

Town of Rico Memorandum

Date: June 12, 2025

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

Consideration of memorandum of understanding between the Town of Rico and Performance Services for performance energy contracting services (Pg. 21-22)

Included in the packet is a Memorandum of Understanding (MOU) between the Town of Rico and Performance Services, Inc. (PSI) to initiate a Facilities Assessment and Energy Performance Contract (EPC) feasibility study. The MOU outlines PSI's role in assessing Town facilities, identifying potential energy efficiency and capital improvement opportunities, and evaluating funding and implementation strategies.

Representatives from Performance Services will be in attendance at the Board of Trustees meeting to provide an overview of the proposed scope of work, share their expertise on the assessment process, and respond to questions from the Board.

Recommended Action: Approval of the MOU between the Town of Rico and Performance Services for performance energy contracting services.

Consideration of San Juan NF, Rio Grande Southern Trail north trailhead sign location and follow-up on the Enterprise Branch sign location (Pg. 23-24)

The Forest Service is seeking input on the location of the northern Rio Grande Southern Trailhead sign, with options including the Town-owned trailhead parcel or National Forest land at the Burnett Creek Connector. Town staff supports placing the sign on Town property, and representatives from the San Juan National Forest and Dolores Ranger District will attend the June 18th meeting to discuss. The email thread detailing the proposed signage and updated Enterprise Branch sign location is included in the packet.

Consideration of lease agreement between the Town of Rico and the Rico Historic Society for the use of a Town owned building as a museum (Pg. 25-28)

Included in the packet is a proposed lease agreement between the Town of Rico and the Rico Historic Society for use of the building located at 15 S. Glasgow Avenue as a public history museum. The proposed lease has a ten-year term, with automatic five-year renewal periods unless either party provides written notice of termination at least one year prior to the end of the term. The agreement was drafted using the Town's standard lease form. If the Board wishes to consider an extended lease term, this can be addressed through conditional approval during the meeting.

Recommended Action: Approval of the lease agreement between the Town of Rico and the Rico Historic Society for the building located at 15 S Glasgow

Consideration of Coordinating the November 4, 2025 Election with Dolores County

The Town of Rico must determine whether to coordinate its November 4, 2025 election with Dolores County. Coordinated elections streamline administration, and ensure consistency with election procedures. Participation also helps ensure compliance with TABOR requirements. If approved, the Town will notify the Dolores County Clerk of its intent to participate.

Recommended Action: Authorize staff to notify the Dolores County Clerk of the Town's intent to participate in the coordinated election scheduled for November 4, 2025.

Consideration of first reading of Ordinance No. 2025-04 an ordinance of the Town of Rico, Colorado, setting the title and content of ballot issues for a mill levy increase to be submitted at the election to be held on November 4, 2025 (Pg. 29-32)

Ordinance No. 2025-04 proposes the submission of three coordinated TABOR ballot questions to Rico voters at the November 4, 2025 election, with the combined intent of generating the approximate revenue equivalent of a 12-mill levy increase to support street reconstruction and maintenance. The ordinance sets the ballot titles for: (1) a mill levy increase of 6.000 mills—from 1.785 to 7.785 mills—for the Street Fund, projected to raise up to \$75,000 in the first full year of collection; (2) a reallocation of 3 existing mills from the Rico Sewer Enterprise to the Street Fund without increasing the overall mill levy; and (3) a change in sales tax allocation, doubling the share directed to the Street Fund from 10% to 20% of the General Operating Fund. If approved, all measures would allow the Town to retain and spend the resulting revenues as a voter-approved revenue change under TABOR.

Recommended Action: Approval of the first reading of Ordinance No. 2025-04 an ordinance of the Town of Rico, Colorado, setting the title and content of ballot issues for a mill levy increase to be submitted at the election to be held on November 4, 2025

Consideration of second reading of Ordinance 2025-03 an ordinance of the Town of Rico, Colorado extending the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments (Pg. 33-35)

Included in the packet for the Board's consideration is Ordinance No. 2025-03 which is being presented for second reading following its approval on first reading at the May 16, 2025 Board of Trustees meeting. The ordinance extends the temporary moratorium on the acceptance of new land use applications for major and minor subdivisions, as well as residential and commercial planned unit developments. Originally enacted in 2023, the moratorium is set to expire at the end of June 2025. Approval of this ordinance will extend the moratorium until December 31, 2025

Consideration of Resolution 2025-03 A resolution of the Board of trustees of the Town of Rico, Colorado, establishing a formal process for requesting letters of support from the Town and for requesting general agenda items (Pg. 36-38)

Included in the packet for the Board's consideration is Resolution 2025-03, which was drafted based on input provided at the April meeting and revised in response to the Board's request at the May 16, 2025 meeting to also address general agenda item submissions. This resolution establishes a formal process for how local organizations can request letters of support from the Town of Rico, setting a 10-day minimum advance deadline and requiring sufficient documentation to allow staff to prepare a draft letter. In addition, the resolution outlines a formal process for any individual, organization, or stakeholder to request placement of a general item on a Board of Trustees meeting agenda. This includes submission of a written request with relevant background materials at least 10 days in advance of the meeting date. Together, these procedures are intended to ensure that requests are handled transparently, consistently, and in alignment with the Town's administrative timelines and priorities.

Recommended Action: Approval of Resolution 2025-03 A resolution of the Board of trustees of the Town of Rico, Colorado, establishing a formal process for requesting letters of support from the Town and for requesting general agenda items

Consideration of request for expansion of non-conforming building, 15 S Garfield, Argent Trust, applicant (Pg. 39-43)

Argent Trust, the property owner of 15 S. Garfield Street, is requesting approval to expand an existing non-conforming structure by finishing constructing a residential deck that extends approximately 1.7 feet into the required front setback. The proposed design utilizes existing footers that are structurally tied to a non-conforming shed already on the property.

Because the expansion encroaches into the setback, the request requires approval from the Board of Adjustment under the Rico Land Use Code provisions for non-conforming structures. The applicant would prefer to retain the current footer location rather than redesign and relocate the structure. Staff has verified that the footers and partial framing are in place, and that modification would require substantial structural changes. The plans survey have been included in the packet for review.

Terms of transfer of Firehouse property (lots 9,10,11 and 12 in Block 2) from Town of Rico to Rico Fire Protection District (Pg. 44-45)

Included in the packet is a draft Memorandum of Understanding (MOU) outlining the terms for the transfer of ownership of the firehouse property (Lots 9, 10, 11, and 12, Block 2) from the Town of Rico to the Rico Fire Protection District (RFPD). This draft was prepared following direction provided by the Board of Trustees at its May 16, 2025 meeting, where the Board expressed general support for the transfer.

This MOU was provided to the RFPD for review at their meeting on Monday, June 16, 2025. A representative from the District will attend the Town Board meeting to discuss the terms. No formal action is requested at this time; final approval of the MOU is anticipated for the Board's July meeting, pending input from both parties.

Rio Grande Southern bridge and trail update (Pg. 46-54)

The U.S. Forest Service has approved the northern section of the Rio Grande Southern (RGS) River Trail, which extends from approximately 1.4 miles south of the proposed bridge location to the Town's southern boundary, thereby satisfying all National Environmental Policy Act (NEPA) requirements for that segment. In response to public comments received during the March 24, 2025 Dolores County Planning Commission hearing held in Rico, the RGS bridge design was revised to remove the structural member beneath the bridge, raise the east abutment to provide four feet of clearance above the 100-year flood level, and shift the alignment entirely outside the 100-year floodplain. These updates were reviewed and unanimously recommended for approval by the Dolores County Planning Commission. Members of the Rico Trails Alliance (RTA) will be in attendance to present the project updates and answer questions. A memo from the U.S. Forest Service and the revised engineering plans are provided in the packet for the Board's review.

Rico Community Church committee

The Board is asked to consider formally noticing the Town's intent to establish a Rico Community Church Committee to help guide the future use and stewardship of the church facility. The purpose of this committee will be to research, evaluate, and make recommendations on matters related to the building's use, funding, and long-term planning. The committee could meet 1–2 times per month and focus on topics such as grant and funding opportunities, maintenance and repair needs, operational policies, rental rates and cost structures, and long-term strategic planning for the building. Meetings should be held at Town Hall and noticed as public meetings in compliance with Colorado Open Meetings Law. The committee will be required to appoint a secretary to record minutes and will be expected to report quarterly to the Board of Trustees.

As part of this discussion, the Board should be prepared to provide direction on several items, including: the scope of topics they would like the committee to research, the appropriate size of the committee, and the preferred process for soliciting and appointing members along with the duration of the committee.

Short Term Rental percentage cap (Pg. 55)

As part of its 2025 work plan, the Board of Trustees committed to reviewing the Town's current short-term rental (STR) percentage cap. With the recent closure of the only hotel in Rico, there is now limited availability of visitor accommodations within Town limits. In light of these changes, the Board is asked to evaluate whether the existing STR cap remains appropriate or if adjustments should be considered to better support lodging demand while balancing community impacts. A public comment letter regarding this issue has been included in the packet for the Board's review.

Town project updates (Pg. 56-59)

Park Improvements

The skate park is currently under construction and is on track for completion by mid-July. Due to additional fundraising by the Rico Skatepark nonprofit, the skate park has been expanded by approximately 500 square feet, allowing for the inclusion of additional features. Work on the new pavilion is also progressing; footers and stem walls have been poured, the site is being backfilled, and the concrete slab is scheduled to be poured within the next two weeks.

While the original plan envisioned a community build for the pavilion structure to help reduce costs and stretch grant funding, staff has concerns about relying on that approach. Of the two original quotes received for the concrete and earthwork, one included an optional pavilion build priced at \$55,000. In comparison, based on recommendations from Lewis Excavation and RC Concrete, staff reached out to Southwest Steel, which provided a competitive quote of \$26,080, less than half the earlier estimate. Given the substantial cost savings and the benefit of a timely and professional installation, staff recommends that the Board consider approving this proposal. Doing so would keep the project on schedule and allow electrical work to begin earlier than originally anticipated.

In support of the project, staff also successfully secured an additional \$20,000 grant from the Colorado Housing and Finance Authority (CHFA) to help offset costs. Furthermore, construction of the new Town Shop is expected to come in under budget, and any necessary additional funds for the pavilion erection be allocated from the General Fund if needed and approved by the Board. A grand opening celebration for the new park is tentatively planned for September 27, with additional event details forthcoming.

Mag Chloride

The mag chloride preparation and application project is expected to be completed by Wednesday, June 18. Once the application is finished, staff will begin installing speed bumps throughout town to help manage vehicle speeds and improve safety on local roadways.

Silver Creek

The Silver Creek Project Needs Assessment (PNA) is nearing completion, and a draft has been submitted to the Environmental Protection Agency (EPA) for initial review. Once the EPA's review is complete, the PNA will be forwarded to the State Revolving Fund (SRF) program for evaluation. Upon completion of these reviews, the project will be eligible to advance into the next phase.

For the first time, the Congressionally Directed Spending (CDS) process has placed limits on the number of projects each U.S. senator may advance. The Town of Rico's funding request for the Silver Creek project was selected by Senator Hickenlooper as one of his limited submissions and has been formally advanced to the Senate Appropriations Subcommittee for consideration under the 2026 CDS process.

