		668,316.81
		<hr/>
TOTAL CAPITAL		1,669,527.10
		<hr/>
TOTAL LIABILITIES & CAPITAL	\$	<u><u>1,716,917.36</u></u>

NEW Town of Rico - General Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE VARIANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Revenues - Operating					
Developmnet Securities	\$ (5,000.00)	\$ 0.00	(5,000.00)	0.00	0.00
Property Tax	87,577.51	85,880.00	1,697.51	1,238.91	101.98
Sales & Use Tax	284,854.26	220,000.00	64,854.26	30,239.73	129.48
SO Tax	5,189.31	4,500.00	689.31	415.08	115.32
Cigarette Tax	420.48	180.00	240.48	26.95	233.60
Del Tax & Interest	2,432.30	1,000.00	1,432.30	244.59	243.23
Payroll Transfer Funds	164,395.21	161,700.00	2,695.21	14,025.42	101.67
Building Permits	22,899.39	18,000.00	4,899.39	0.00	127.22
Development Applications	1,150.00	1,000.00	150.00	100.00	115.00
Business Licenses	1,050.00	725.00	325.00	25.00	144.83
Dog Licenses	150.00	150.00	0.00	0.00	100.00
Interest	32,576.22	14,000.00	18,576.22	5,932.90	232.69
Fines	12,891.66	13,000.00	(108.34)	1,424.00	99.17
Miscellaneous	1,704.00	0.00	1,704.00	(1,296.00)	0.00
Septic Permit	800.00	1,200.00	(400.00)	0.00	66.67
Lodging Tax	14,175.72	4,000.00	10,175.72	1,077.25	354.39
Attorney Pass Thru	235,733.51	175,000.00	60,733.51	0.00	134.70
SMPA Dividend Check	556.10	400.00	156.10	0.00	139.03
	<hr/>	<hr/>	<hr/>	<hr/>	
Total Revenues - Operating	863,555.67	700,735.00	162,820.67	53,453.83	123.24
Expenses - Operating					
Town Clean Up Day	0.00	(2,000.00)	2,000.00	0.00	0.00
Building Inspector	(3,944.00)	(5,000.00)	1,056.00	(200.00)	78.88
Town Administrator	(79,000.08)	(79,000.00)	(0.08)	(6,583.34)	100.00
Town Clerk	(46,650.00)	(46,650.00)	0.00	(3,887.50)	100.00
Payroll Taxes	(18,577.98)	(20,000.00)	1,422.02	0.00	92.89
Public Works	(50,000.16)	(50,000.00)	(0.16)	(4,166.68)	100.00
Employee Benefits - Health	(42,276.30)	(42,000.00)	(276.30)	(3,766.60)	100.66
FAMLI	0.00	(1,200.00)	1,200.00	0.00	0.00
Professional - Town Attorney	(28,034.04)	(30,000.00)	1,965.96	(3,893.00)	93.45
Town Planner	(601.50)	(5,000.00)	4,398.50	(743.50)	12.03
POST Maintenance/Ice	(7,872.25)	(7,000.00)	(872.25)	0.00	112.46
Professional - Auditor	(6,300.00)	(6,300.00)	0.00	0.00	100.00
Attorney Pass Thru	(235,733.41)	(175,000.00)	(60,733.41)	0.00	134.70
Municipal Court Judge	(4,500.00)	(4,500.00)	0.00	(375.00)	100.00
Town Marshall	(16,240.00)	(20,000.00)	3,760.00	(1,190.00)	81.20
POST - Groomer	(4,584.00)	(7,000.00)	2,416.00	0.00	65.49
Website Maintenance	(4,837.58)	(3,000.00)	(1,837.58)	(646.80)	161.25
Fuel	(2,341.23)	(3,000.00)	658.77	(95.53)	78.04