Dolores River Waterline Crossing Update

Terra Firm is nearing completion of the required wetlands delineation for the proposed waterline crossing under the Dolores River. Once the delineation report is finalized, Terra Firm will assist the Town with preparing and submitting the necessary permit applications. The project remains on track for a potential construction start in late summer or early fall, pending permit approval.

Sewer Design

The Town of Rico has been formally awarded the EPA Community Grant for design of the sewer treatment plant and collection system. With this award, the Town is now able to proceed with Task Order #3, which was previously conditionally approved by the Board. The proposed revisions requested by the Board, presented by Bohannan Huston, have been incorporated, and the updated task order has been included in the packet.

RICO TOWN BOARD MEETING MINUTES

Date: May 21, 2025
Call to Order 7:02 PM

Trustees Present:

Mayor Patrick Fallon
Mayor Pro Tem Cristal Hibbard
Trustee Gerrish Willis
Trustee Chris Condon (zoom)
Trustee Joe Dillsworth Arrived 7:05

Trustees Absent:

Trustee Benn Vernadakis
Trustee Scott Poston

Staff Present. Chauncey McCarthy, Anna Wolf (Zoom),

Approval of the Agenda

Motion

To approve the agenda.

Moved by Mayor Pro Tem Cristal Hibbard, seconded by Trustee Gerrish Willis

Vote. A roll call vote was taken and the motion was approved, 4-0.

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, and Chris Condon.

Trustee Joe Dillsworth not present to vote

Approval of the Minutes

Motion

To approve the minutes of April 16 2025

Moved by, Mayor Pro Tem Cristal Hibbard, seconded by Mayor Patrick Fallon.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, and Chris Condon.

Trustee Joe Dillsworth not present to vote

Consent Agenda

Payment of the Bills

Motion

To approve payment of the bills.

Moved by Mayor Pro Tem Cristal Hibbard, seconded by Trustee Gerrish Willis

Vote. A roll call vote was taken and the motion was approved, 4-0.

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, and Trustee Joe Dillsworth.

Chris Condon did not vote

Public Comment:

Anna Wolf: mentioned the Dolores county senior services are having an information session on June 4th. As well as summer food program.

Action Items:

Acceptance of the 2024 annual audit

Mayor Patrick Fallon gives summary.

Andrew Wendt from Atlas presents the audit.

Board has discussion.

Motion

Move approve the 2024 audit as presented and authorize submitting it to the State office.

Moved by Mayor Pro Tem Cristal Hibbard, seconded by Trustee Gerrish Willis.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Consideration of second reading of Ordinance No. 2025-02 An ordinance of the Town of Rico, Colorado, repealing Ordinance No. 2019-06, as amended by Ordinance No. 2024-01, and adopting new Water Operations Rules and Regulations and providing for penalties for violation of same

Mayor Patrick Fallon gives introduction.

Board has discussion.

Motion

Move to approve Ordinance No. 2025-02 An ordinance of the Town of Rico, Colorado, repealing Ordinance No. 2019-06, as amended by Ordinance No. 2024-01, and adopting new Water Operations Rules and Regulations and providing for penalties for violation of same.

Moved by Trustee Gerrish Willis, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Consideration of Resolution 2025-02 A resolution of the Board of Trustees of the Town of Rico, Colorado, setting the water rate and fee schedule for the period beginning May 25, 2025 and ending December 31, 2025, and providing for the annual adjustment of the water rate and fee schedule

Mayor Patrick Fallon gives introduction.

Town Manager Chauncey McCarthy gives high level summary.
Board has discussion.

Motion

To approve Resolution 2025-02 A resolution of the Board of Trustees of the Town of Rico, Colorado, setting the water rate and fee schedule for the period beginning May 25, 2025 and ending December 31, 2025, and providing for the annual adjustment of the water rate and fee schedule

Moved by Mayor Patrick Fallon, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth

Consideration of Resolution 2025-03 A resolution of the Board of trustees of the Town of Rico, Colorado, establishing a formal process for requesting letters of support from the Town

Town Manager gives summary.

Board has discussion.

Public Comment: Erin Johnson

To add agenda items as well.

Motion

Move to be discussed at the July 16, 2025 meeting

Moved by Mayor Patrick Fallon, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth

Consideration of first reading of Ordinance 2025-03 an ordinance of the Town of Rico, Colorado 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 gives summary.

Board has discussion.

Public Comment: Skip Zeller

Motion

Move to approve of first reading of Ordinance 2025-03 an ordinance of the Town of Rico, Colorado 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 Trustee Gerrish Willis, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Motion

Move to adjourn as the Board of Trustees and reconvene as the Board of Adjustment.

Moved by Trustee Gerrish Willis, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Consideration of request for expansion of non-conforming building – Burley Building Second-Story Deck, 9 S Glasgow, Erin Johnson, applicant

Applicant Erin Johnson gives summary.

Board has discussion.

Public Comment: Larry Carver

Motion

Move to approve the request for expansion of non-conforming building – Burley Building Second-Story Deck, 9 S Glasgow, Erin Johnson, applicant

Moved by Mayor Patrick Fallon, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Motion

Move to adjourn as the Board of Adjustment and reconvene as the Board of Trustees.

Moved by Mayor Patrick Fallon, seconded by Mayor Pro Tem Cristal Hibbard.

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

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Consideration of Building Permit Application – Burley Building Second-Story Deck (Historic Commercial Zone), 9 S Glasgow, Erin Johnson, applicant

Motion

Move to approve this building permit on the condition that adequate documentation from the engineer is presented to the Town Manager prior to issuance of the permit which minimizes any sluffing of snow into the alley way

Moved by Trustee Gerrish Willis, seconded by Mayor Patrick Fallon

Vote. A roll call vote was taken and the motion was approved, 4-0.

Voting Yes Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Trustee Chris Condon, and Trustee Joe Dillsworth.

Presentation

Geothermal Heating, Kevin Kitz of Teverra presenter

Staff Report

Clerk's report:

Prep flower beds for flowers.

Election Preparations underway for coordinated election.
 Cleaning upstairs room for food pantry.
 Cleaning of the Church and Mantz for the Skate park crew to stay in.

Manager's report

Food Pantry in the works.
 Performance Energy Contracting to do an energy audit on the courthouse and church building.
 Sewer engineering update.
 Road Grading update.

Discussion Items

Discussion and direction on use and repairs for the Rico Community Church property
 Board has discussion
 Board to bring ideas to next meeting

Street Fund mill levy and sales tax ballot measures

Chauncey McCarthy gives summary.
 Board has discussion

Terms of transfer of Firehouse property (lots 9,10,11 and 12 in Block 2) from Town of Rico to Rico Fire Protection District

Chauncey McCarthy gives summary.
 Board has discussion.
 Fire Board to bring terms to the Board of Trustees.

Code enforcement

Chauncey McCarthy gives update.
 Board has discussion
 Public Comment: Sean Stogner.
 Town clerk to bring ordinances to the Board to review.

Town project updates

Chauncey McCarthy gives update.
 Shop update
 Water leak fix in Piedmont.
 Skate park update.
 Moving forward with the water line repair in the waterway.

Motion

Move to adjourn.

Moved by Trustee Gerrish Willis, seconded by Mayor Pro Tem Cristal Hibbard.

Vote. A roll call vote was taken and the motion was approved, 7-0.

Voting Yes Trustee Scott Poston, Trustee Benn Vernadakis, and Mayor Patrick Fallon, Trustee Gerrish Willis, Mayor Pro Tem Cristal Hibbard, Joe Dillsworth, Chris Condon.

Anna Wolf
Rico Town Clerk

Patrick Fallon
Mayor

PLANNING COMMISSION MEETING MINUTES

Date: May 14, 2025

Call to order

Chairman Mike Contillo called the meeting to order at 6:06PM.

Present: Chairman Mike Contillo
Kiplynn Smith
Skip Zeller
Todd Gillman

Absent: Andrew Romanyshyn

Staff Present. Chauncey McCarthy, Jen Stark, Anna Wolf (Zoom)

Approval of the Agenda

Motion

To approve the agenda.

Moved by Kiplynn Smith, seconded by Skip Zeller.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Approval of the Minutes

Motion

To approve the minutes.

Moved by Skip Zeller, seconded by Kiplynn Smith.

Vote. A roll call vote was taken and the motion was approved, 4-0.

Public Comment:

Trustees Present:

Mayor Patrick Fallon
Mayor Pro Tem Cristal Hibbard
Trustee Benn Vernadakis
Trustee Gerrish Willis
Trustee Scott Poston
Trustee Chris Condon (zoom)

Trustees Absent:

Trustee Joe Dillsworth

Discussion Items:

Rico Land Use Code global revision

Land Use Code revision was discussed through 8.25
Joint meeting on June 11, 2025.

Meeting adjourned unanimously.

Anna Wolf
Rico Town Clerk

Patrick Fallon
Mayor

NEW Town of Rico - General Fund
Check Register
For the Period From Jun 1, 2025 to Jun 30, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
18446	6/2/25	Bryan Lewis	10000	19,030.00
18447	6/10/25	WM Corporate Services, I	10000	58.14
18448	6/10/25	Fraley Propane, LLC	10000	400.00
18449	6/10/25	Jon Kelly	10000	375.00
18450	6/10/25	Utility Notification Center	10000	49.60
18451	6/10/25	Kaplan Kirsch LLC	10000	10,128.30
18452	6/10/25	Century Link	10000	53.38
18453	6/10/25	CEBT	10000	5,153.40
18454	6/10/25	CIRSA	10000	551.23
18455	6/10/25	Karp Neu Hanlon, PC	10000	5,654.25
18456	6/10/25	San Miguel Power Associ	10000	243.00
18457	6/10/25	Rico Telephone Company	10000	204.00
18458	6/10/25	lepew Porta Johns	10000	1,873.40
Total				<u>43,773.70</u>

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1030	6/2/25	Bryan Lewis	10000	53,023.00
Total				53,023.00

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1797	6/2/25	Lewis Excavation Inc	11000	31,892.00
1798	6/10/25	LePew Porta-Johns, Inc	11000	175.00
1799	6/10/25	San Miguel Power Associ	11000	30.00
Total				32,097.00

Check Register

For the Period From Jun 1, 2025 to Jun 30, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3000	6/10/25	CIRSA	10000	1,667.81
3001	6/10/25	Slavens, Inc	10000	128.74
3002	6/10/25	Smith's Materials, LLC	10000	14,918.40
3003	6/10/25	San Miguel Power Associ	10000	127.00
3004	6/10/25	WM Corporate Services, I	10000	166.67
Total				17,008.62

Town of Rico - VCUP
Check Register
For the Period From Jun 1, 2025 to Jun 30, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1000	6/2/25	Civicplus	10000	25,973.09
Total				25,973.09

NEW Town of Rico - Water Fund
Check Register
For the Period From Jun 1, 2025 to Jun 30, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4729	6/2/25	Atlas CPAs & Advisors P	10000	6,000.00
4730	6/2/25	Lewis Excavation	10000	19,880.00
4731	6/10/25	Fraley Propane LLC	10000	200.00
4732	6/10/25	Ferguson Waterwork #111	10000	2,544.76
4733	6/10/25	AT&T Mobility	10000	111.40
4734	6/10/25	La Plata County PH Dept	10000	38.50
4735	6/10/25	USA BlueBook	10000	2,577.53
4736	6/10/25	PVS DX, INC	10000	171.89
4737	6/10/25	San Miguel Power Associ	10000	534.00
4738	6/10/25	RVS Software	10000	1,003.00
4739	6/10/25	Rico Telephone Company	10000	115.00
4740	6/11/25	Argis Solutions Inc	10000	3,249.50
Total				<u>36,425.58</u>



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

June 18, 2025

Kate Sawyer
 Performance Services, Inc.
 3773 Cherry Creek North Drive
 East Tower, Suite 801
 Denver, Colorado 80209

Re: Memorandum of Understanding (MOU) between Town of Rico, Colorado, and
 Performance Services

Ms. Sawyer:

As you are aware, the Town of Rico (the "Town") has a desire to assess our facilities needs and perform improvements to our facilities (the "Project"). To support this initiative, the Town and Performance Services, Inc. ("PSI") will collaborate to develop a Facilities Assessment for a potential energy performance contract (EPC). This will include developing information that will enable the Town to determine the Project's viability, scope, budget, priorities, appropriate procurement path(s), funding/financing options, and other information that will assist the Town in planning and implementing the Project.