For Management Purposes Only

NEW Town of Rico - General Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE VARIANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Advertisement/Agenda & Notice	0.00	(1,000.00)	1,000.00	0.00	0.00
Insurance	(7,055.09)	(7,300.00)	244.91	0.00	96.65
Supplies	(10,643.24)	(10,000.00)	(643.24)	(620.22)	106.43
Town Vehicle	(7,741.93)	(10,000.00)	2,258.07	0.00	77.42
Electric	(1,339.63)	(2,000.00)	660.37	(111.00)	66.98
Propane	(7,236.00)	(5,500.00)	(1,736.00)	(603.00)	131.56
Employee Benefits - Life	0.00	(140.00)	140.00	0.00	0.00
Telephone	(3,584.99)	(4,500.00)	915.01	(307.30)	79.67
Utilities - Other	(601.45)	(1,200.00)	598.55	(25.43)	50.12
Employee Benefits - PERA	(26,941.65)	(26,000.00)	(941.65)	(4,321.08)	103.62
Treasurer Fees	(1,734.83)	(2,500.00)	765.17	0.00	69.39
Dues & Fees	(2,599.43)	(3,000.00)	400.57	(340.45)	86.65
Employees Consideration	(5,500.00)	(3,000.00)	(2,500.00)	(5,500.00)	183.33
Pass Thru/Rico Center	(13,000.00)	(13,000.00)	0.00	0.00	100.00
Facilities Maintenance	(863.62)	(5,000.00)	4,136.38	0.00	17.27
Travel/Conference Expenses	(6,227.62)	(7,500.00)	1,272.38	0.00	83.03
Miscellaneous	(3,651.42)	0.00	(3,651.42)	(204.00)	0.00
Sales & Use Tax	(56,935.76)	(44,000.00)	(12,935.76)	(6,047.84)	129.40
4th of July	(1,573.40)	(2,000.00)	426.60	0.00	78.67
Water Technician	(1,350.00)	(4,000.00)	2,650.00	(200.00)	33.75
Elections	0.00	(2,000.00)	2,000.00	0.00	0.00
Part Time Maintenance	(39,061.56)	(40,000.00)	938.44	(3,770.00)	97.65
Lodging Tax	(2,619.70)	(800.00)	(1,819.70)	0.00	327.46
Total Expenses - Operating	(751,753.85)	(701,090.00)	(50,663.85)	(47,598.27)	107.23
Net Income - Operating	\$ 111,801.82	\$ (355.00)	112,156.82	5,855.56	(31,493.47)

Revenues - Capital Improvement					
Lease Purchase Transfer	\$ 20,000.00	\$ 20,000.00	0.00	0.00	100.00
DOLA Planning Grant	25,000.00	25,000.00	0.00	0.00	100.00
DOLA EIAF Town Shop Grant	0.00	950,000.00	(950,000.00)	0.00	0.00
COP Vectra Bank	482,500.00	500,000.00	(17,500.00)	0.00	96.50
Commercial Space Sale	193,915.00	194,000.00	(85.00)	0.00	99.96
CFHA Micro Grant	5,700.00	5,700.00	0.00	0.00	100.00
Rico Center Grant - pass thru	13,000.00	13,000.00	0.00	0.00	100.00
Excise Tax	7,835.75	4,500.00	3,335.75	0.00	174.13

For Management Purposes Only

NEW Town of Rico - General Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE VARIANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Total Revenues - Capital Improve	747,950.75	1,712,200.00	(964,249.25)	0.00	43.68
Expenses - Capital Improvement					
Town Shop Planning and Const	(146,211.42)	(1,977,000.00)	1,830,788.58	(75,276.60)	7.40
Sound Proofing Courtroom	(5,658.05)	(5,700.00)	41.95	0.00	99.26
Lease Purchase Payment	(39,259.72)	(40,000.00)	740.28	0.00	98.15
Total Expenses - Capital Improve	(191,129.19)	(2,022,700.00)	1,831,570.81	(75,276.60)	9.45
Net Income - Capital Improvement	\$ 556,821.56	\$ (310,500.00)	867,321.56	(75,276.60)	(179.33)
Revenues - Special Projects					
Total Revenues - Special Projects	0.00	0.00	0.00	0.00	0.00
Expenses - Special Projects					
Community Meetings	\$ (306.57)	\$ (2,000.00)	1,693.43	0.00	15.33
Total Expenses - Special Projects	(306.57)	(2,000.00)	1,693.43	0.00	15.33
Net Income - Special Projects	\$ (306.57)	\$ (2,000.00)	1,693.43	0.00	15.33
Revenues - Other					
Total Revenues - Other	0.00	0.00	0.00	0.00	0.00
Expenses - Other					
Total Expenses - Other	0.00	0.00	0.00	0.00	0.00
Net Income - Other	\$ 0.00	\$ 0.00	0.00	0.00	0.00
TOTAL NET INCOME	\$ 668,316.81	\$ (312,855.00)	981,171.81	(69,421.04)	(213.62)

For Management Purposes Only

NEW Town of Rico - General Fund
 Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE VARIANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Beginning Fund Balance	<u>1,001,210.29</u>	<u>0.00</u>			
Ending Fund Balance	<u><u>1,669,527.10</u></u>	<u><u>(312,855.00)</u></u>			

NEW Town of Rico - Sanitation Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE BALANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Revenues - Operating					
Property Tax	\$ 26,495.23	\$ 26,495.00	0.23	374.81	100.00
Specific Ownership Tax	1,569.93	950.00	619.93	125.58	165.26
Del Tax and Interest	112.70	150.00	(37.30)	25.67	75.13
Interest	622.51	0.00	622.51	49.16	0.00
	<u>28,800.37</u>	<u>27,595.00</u>	<u>1,205.37</u>	<u>575.22</u>	<u>104.37</u>
Total Revenues - Operating					
Expenses - Operating					
Septic-Inspector/Training	0.00	(1,000.00)	1,000.00	0.00	0.00
Treasurers Fees	(520.39)	(750.00)	229.61	0.00	69.39
Miscellaneous/ Engineering	(46,523.75)	(50,000.00)	3,476.25	(1,795.25)	93.05
Payroll Transfer	(16,408.35)	(15,800.00)	(608.35)	(1,316.67)	103.85
	<u>(63,452.49)</u>	<u>(67,550.00)</u>	<u>4,097.51</u>	<u>(3,111.92)</u>	<u>93.93</u>
Total Expenses - Operating					
Net Income - Operating	\$ <u>(34,652.12)</u>	\$ <u>(39,955.00)</u>	<u>5,302.88</u>	<u>(2,536.70)</u>	86.73
Revenues - Capital Improve General					
Total Revenues - Capital Improve Gener	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
Expenses - Capital Improve General					
Total Expenses - Capital Improve Gener	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
Net Income - Capital Improve General	\$ <u>0.00</u>	\$ <u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
Revenues - Cap Improve - Dept Local Affairs					
Total Revenues - Cap Imp Dept Local A	0.00	0.00	0.00	0.00	0.00

For Management Purposes Only

NEW Town of Rico - Sanitation Fund
 Comparative Income Statement to Budget
 For the Twelve Months Ending December 31, 2023

	<u>YEAR TO DATE ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>YEAR to DATE BALANCE</u>	<u>CURRENT MONTH ACTUAL</u>	PERCENTAGE FAV (UNFAV)
Expenses - Cap Improve - Dept Local Affairs					
Total Expenses - Cap Imp Dept Local Af	0.00	0.00	0.00	0.00	0.00
Net Income - Cap Imp Dept Local Aff	\$ 0.00	\$ 0.00	0.00	0.00	0.00
Revenues - Cap Improve - USDA Devel Loan					
Total Revenues - Capital Improvement	0.00	0.00	0.00	0.00	0.00
Expenses - Cap Improve USDA Devel Loan					
Total Expenses - Cap Impr USDA Devel	0.00	0.00	0.00	0.00	0.00
Net Income - Cap Impr USDA Devel Lo	\$ 0.00	\$ 0.00	0.00	0.00	0.00
Revenues - Cap Improve USDA Devel Grant					
Total Revenues - Cap Imp USDA Devel	0.00	0.00	0.00	0.00	0.00
Expenses - Cap Improve USDA Devel Grant					
Total Expenses - Cap Imp USDA Devel	0.00	0.00	0.00	0.00	0.00
Net Income - Capital Improvement	\$ 0.00	\$ 0.00	0.00	0.00	0.00
Revenues - Cap Improve - EPA Grant					
Total Revenues - Cap Improve EPA Gra	0.00	0.00	0.00	0.00	0.00

For Management Purposes Only

NEW Town of Rico - Sanitation Fund
 Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE BALANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Expenses - Cap Improve - EPA Grant					
Total Expenses - Cap Improve EPA Gra	0.00	0.00	0.00	0.00	0.00
Net Income - Cap Improve EPA Grant	\$ 0.00	\$ 0.00	0.00	0.00	0.00
TOTAL NET INCOME	\$ (34,652.12)	\$ (39,955.00)	5,302.88	(2,536.70)	86.73
Beginning Fund Balance	237,795.71	0.00			
Ending Fund Balance	203,143.59	(39,955.00)			