PSI Responsibilities:

PSI will work with the Town at no cost and will:

- Review existing documents, drawings, studies, plans, etc.
- Analyze utility data.

- Conduct site audits as necessary to validate information in existing documents, drawings, studies, plans, etc. and to obtain additional information to support analysis and make recommendations.
- Interview Town personnel and staff to understand space usage and facility operations and issues.
- Collect all necessary data to deliver a Facilities Assessment which will include a complete Facility Analysis Report and Energy Performance Contract (EPC) Feasibility Report.
- Meet with Town Leadership, Board of Trustees, and any other stakeholders determined by the Town (e.g., community members) at intervals throughout this process to solicit feedback and ensure the Plan's alignment with Town goals, priorities, and preferences.

Town Responsibilities:

The Town will:

- Provide requested documents, drawings, studies, plans, utility bills, and other relevant information.
- Meet with PSI personnel to discuss current and future space usage, facility operations and issues.
- Ensure Town Leadership, Board of Trustees, and any other key stakeholders meet with PSI at milestones to review findings, provide feedback, define priorities, and voice preferences.
- Schedule a presentation or workshop with the Board of Trustees where PSI will present resulting findings and recommendations for the Project.

If the Project scope, budget, financial criteria and other Town needs are met and satisfactory to the Town, the Town will then move forward with a Design-Build and/or EPC procurement process for the Project. The future procurement of the Project shall be in accordance with Colorado law and procurement rules. This MOU does not in any way obligate the Town to select or contract with PSI for the Project. Nor does this MOU obligate the Town to move forward with the Project developed if it does not meet the Town's requirements.

Sincerely,

Chauncey McCarthy
Town Manager

Signature Date



Chauncey McCarthy <townmanager@ricocolorado.gov>

San Juan NF, Rio Grande Southern Trail north trailhead sign location and follow-up on the Enterprise Branch sign location

7 messages

Stevens, Michelle - FS, CO <michelle.stevens@usda.gov>

Wed, Jun 4, 2025 at 9:12 AM

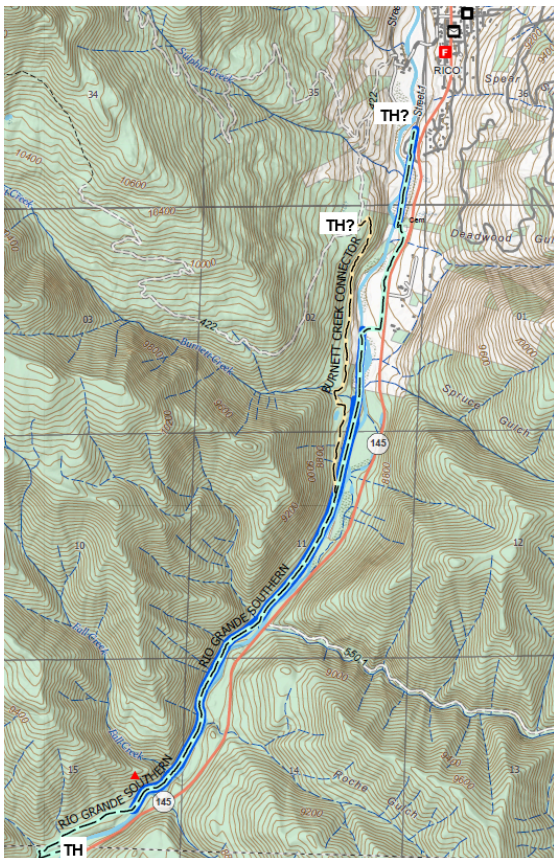
To: Pat Fallon <pfallon@ricocolorado.gov>, Chauncey McCarthy <townmanager@ricocolorado.gov>, Jim Ostrem <ostremja@gmail.com>

Cc: "Rice, Thomas - FS, CO" <thomas.b.rice@usda.gov>, "Bouton, Christopher - FS, CO" <christopher.bouton@usda.gov>

Hello everyone,

The Forest Service is working on the Rio Grande Southern Trailhead signs that are required in our two MOAs for the RGS Trail and RGS Connector Trail projects. The southern TH sign will be on National Forest System land (see TH on graphic below). The northern trailhead sign can either be at the north end of the Burnett Creek Connector Trail on NFS land, or on private or city land at the north end of the RGS trail. The TH kiosk signs would have one map/regulatory panel, and another panel about the history of the RGS trail.

Do you have a preference for the location of the north TH sign? If RTA and the Town of Rico are planning a different TH sign on city/private property please let us know, or is this something we should discuss on a Teams call or at the next Rico Town meeting? I might have rough drafts of the signs in the next week or two.



Also I²⁴ wanted to provide an update about the RGS Enterprise Branch sign. In talking with SHPO, we have decided not to put the sign at the Rico Town Shop but to place it at the Rico Guard Station/Information Station north of town. The sign will also ultimately be posted on our website so visitors to Rico or the San Juan NF will also be able to find it there.

Thank you for your help and please let me know your thoughts about the northern TH sign kiosk location.

Michelle



Michelle N. Stevens, PhD
Heritage Program Lead

Forest Service

San Juan National Forest

p: 970-385-1250

michelle.stevens@usda.gov

[15 Burnett Ct.](#)
Durango, CO 81301

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Chauncey McCarthy <townmanager@ricocolorado.gov>

Wed, Jun 4, 2025 at 11:12 AM

To: "Stevens, Michelle - FS, CO" <michelle.stevens@usda.gov>

Cc: Pat Fallon <pfallon@ricocolorado.gov>, Jim Ostrem <ostremja@gmail.com>, "Rice, Thomas - FS, CO" <thomas.b.rice@usda.gov>, "Bouton, Christopher - FS, CO" <christopher.bouton@usda.gov>

Michelle,

I think we should consider placing the sign at the TH of the RGS on the town owned parcel. Would you be able to attend our meeting on June 18 at 7:00 PM to discuss.

[Quoted text hidden]

--

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

Stevens, Michelle - FS, CO <michelle.stevens@usda.gov>

Wed, Jun 4, 2025 at 11:39 AM

TOWN OF RICO
RICO HISTORIC SOCIETY MUSEUM LEASE

THIS AGREEMENT is made and entered into this ____ day of _____, 2025 by and between the RICO HISTORIC SOCIETY (hereinafter referred to as "Historic Society") and the TOWN OF RICO, a home rule municipality, (hereinafter referred to as "Rico").

In consideration of the mutual promises and agreements contained in this Agreement, the parties agree as follows:

1.0 THE FACILITY

1.1 Rico shall make available to Historic Society exclusive use of certain Rico facility space located at 15 S. Glasgow Ave., Rico, CO 81332, known and used as the current Town of Rico history museum

2.0 USE OF FACILITY

2.1 The Facility shall be used by Historic Society for the following purposes only:

Housing and operating a history museum facility open to the public.

2.2 Use of the Facility shall be subject to all applicable provisions of state and federal law.

2.3 The Facility will be available for use by Historic Society at all times during the term of this Agreement. Rico shall be provided advance notice of changes in hours of operation.

2.4 Notwithstanding the forgoing, Historic Society shall not use the Facility for the purposes of storing, manufacturing or selling any explosives, flammables or other inherently dangerous substance, chemical, thing or device. Historic Society shall restrict its use to those reasonably related museum operations and related appurtenances, and shall not use or permit the use of the Facility for any other purpose, except as set forth herein, without the written consent of Rico. The Historic Society shall carry on and conduct its business from time to time carried on upon the Facility in such manner as to comply with all statutes, bylaws, rules and regulations of any federal, state, municipal or other competent authority and will not do anything on or in the Facility in contravention of any of them. It is Historic Society's obligation to determine whether its business is properly operating in the Facility under zoning and other applicable state, federal, county, and city laws.

3.0 TERM

3.1 The term of this Agreement shall be ten (10) years, unless earlier terminated through any of the following:

- a. Mutual agreement; or
- b. Destruction of or damage to the Facility to the extent that it can no longer be used for the intended purpose hereunder. In the event that Rico intends

to repair or rebuild, Historic Society shall have the option of permanently vacating, or vacating until construction is completed, then continuing the occupancy; or

c. Ceasing to operate the Facility continuously as a museum for a period exceeding 6 months; or

d. Breaching any terms of this Agreement without correcting said breach within forty-five (45) days of written notice by Rico.

3.2 This Agreement shall automatically renew at the expiration date of any term for an additional term of five (5) years, unless either party gives written notice to the other not less than one year in advance of the expiration date, stating the intent to terminate this Agreement at the end of the term.

4.0 MAINTENANCE AND COSTS

4.1 Rico shall not be responsible for all Facility utilities, maintenance and repairs.

4.2 The rental amount for the use of the Facility shall be \$1.00 per year. The parties recognize the value the Historic Society provides to the Town of Rico through its preservation efforts and public access to historical resources. The parties agree that the consideration of those benefits is additional value for the Facility use.

4.3 Rico is shall not be responsible for any power, water or other utility outages.

4.4 Rico may upon reasonable notice to the Historic Society, temporarily close the Facility, parking, common areas, restrooms and/or access thereto in the event Town deems it necessary for perform work in, on or around the Facility and/or the Town Hall building in which the Facility is situated, and may do so without prior notice to the Historic Society in the event of an emergency.

5.0 INSURANCE

5.1 To the extent permitted by applicable law the Historic Society agrees to hold harmless and defend Rico, its officers, employees, insurers, and self-insurance pool, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other losses of any kind whatsoever, which arise out of or are in any manner connected with this Lease, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of the Historic Society, or any officer, employee, representative, or agent of the Historic Society, or which arise out of any workers' compensation claim of any employee of the Historic Society.

5.2 The parties hereto understand and agree that Rico is relying on, and does not waive or intend to waive by any provision of this Lease, the monetary or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. §24-10-101 *et seq.*

5.3 Historic Society shall be responsible for any third-party: claims, damages, awards or other matters arising out of or related to use by Historic Society of the Facility. The foregoing shall be limited by and subject to the rights, defenses and limitations upon liability available to the County pursuant to Article 11, Section 1 and Article X, Section 20 of the Colorado constitution and/or pursuant to the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., and nothing herein shall be construed to waive or limit any such rights or defenses. Apart from specific performance of terms herein, the parties to this Agreement hold each other harmless from any and all damage claims or liability related to this Agreement.

5.4 Historic Society shall maintain in force at all times this Agreement is in effect the following insurance coverages: General liability insurance in an amount equal to the monetary limits of liability set forth in the Colorado Governmental Immunity Act as now in effect or as hereinafter amended. Rico shall be named as additional insured on any insurance policies that Historic Society obtains or maintains pursuant to this Agreement. Historic Society's insurance shall be primary; Historic Society shall be responsible for payment of premiums and deductibles. Historic Society shall maintain in force at all times this Agreement workers compensation insurance in accordance with applicable law.

6.0 MISCELLANEOUS

6.1 This Agreement is the entire agreement between the parties and may be changed or modified only by written agreement of the parties. All previous written or oral understandings and agreements by the parties are superseded by this Agreement.

6.2 If any of the terms of this Agreement are in conflict with any rule of law or statutory provision, then those terms shall be deemed inoperative and null and void to the extent of that conflict, but the remaining provisions of this Agreement shall remain in full force and effect.

6.3 At the termination of this Agreement, Historic Society shall be entitled to remove any and all content, fixtures, shelving, cabinetry and equipment. Any damage caused by the removal shall be promptly repaired by Historic Society.

6.4 Any financial obligation of either party hereunder payable after the current fiscal year is contingent upon funds for that purpose being budgeted, appropriated, or otherwise made available.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and

year first above written.

TOWN OF RICO BOARD OF
TRUSTEES

ATTEST:

Anna Wolf, Clerk

By: _____
Patrick Fallon, Mayor

RICO HISTORIC SOCIETY

By: _____

**TOWN OF RICO
ORDINANCE NO. 2025-04**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO, SETTING THE
TITLE AND CONTENT OF BALLOT ISSUES FOR A MILL LEVY
INCREASE TO BE SUBMITTED AT THE ELECTION TO BE HELD ON
NOVEMBER 4, 2025**

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, in 1992, State of Colorado voters approved an amendment to the Colorado Constitution to add Article X, Section 20, commonly referred to as the Taxpayer’s Bill of Rights (“TABOR”); and

WHEREAS, TABOR requires, among other things, voter approval for “any new tax, tax rate increase, mill levy above that for the prior year, valuation for assessment ratio increase for a property class, or extension of an expiring tax, or a tax policy change directly causing a net tax revenue gain to any district;” and

WHEREAS, currently, the Town’s mill levy for street reconstruction and maintenance (the “Street Fund”) is set at a rate of 1.785 mills for the 2025 fiscal year; and

WHEREAS, the Board of Trustees finds and determines that in order to maintain the present, desired level of municipal services, that it is in the best interests of the Town to obtain voter approval for an increase in the Town’s mill levy for the Street Fund by 6.000 mills for a total of 7.785 mills; and

WHEREAS, pursuant to Ordinance No. 2005-05, the Town pledged a mill levy of 3.939 mills to the Rico Sewer Enterprise, a water activity enterprise as defined in C.R.S. § 37-45.1-102; and

WHEREAS, the Town wishes to change the allocation of mill levy funds by reducing the number of mills allocated to the Rico Sewer Enterprise by three (3) mills and increasing the number of mills allocated to the Street Fund by three (3) mills; and

WHEREAS, the Board of Trustees determines it is proper to submit to the eligible electors of the Town at a coordinated election to be held on November 4, 2025 the ballot issues regarding approval of a mill levy increase for the Street Fund, and a change in allocation of mill levies to the Street Fund; and

WHEREAS, the Board of Trustees finds and declares that the passage of this Ordinance is necessary for 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. Recitals. The recitals above are hereby adopted as findings and incorporated herein.

Section 2. Mill Levy Increase. At the election to be held on November 4, 2025 there shall be submitted to the eligible electors of the Town a ballot issue authorizing an increase in the mill levy for the Street Fund, which shall be in substantially the form attached to and incorporated into this Ordinance as **Exhibit A**.

Section 3. Reallocation of Existing Mills. At the election to be held on November 4, 2025 there shall be submitted to the eligible electors of the Town a ballot issue authorizing a reallocation of existing mills that would decrease allocation to the sewer fund by two mills and increase allocation to the street fund by two mills. Such ballot issue shall be in substantially the form attached to and incorporated into this Ordinance as **Exhibit A**.

Section 4. Effect of Election Results. If a majority of the votes cast on the ballot issues submitted under this Ordinance shall be in favor of such ballot issues, the Board of Trustees shall take such action necessary to implement the changes authorized by such ballot issues.

Section 5. Ratification of Actions. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the Town and officers thereof, directed toward the election and the objects and purposes herein stated are hereby ratified, approved, and confirmed.

Section 6. Severability. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

Section 7. Effective Date. 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 JUNE 18 2025.

TOWN OF RICO, COLORADO

Patrick Fallon, 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 JULY 16, 2025.

TOWN OF RICO, COLORADO

ATTEST:
Patrick Fallon, Mayor

Anna Wolf, Town Clerk

Effective Date: July 16, 2025

Exhibit A

SALES TAX TRANSFER: SHALL THE RATE OF SALES TAX REVENUE ALLOCATED FOR STREET RECONSTRUCTION AND MAINTENANCE BE INCREASED FROM THE CURRENT RATE OF 10% OF THE GENERAL OPERATING FUND TO A RATE 20% OF THE GENERAL OPERATING FUND?

MILL LEVY INCREASE: SHALL TOWN OF RICO TAXES BE INCREASED BY NOT MORE THAN \$75,000 IN TAX COLLECTION YEAR 2026 (SUCH AMOUNT BEING THE ESTIMATED FIRST FULL FISCAL YEAR INCREASE) AND BY WHATEVER ADDITIONAL AMOUNTS ARE GENERATED ANNUALLY THEREAFTER, THROUGH AN INCREASE IN THE MILL LEVY FOR THE STREET RECONSTRUCTION AND MAINTENANCE FUND BY SIX (6.000) MILLS—FROM 1.785 MILLS TO NOT MORE THAN 7.785 MILLS—FOR THE PURPOSE OF FUNDING THE RECONSTRUCTION AND MAINTENANCE OF EXISTING STREETS AND ALLEYS, INCLUDING SIDEWALKS, DRAINAGE, AND UTILITIES; AND SHALL THE BOARD OF TRUSTEES BE AUTHORIZED TO ADJUST THIS MILL LEVY FROM YEAR TO YEAR SO LONG AS IT DOES NOT EXCEED A MAXIMUM RATE OF 7.785 MILLS; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT, RETAIN, AND EXPEND SUCH REVENUES AS A VOTER-APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

REALLOCATION OF EXISTING MILLS: WITHOUT INCREASING THE MILL LEVY, SHALL THE TOWN OF RICO BE AUTHORIZED TO TRANSFER AN ADDITIONAL THREE (3) OF THE EXISTING MILLS CURRENTLY LEVIED FOR THE SEWER FUND TO THE STREET RECONSTRUCTION AND MAINTENANCE FUND, TO BE USED EXCLUSIVELY FOR THE RECONSTRUCTION AND MAINTENANCE OF EXISTING STREETS AND ALLEYS, INCLUDING SIDEWALKS, DRAINAGE, AND UTILITIES; AND SHALL THE TOWN BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND SUCH REVENUES AS A VOTER-APPROVED REVENUE CHANGE, NOTWITHSTANDING ANY REVENUE OR EXPENDITURE LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

**TOWN OF RICO
ORDINANCE NO. 2025-03**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO EXTENDING
THE TEMPORARY MORATORIUM ON THE ACCEPTANCE OF NEW
LAND USE APPLICATIONS FOR MAJOR OR MINOR SUBDIVISIONS,
AND RESIDENTIAL OR COMMERCIAL PLANNED UNIT
DEVELOPMENTS**

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, pursuant to C.R.S. §§ 29-20-101 *et seq.*, 31-15-101 *et seq.*, and 31-23-101 *et seq.*, the Town has broad authority to ensure the health, safety and welfare of the community and its residents; and

WHEREAS, the Town currently has access to both surface water and groundwater drinking water sources. At this time, only the groundwater source is operated for Town drinking water supply. The Silver Creek surface water treatment plant was shut down in 2015 due to water quality issues; and

WHEREAS, the Town’s currently operational drinking water source is capable of meeting current demands but the Town will need to improve or replace the Silver Creek surface water treatment plant together with the related facilities and equipment in order to accommodate future Town growth, reduce operational costs and improve current water system inefficiencies; and

WHEREAS, by Ordinance No. 2022-13, the Town imposed a temporary moratorium on the acceptance of new applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments through June 30, 2023 to limit increasing the water system demand while it reviewed alternatives for water system improvements to increase water availability as well as options for funding said improvements; and

WHEREAS, on June 21, 2023 the Town extended the moratorium through December 30, 2023 pursuant to Ordinance No. 2023-03 to preserve the status quo as it continued evaluating water system improvement and funding alternatives to increase water availability to meet the demands of future growth and development within the Town; and

WHEREAS, on December 20, 2023 the Town amended and extended the moratorium through June 30, 2024 pursuant to Ordinance No. 2023-07 to allow applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments that the Town has previously approved, or which have been allocated water prior to submission of said application, and will not otherwise increase current demand on the water system, and to otherwise preserve the status quo; and

WHEREAS, on March 20, 2024, the Town amended the Water Operations Rules and Regulations pursuant to Ordinance No. 2024-01 to impose water system improvement fees on new

development within the Town in order to partially fund the water system improvements necessary to accommodate future Town growth; and

WHEREAS, on June 19, 2024, the Town extended the moratorium through December 30, 2024 pursuant to Ordinance No. 2024-02 to preserve the status quo as the Town continues efforts to secure funding for necessary water system improvements, and to obtain bids for design and construction of the water system improvements; and

WHEREAS, the Town is currently working with the federal EPA Water Technical Assistance team, and engineers from Cadmus Group, to identify available funding sources, determine the requirements for reactivating the Silver Creek surface water treatment plan, and to complete the project needs assessment that must be submitted to the state revolving fund to qualify for future funding; and

WHEREAS, an extension of the moratorium is required to preserve the status quo as the Town continues efforts to secure funding for necessary water system improvements, and to obtain bids for design and construction of the water system improvements; and

WHEREAS, in order to promote the public health, safety, and welfare of the Town's residents, the Board of Trustees finds it is necessary to extend the temporary moratorium on new applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments.

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. Upon the effective date of this Ordinance, the Town of Rico hereby extends the temporary moratorium on the acceptance of applications for approval of minor or major subdivisions submitted under Article V of the Rico Land Use Code ("RLUC"), and applications for approval of Residential or Commercial Planned Unit Developments submitted under Article III of the RLUC, as enacted by Ordinance No. 2022-13, which is incorporated by this reference, until June 30, 2025.