2018 NEW Town of Rico - Street Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE BALANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Revenues - Operating					
Property Tax	\$ 12,006.51	\$ 11,775.00	231.51	169.85	101.97
Sales and Use Tax	28,467.88	22,000.00	6,467.88	3,023.92	129.40
Specific Ownership Tax	711.46	500.00	211.46	56.91	142.29
Del Tax and Intrest	51.07	250.00	(198.93)	11.63	20.43
Franchise Tax	7,233.93	7,000.00	233.93	0.00	103.34
Highway Users Tax	18,607.13	13,000.00	5,607.13	1,682.55	143.13
Lodging Tax	1,309.85	450.00	859.85	0.00	291.08
County R&B Reapportionment	13,276.45	12,000.00	1,276.45	0.00	110.64
Mineral Leasing	18,719.00	5,000.00	13,719.00	0.00	374.38
Interest	415.99	40.00	375.99	40.90	1,039.98
Excise Tax	7,835.75	6,500.00	1,335.75	0.00	120.55
Severance	6,962.06	0.00	6,962.06	0.00	0.00
Total Revenues - Operating	115,597.08	78,515.00	37,082.08	4,985.76	147.23
Expenses - Operating					
Payroll Transfer	(45,527.16)	(52,900.00)	7,372.84	(4,437.50)	86.06
Fuel	(16,600.88)	(16,000.00)	(600.88)	0.00	103.76
Equipt Repairs & Maintenance	(5,681.29)	(5,000.00)	(681.29)	(647.72)	113.63
Insurance	(4,536.97)	(4,700.00)	163.03	0.00	96.53
Supplies	(2,736.26)	(2,500.00)	(236.26)	0.00	109.45
Electric	(1,524.00)	(2,000.00)	476.00	(188.00)	76.20
Street Lights	(1,027.00)	(1,250.00)	223.00	(89.00)	82.16
Utilities - Other	(2,408.49)	(2,500.00)	91.51	(210.94)	96.34
Treasurer Fees	(235.83)	(350.00)	114.17	0.00	67.38
Equipment Rental	0.00	(5,000.00)	5,000.00	0.00	0.00
Total Expenses - Operating	(80,277.88)	(92,200.00)	11,922.12	(5,573.16)	87.07
Net Income - Operating	\$ 35,319.20	\$ (13,685.00)	49,004.20	(587.40)	(258.09)
Revenues - Capital Improvement					
Total Revenues - Capital Improvement	0.00	0.00	0.00	0.00	0.00

For Management Purposes Only

2018 NEW Town of Rico - Street Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	<u>YEAR TO DATE ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>YEAR to DATE BALANCE</u>	<u>CURRENT MONTH ACTUAL</u>	PERCENTAGE FAV (UNFAV)
Expenses - Capital Improvement					
Gravel Project - Streets	\$ (2,200.00)	\$ (2,500.00)	300.00	0.00	88.00
Lease Purchase Transfer	(10,000.00)	(10,000.00)	0.00	0.00	100.00
Total Expenses - Capital Improvement	<u>(12,200.00)</u>	<u>(12,500.00)</u>	<u>300.00</u>	<u>0.00</u>	97.60
Net Income - Capital Improvement	<u>\$ (12,200.00)</u>	<u>\$ (12,500.00)</u>	<u>300.00</u>	<u>0.00</u>	97.60
Revenues - Other					
Total Revenues - Other	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
Expenses - Other					
Total Expenses - Other	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
Net Income - Other	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
TOTAL NET INCOME	<u>\$ 23,119.20</u>	<u>\$ (26,185.00)</u>	<u>49,304.20</u>	<u>(587.40)</u>	(88.29)
Beginning Fund Balance	<u>145,913.58</u>	<u>0.00</u>			
Ending Fund Balance	<u>169,032.78</u>	<u>(26,185.00)</u>			