Section 3. Notwithstanding the forgoing, this temporary moratorium shall not apply to preclude acceptance of applications for Major or Minor Subdivisions and for Residential or Commercial Planned Unit Developments that the Town has previously approved, or which have been allocated water prior to submission of said application, and will not otherwise increase current demand on the water system

Section 4. This temporary moratorium shall automatically terminate on June 30, 2025, unless terminated earlier by the Board of Trustees or extended in its duration by enactment of another Ordinance.

Section 5. If any section, subsection, clause, phrase, or provision of this ordinance, or the application thereof to any person or circumstance shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections,

clauses, phrases and provisions of this ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY ON MAY 21ST 2025.

TOWN OF RICO, COLORADO

Patrick Fallon, 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 JUNE 18TH 2025.

TOWN OF RICO, COLORADO

Patrick Fallon, Mayor

ATTEST:

Anna Wolf, Town Clerk

Effective Date: June 18, 2025

**TOWN OF RICO
RESOLUTION NO. 2025-3**

**A RESOLUTION OF THE TOWN OF RICO BOARD OF TRUSTEES
ESTABLISHING A FORMAL PROCESS FOR REQUESTING LETTERS OF
SUPPORT FROM THE TOWN AND FOR REQUESTING GENERAL
AGENDA ITEMS**

WHEREAS, the Town of Rico values collaborative partnerships with local organizations and recognizes that letters of support from the municipality can strengthen applications for grants, technical assistance, and project funding; and

WHEREAS, the Town often receives requests for letters of support from a variety of entities, and a formalized process will ensure that such requests are handled fairly, transparently, and consistently; and

WHEREAS, it is important that the Town of Rico Board of Trustees has sufficient time to evaluate the merits of each request and understand the potential benefits or implications of providing municipal support; and

WHEREAS, establishing clear submission guidelines will assist requesting entities in providing the information necessary for informed consideration and timely preparation of supporting materials by Town staff; and

WHEREAS, the Town of Rico seeks to ensure that its letters of support are aligned with community goals and priorities and are provided only to entities that demonstrate a meaningful connection to the Rico community; and

WHEREAS, the Town of Rico also receives requests from residents, organizations, and stakeholders who wish to place matters on the Board's meeting agenda for public discussion or action; and

WHEREAS, creating a defined process for general agenda item requests promotes transparency, ensures timely review, and provides clarity for members of the public seeking to engage with the Town government.

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

Section 1. Eligibility

Letters of support from the Town of Rico may only be requested by organizations or entities that are based in, operate within, or directly serve the Rico community.

Section 2. Submission Requirements

Any entity requesting a letter of support must submit a written request and supporting materials at least ten (10) calendar days prior to the Board of Trustees meeting at which the request is to be considered.

The submission must include:

- a. A brief description of the entity and its mission;
- b. A clear explanation of the purpose of the support request (e.g., grant application, funding proposal);
- c. A summary of how the initiative benefits the Town of Rico; and
- d. Sufficient information for Town staff to draft a letter of support in advance of the meeting.

Section 3. Review and Consideration

All requests will be placed on the agenda for review by the Board of Trustees. The Board reserves the right to approve, deny, or request additional information before issuing any letter of support.

Section 4. Letter Issuance

If the request is approved, Town staff will finalize the letter of support and deliver it to the requesting entity following the meeting or on an agreed-upon timeline.

Section 5. Limitation

Letters of support issued by the Town of Rico shall not be construed as financial commitments, endorsements, or policy positions unless explicitly stated otherwise in the resolution or correspondence.

Section 6. General Agenda Item Requests

Any member of the public, business, or organization may submit a request for an item to be placed on a future Board of Trustees meeting agenda, including—but not limited to—policy proposals, public concerns, or project presentations.

Requests must be submitted in writing to the Town Manager or Town Clerk at least ten (10) calendar days prior to the desired meeting date.

Each agenda item request must include:

- a. The name and contact information of the requesting party;
- b. A concise description of the issue, proposal, or topic for discussion;
- c. Any relevant supporting materials for Board review; and
- d. The name of the individual who will attend the meeting to present or discuss the item (if applicable).

Town staff will review each request for completeness and determine appropriate placement on the Board's agenda based on timing, capacity, and readiness of materials.

The Board of Trustees reserves the right to approve, deny, defer, or request additional information regarding any agenda item request. Placement of an item on the agenda does not guarantee action will be taken.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately upon adoption, and the Board of Trustees directs the Town staff to take all necessary actions to implement its provisions.

APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO

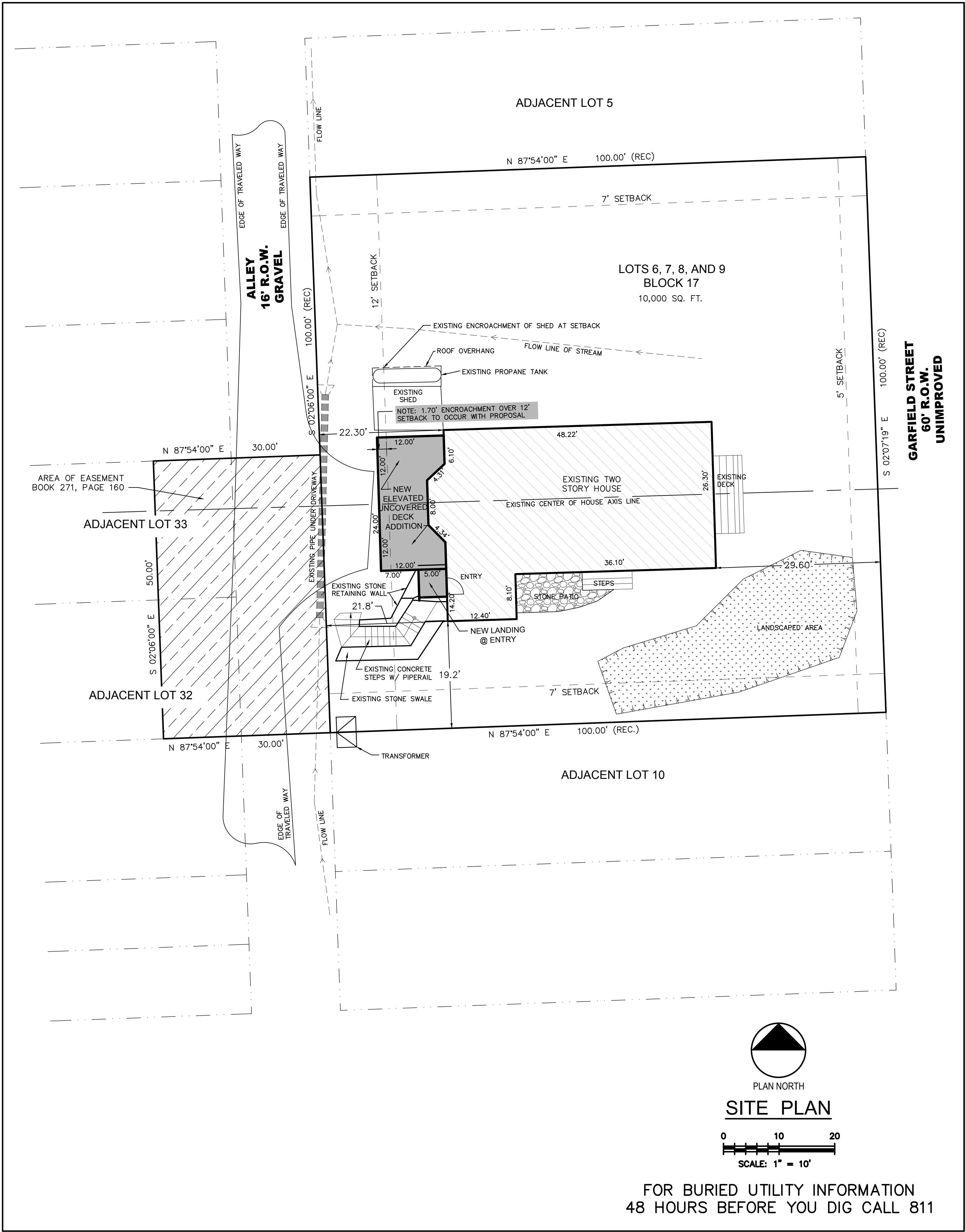
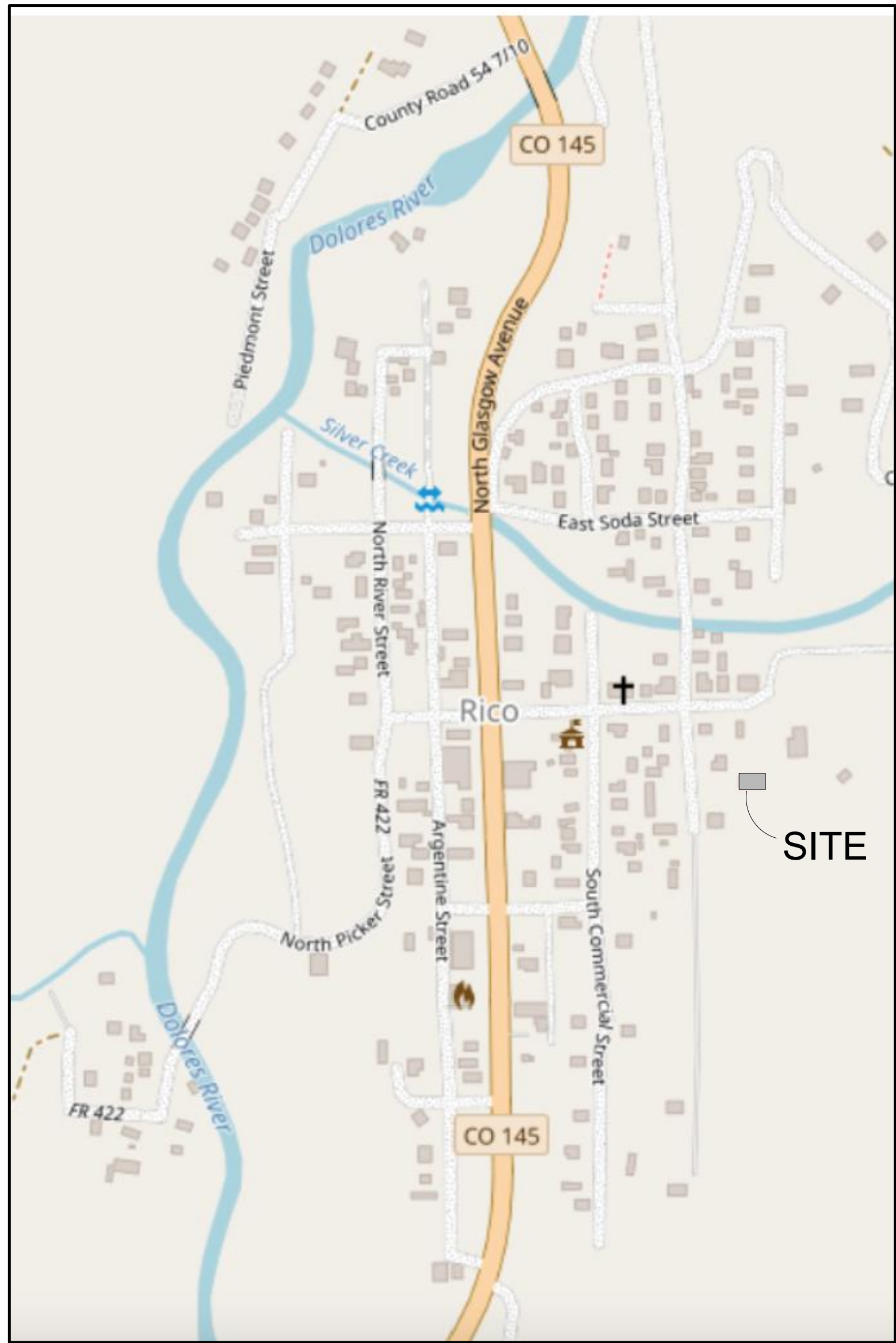
This 18th day of June, 2025.