NEW Town of Rico - Water Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE BALANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Revenues - Operating					
Water Revenue	\$ 140,694.40	\$ 135,000.00	5,694.40	8,398.87	104.22
Interest	4,803.79	70.00	4,733.79	81.36	6,862.56
Electric Reimbursement	1,572.00	1,450.00	122.00	0.00	108.41
	<u>147,070.19</u>	<u>136,520.00</u>	<u>10,550.19</u>	<u>8,480.23</u>	<u>107.73</u>
Total Revenues - Operating					
Expenses - Operating					
Payroll Transfer	(90,556.12)	(93,000.00)	2,443.88	(7,946.25)	97.37
Rate study	(4,400.00)	(9,000.00)	4,600.00	(4,400.00)	48.89
Professional - Town Attorney	(111.50)	(2,500.00)	2,388.50	0.00	4.46
Professional - Auditor	(6,300.00)	(6,300.00)	0.00	0.00	100.00
Repairs/Maintenance	(7,958.34)	(7,500.00)	(458.34)	0.00	106.11
Insurance	(6,500.00)	(6,500.00)	0.00	0.00	100.00
Supplies	(10,043.98)	(5,000.00)	(5,043.98)	(2,391.48)	200.88
Water Samples	(1,344.83)	(2,500.00)	1,155.17	(35.00)	53.79
Electric	(6,035.00)	(5,500.00)	(535.00)	(580.00)	109.73
Propane	(4,824.00)	(5,000.00)	176.00	(402.00)	96.48
Utilities - Other	(1,492.00)	(2,000.00)	508.00	(115.00)	74.60
Dolores Water Conservation Dis	(2,700.05)	(2,700.00)	(0.05)	0.00	100.00
Miscellaneous	(1,755.92)	(500.00)	(1,255.92)	0.00	351.18
	<u>(144,021.74)</u>	<u>(148,000.00)</u>	<u>3,978.26</u>	<u>(15,869.73)</u>	<u>97.31</u>
Total Expenses - Operating					
Net Income - Operating	<u>\$ 3,048.45</u>	<u>\$ (11,480.00)</u>	<u>14,528.45</u>	<u>(7,389.50)</u>	<u>(26.55)</u>
Revenues - Capital Improvement					
Water Tap	\$ 98,500.00	\$ 98,500.00	0.00	0.00	100.00
Tap Installation	5,653.10	0.00	5,653.10	3,653.10	0.00
	<u>104,153.10</u>	<u>98,500.00</u>	<u>5,653.10</u>	<u>3,653.10</u>	<u>105.74</u>
Total Revenues - Capital Improve					
Expenses - Capital Improvement					
Tap Installation	(7,523.09)	(7,500.00)	(23.09)	0.00	100.31

For Management Purposes Only

NEW Town of Rico - Water Fund
 Comparative Income Statement to Budget
 For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE BALANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Lease Purchase Transfer	(10,000.00)	(10,000.00)	0.00	0.00	100.00
Water Engineering Service	(10,670.83)	(30,000.00)	19,329.17	0.00	35.57
Total Expenses - Capital Improve	(28,193.92)	(47,500.00)	19,306.08	0.00	59.36
Net Income - Capital Improvement	\$ 75,959.18	\$ 51,000.00	24,959.18	3,653.10	148.94
Revenues - Other					
Total Revenues - Other	0.00	0.00	0.00	0.00	0.00
Expenses - Other					
Total Expenses - Other	0.00	0.00	0.00	0.00	0.00
Net Income - Other	\$ 0.00	\$ 0.00	0.00	0.00	0.00
TOTAL NET INCOME	\$ 79,007.63	\$ 39,520.00	39,487.63	(3,736.40)	199.92
Beginning Fund Balance	3,202,044.69	0.00			
Ending Fund Balance	3,281,052.32	39,520.00			