By:

Partick Fallon , Mayor

Attest:

Anna Wolf, Town Clerk



SYMBOLS	
BOUNDARY	---
ROW	---
LOT LINE	---
EASEMENT	---
PHASE LINE	---
(E) CABLE TV LINE	TV TV TV
(E) ELECTRIC	E E E
(E) ELECTRIC OVERHEAD PRIMARY	OE
(E) ELECTRIC OVERHEAD	OHE OHE
(E) ELECTRIC UNDERGROUND	UE UE
(E) FIBER OPTIC	FO FO FO
(E) GAS MAIN	G G G
(E) SANITARY, MH	S S S
(E) STORM SEWER	SS SS SS
(E) TELEPHONE LINE	T T T
(E) WATER MAIN, VALVE, FH	W W W
(P) STORM SEWER, INLET, OUTFALL	SSS
(P) SANITARY MAIN, MH	S S S
(P) SAN SEWER SERVICE	S S S
(P) ELECTRIC OVERHEAD	OHE OHE
(P) ELECTRIC UNDERGROUND	UE UE
(P) TELEPHONE LINE	T T T
(P) CABLE TV LINE	TV TV TV
(P) GAS SERVICE LINE	GAS
(P) WATER MAIN, VALVE, FH	W W W
(P) WATER SERVICE	W W W
(P) FIRE LINE	F F F
(P) LIGHT STANDARD	*

LEGAL DESCRIPTION

LOTS 6, 7, 8, AND 9, BLOCK 17, TOWN OF RICO, ACCORDING TO THE PLAT THEREOF.

TOGETHER WITH A RIGHT OF WAY EASEMENT TO MAINTAIN AND USE A LEACH LINE OR BED NOW IN USE BEING 30 FEET IN WIDTH LYING IN THE ALLEY BETWEEN LOTS 7, 8, 9, BLOCK 17, TOWN OF RICO AND LOTS 32 AND 33, BLOCK 17, TOWN OF RICO, AS GRANTED IN THE DEED RECORDED OCTOBER 27, 1995 IN BOOK 271 AT PAGE 160.

LOCATED IN SECTION 36, T40N, R11W, N.M.P.M.,

COUNTY OF DELORES, STATE OF COLORADO

ADDRESS: 15 SOUTH GARFIELD STREET

HAZARDOUS MATERIALS

IDENTIFICATION, ABATEMENT, AND REMOVAL OF ANY HAZARDOUS MATERIALS, INCLUDING BUT NOT LIMITED TO CHEMICAL WASTE, LEAD, MOLD, ASBESTOS, ETC. SHALL BE THE RESPONSIBILITY OF THE OWNER AND SHALL OCCUR UNDER SEPARATE PERMIT AND CONTRACT PRIOR TO THE START OF WORK COVERED UNDER THIS DRAWING SET.

PROJECT DATA

SCOPE OF WORK:
EXTERIOR 323 SQUART FOOT UNCOVERED DECK ADDITION, WITH RELATED LANDING, TO EXISTING DWELLING. NO CONDITIONED ENCLOSED SQUARE FOOTAGE WILL BE ADDED TO DWELLING.

BUILDING HEIGHT IS TWO-STORY, OVER WALK-OUT BASEMENT. THE DECK WILL BE CONSTRUCTED AT THE LEVEL OF THE MAIN FLOOR (ABOVE THE WALK-OUT BASEMENT) ON THE WEST-FACING SIDE OF THE DWELLING AT A ONE-STORY HEIGHT ABOVE THE ESTABLISHED GRADE.

BUILDING AREA: EXISTING 1407 SQ. FT. MAIN LEVEL, TOTAL 2712 SQ. FT.

TYPE OF CONSTRUCTION:
TYPE: V-B

OCCUPANCY IS R-3

CIVIL ELEVATION: APPX. 8845 FT
GROUND SNOW LOAD: 77 PSF
CLIMATE ZONE 6

RESIDENTIAL DECK RECONSTRUCT PROJECT

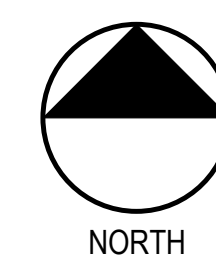
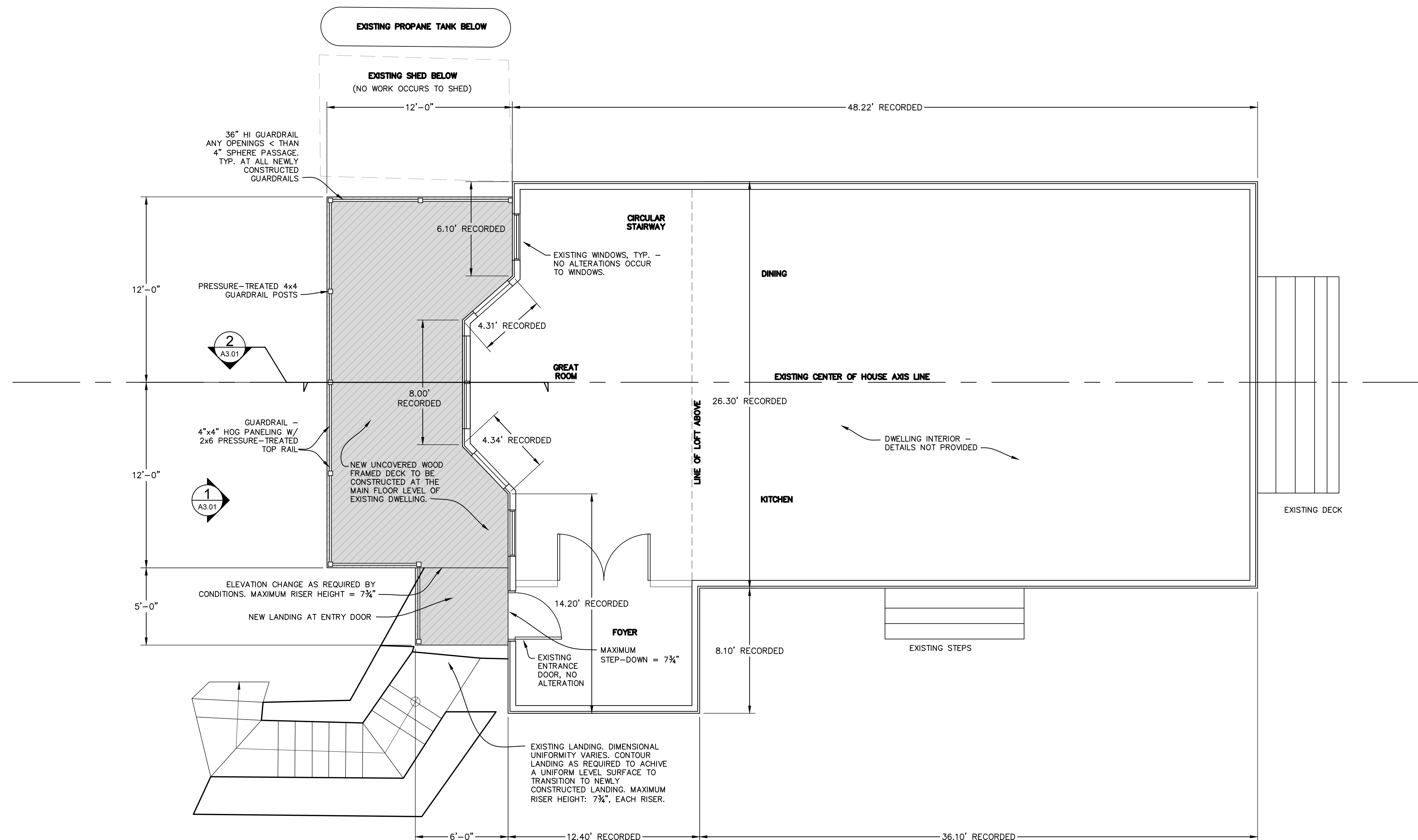
TRAVIS BEASLEY
ESSENTIAL PILLAR ARCHITECTURE
3107 WEST COLORADO AVENUE NO. 303
COLORADO SPRINGS, CO 80904
719-629-7349
EMAIL: travis@essentialpillar.com