NEW Town of Rico - Open Park Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE BALANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Revenues - Operating					
Sales & Use Tax	\$ 28,467.88	\$ 22,000.00	6,467.88	3,023.92	129.40
Lodging Tax	1,309.85	450.00	859.85	0.00	291.08
Interest	244.33	45.00	199.33	24.39	542.96
Rico Center Grant	36,000.00	36,000.00	0.00	0.00	100.00
Excise Tax	7,835.75	6,500.00	1,335.75	0.00	120.55
	<u>73,857.81</u>	<u>64,995.00</u>	<u>8,862.81</u>	<u>3,048.31</u>	113.64
Total Revenues - Operating					
Expenses - Operating					
Flowers	(1,244.28)	(1,500.00)	255.72	0.00	82.95
Winter Festival	0.00	(1,500.00)	1,500.00	0.00	0.00
Grooming supplies	(40,680.74)	(40,000.00)	(680.74)	0.00	101.70
Winter Trail Grooming Payroll	(4,129.00)	(7,000.00)	2,871.00	(325.00)	58.99
Repairs & Maint. Equipment	0.00	(1,000.00)	1,000.00	0.00	0.00
Insurance	(2,500.00)	(2,500.00)	0.00	0.00	100.00
Supplies	(3,529.99)	(5,000.00)	1,470.01	(25.00)	70.60
Ice Rink & Park Maint. Payroll	(9,091.25)	(7,000.00)	(2,091.25)	0.00	129.88
Miscellaneous	0.00	(500.00)	500.00	0.00	0.00
	<u>(61,175.26)</u>	<u>(66,000.00)</u>	<u>4,824.74</u>	<u>(350.00)</u>	92.69
Total Expenses - Operating					
Net Income - Operating	\$ <u>12,682.55</u>	\$ <u>(1,005.00)</u>	<u>13,687.55</u>	<u>2,698.31</u>	(1,261.95)
Revenues - Capital Improvement					
Total Revenues - Capital Improvement	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0.00
Expenses - Capital Improvement					
Facility Planning and Improvme	\$ <u>0.00</u>	\$ <u>(20,000.00)</u>	<u>20,000.00</u>	<u>0.00</u>	0.00
Total Expenses - Capital Improvement	<u>0.00</u>	<u>(20,000.00)</u>	<u>20,000.00</u>	<u>0.00</u>	0.00
Net Income - Capital Improvement	\$ <u>0.00</u>	\$ <u>(20,000.00)</u>	<u>20,000.00</u>	<u>0.00</u>	0.00

For Management Purposes Only

NEW Town of Rico - Open Park Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	<u>YEAR TO DATE ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>YEAR to DATE BALANCE</u>	<u>CURRENT MONTH ACTUAL</u>	PERCENTAGE FAV (UNFAV)
Revenues - Special Projects					
Total Revenues - Special Projects	0.00	0.00	0.00	0.00	0.00
Expenses - Special Projects					
Total Expenses - Special Projects	0.00	0.00	0.00	0.00	0.00
Net Income - Special Projects	\$ 0.00	\$ 0.00	0.00	0.00	0.00
Revenues - Other					
Total Revenues - Other	0.00	0.00	0.00	0.00	0.00
Expenses - Other					
Total Expenses - Other	0.00	0.00	0.00	0.00	0.00
Net Income - Other	\$ 0.00	\$ 0.00	0.00	0.00	0.00
TOTAL NET INCOME	\$ 12,682.55	\$ (21,005.00)	33,687.55	2,698.31	(60.38)
Beginning Fund Balance	92,040.97	0.00			
Ending Fund Balance	104,723.52	(21,005.00)			

NEW Conservation Trust Fund
Comparative Income Statement to Budget
For the Twelve Months Ending December 31, 2023

	YEAR TO DATE ACTUAL	ANNUAL BUDGET	YEAR to DATE VARIANCE	CURRENT MONTH ACTUAL	PERCENTAGE FAV (UNFAV)
Revenues - Operating					
Total Revenues - Operating	0.00	0.00	0.00	0.00	0.00
Expenses - Operating					
Total Expenses - Operating	0.00	0.00	0.00	0.00	0.00
Net Income - Operating	\$ 0.00	\$ 0.00	0.00	0.00	0.00
Revenues - Other					
Interest	\$ 102.86	\$ 0.00	102.86	11.41	0.00
Lottery Proceeds	4,274.56	2,500.00	1,774.56	1,244.66	170.98
Total Revenues - Other	4,377.42	2,500.00	1,877.42	1,256.07	175.10
Expenses - Other					
FMP Capital Park Improvement G	0.00	(40,000.00)	40,000.00	0.00	0.00
Total Expenses - Other	0.00	(40,000.00)	40,000.00	0.00	0.00
Net Income - Other	\$ 4,377.42	\$ (37,500.00)	41,877.42	1,256.07	(11.67)
TOTAL NET INCOME	\$ 4,377.42	\$ (37,500.00)	41,877.42	1,256.07	(11.67)
Beginning Fund Balance	44,595.71	0.00			
Ending Fund Balance	48,973.13	(37,500.00)			