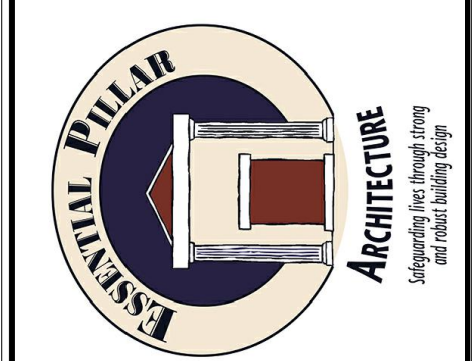
15 SOUTH GARFIELD STREET
RICO, COLORADO 81332

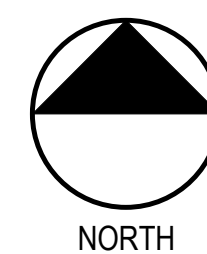
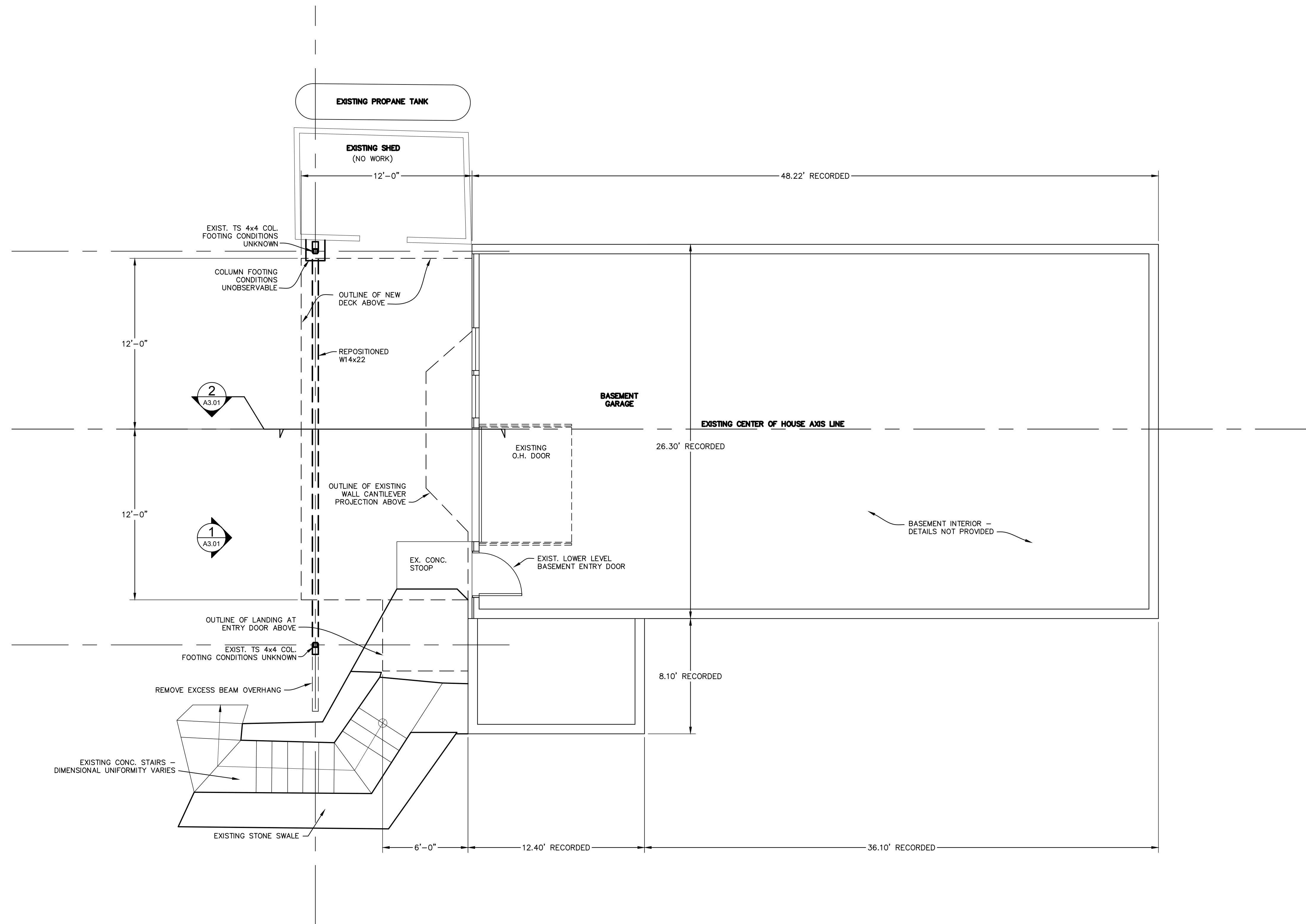
SCALE: PER PLAN
DATE: 16 MAY 2025
DRAWN BY: TB
REVIEWED BY: TB
REVISED:

SP1.0



MAIN LEVEL DECK & FLOOR PLAN
1/4" = 1'-0"





BASEMENT LEVEL DECK & FLOOR PLAN

1/4" = 1'-0"

RESIDENTIAL DECK RECONSTRUCT PROJECT

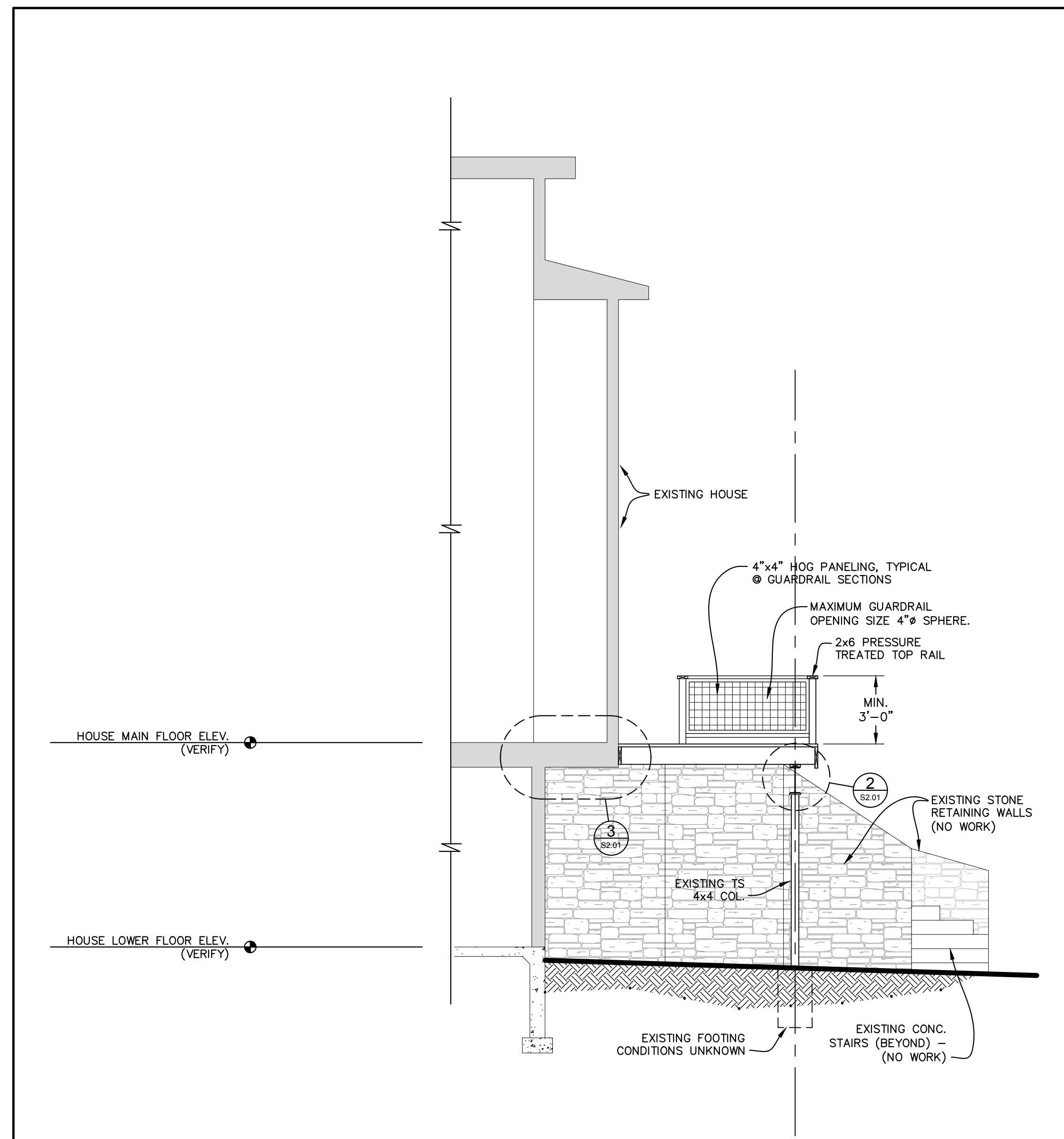
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RICO, COLORADO 81332

SCALE: PER PLAN
DATE: 16 MAY 2025
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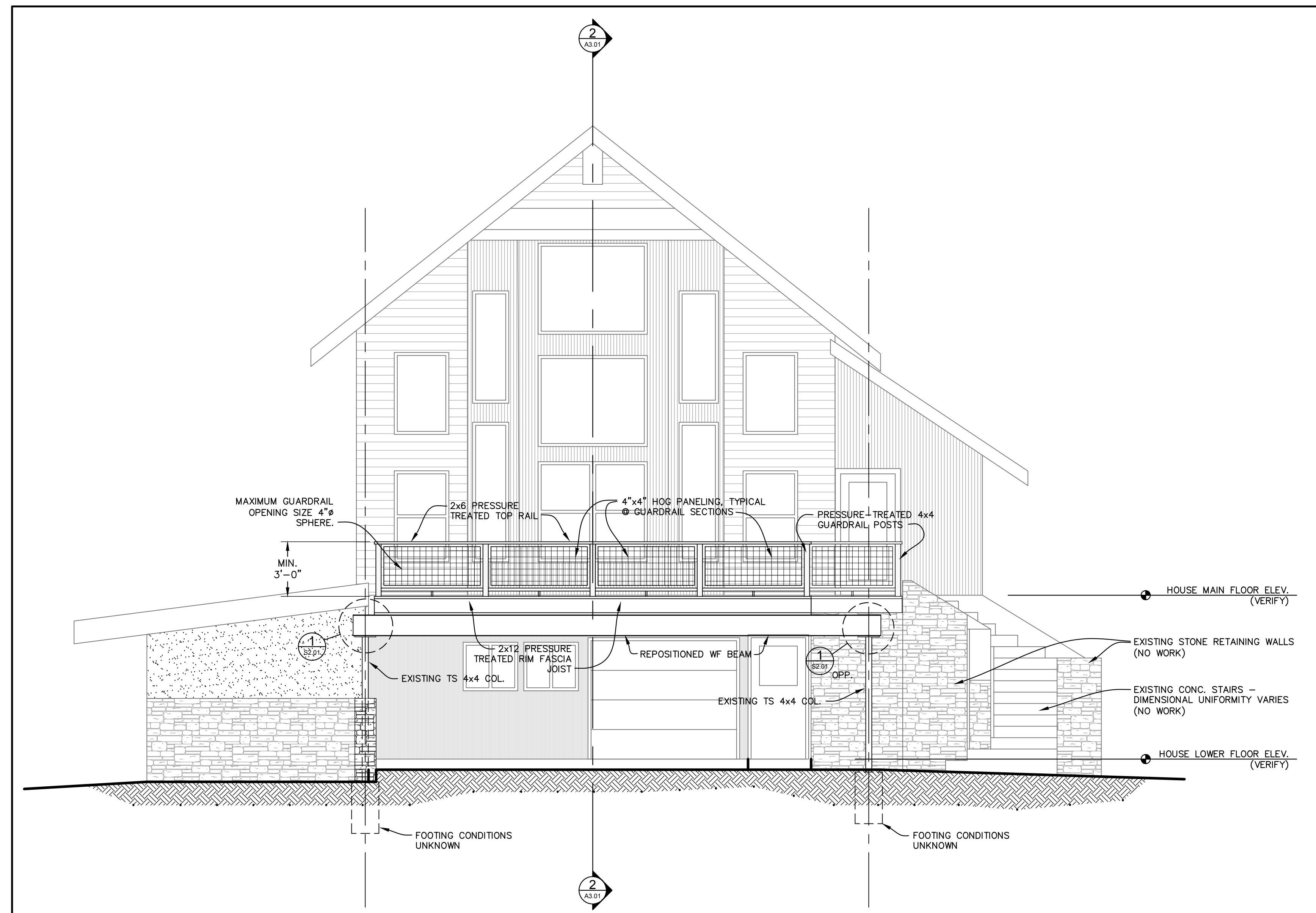


TRAVIS BEASLEY
ESSENTIAL PILLAR ARCHITECTURE
3107 WEST COLORADO AVENUE NO. 303
COLORADO SPRINGS, CO 80904
719-629-7349
EMAIL: travis@essentialpillar.com

A2.02



2 SECTION VIEW LOOKING SOUTH
 1/4" = 1'-0"



1 FRONT (WEST) ELEVATION
 1/4" = 1'-0"

RESIDENTIAL DECK RECONSTRUCT PROJECT

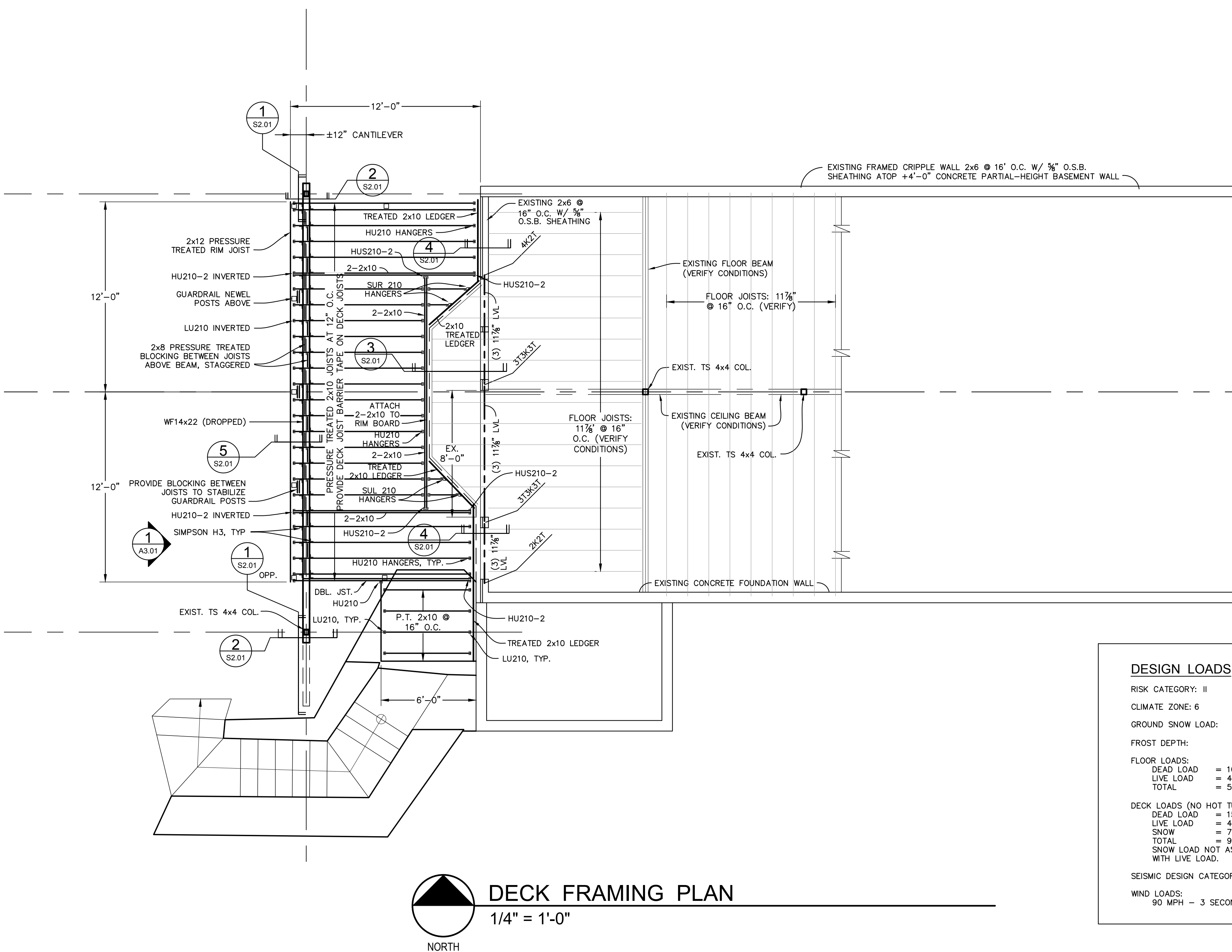
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 REVIEWED BY: TB
 REVISED:



TRAVIS BEASLEY
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 3107 WEST COLORADO AVENUE NO. 303
 COLORADO SPRINGS, CO 80904
 719-629-7349
 EMAIL: travis@essentialpillar.com

15 SOUTH GARFIELD STREET
 RICO, COLORADO 81332

A3.01



DESIGN LOADS

RISK CATEGORY: II

CLIMATE ZONE: 6

GROUND SNOW LOAD: = 77 PSF

FROST DEPTH: = 48" BOTTOM OF FOOTER

FLOOR LOADS:

DEAD LOAD	= 10 PSF
LIVE LOAD	= 40 PSF
TOTAL	= 50 PSF

DECK LOADS (NO HOT TUB):

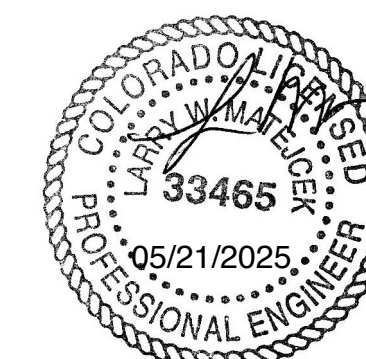
DEAD LOAD	= 15 PSF
LIVE LOAD	= 40 PSF
TOTAL	= 77 PSF
SNOW	= 92 PSF

SNOW LOAD NOT ASSUMED TO BE CONTINGENT WITH LIVE LOAD.

SEISMIC DESIGN CATEGORY C

WIND LOADS:

90 MPH - 3 SECOND GUST



TRAVIS BEASLEY
ESSENTIAL PILLAR ARCHITECTURE
3107 WEST COLORADO AVENUE NO. 303
COLORADO SPRINGS, CO 80904
719-629-7349
EMAIL: travis@essentialpillar.com



RESIDENTIAL DECK RECONSTRUCT PROJECT

15 SOUTH GARFIELD STREET
RICO, COLORADO 81332

SCALE: PER PLAN
DATE: 16 MAY 2025
DRAWN BY: TB
REVIEWED BY: LM
REVISED:

STAMP VALID FOR
STRUCTURAL ONLY

S2.01

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
TOWN OF RICO AND THE RICO FIRE PROTECTION
DISTRICT REGARDING THE TRANSFER OF FIREHOUSE
PROPERTY (LOTS 9, 10, 11, AND 12, BLOCK 2)**

This Memorandum of Understanding (“MOU”) is entered into by and between the Town of Rico, a Colorado home rule municipality (“Town”), and the Rico Fire Protection District, a Colorado special district (“District”), collectively referred to as the “Parties.”

1. Purpose

The purpose of this MOU is to outline the terms and conditions under which the Town will transfer ownership of the firehouse property—consisting of Lots 9, 10, 11, and 12, Block 2, Town of Rico—to the Rico Fire Protection District for continued use in providing fire protection and emergency response services.

2. Property Transfer and Use Terms

The Parties agree that:

- a. The Town will convey the property to the District by quitclaim deed.
- b. The District shall use the property exclusively for fire protection and emergency response purposes.
- c. If the District is ever dissolved, ownership of the property shall revert to the Town of Rico.
- d. If the District intends to sell or transfer the property, the Town shall have the first right of refusal to purchase the property.
- e. These terms shall be incorporated into the deed of conveyance or other mutually agreed-upon documentation as appropriate, following review by legal counsel.

3. Future Sale Valuation and Right of First Refusal

As the Town is conveying the land at no cost to support continued public benefit, the Parties agree that if the District elects to sell the property at any point in the future, the Town shall have the first right of refusal to purchase it. If the Town exercises its right of first refusal, the purchase price shall be calculated based solely on the depreciated value of the existing structure. This valuation shall be determined using a mutually agreed-upon method that considers the estimated replacement cost of the building, reduced by depreciation based on the age, condition, and remaining useful life of the structure. No value shall be assigned to the land itself, in recognition of the fact that it was originally conveyed by the Town at no cost for the purpose of supporting public emergency services.

4. Costs and Fees

The District shall be responsible for all costs associated with the transfer, including but not limited to:

- Town legal fees;
- Title work and title insurance (if applicable);
- Preparation and recording of closing documents; and
- Any other reasonable expenses incurred by the Town related to the transfer process.

5. Implementation

Upon mutual approval of this MOU, the Town shall direct its attorney to prepare the appropriate transfer documents. The Parties agree to cooperate in good faith to execute all necessary instruments and complete the transfer in accordance with the terms outlined above.

IN WITNESS WHEREOF, the undersigned have executed this Memorandum of Understanding on behalf of their respective entities on the dates shown below.

TOWN OF RICO

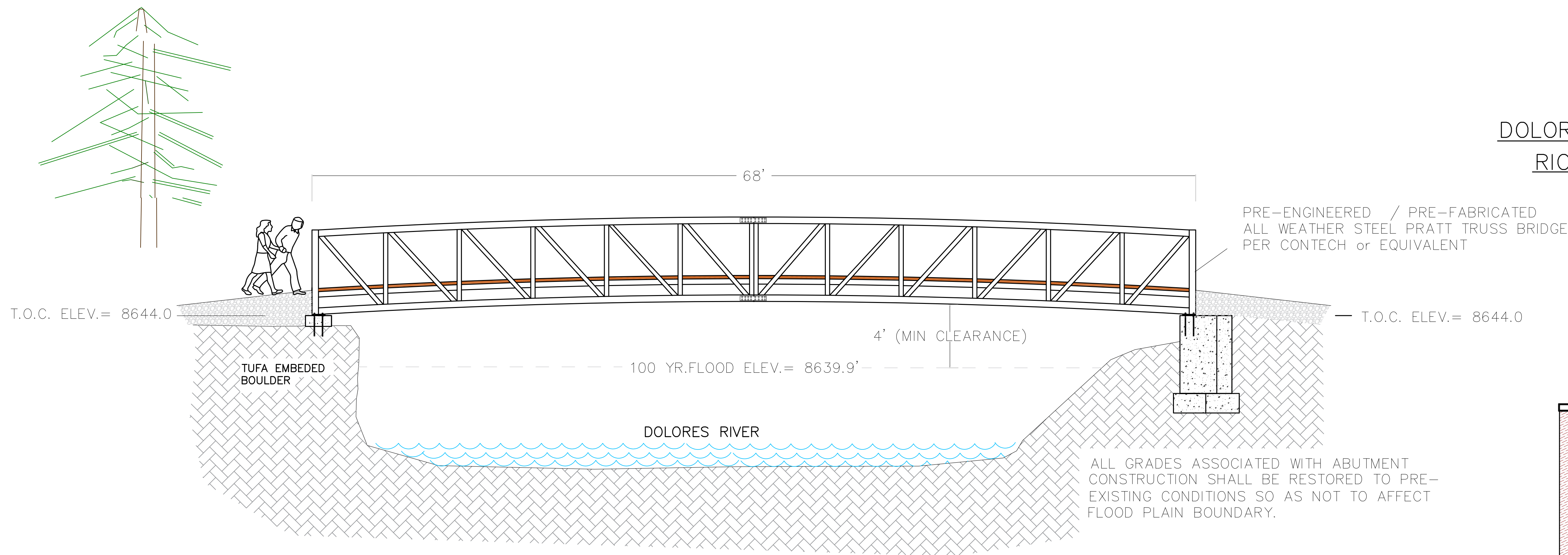
Patrick Fallon, Mayor

Date: _____

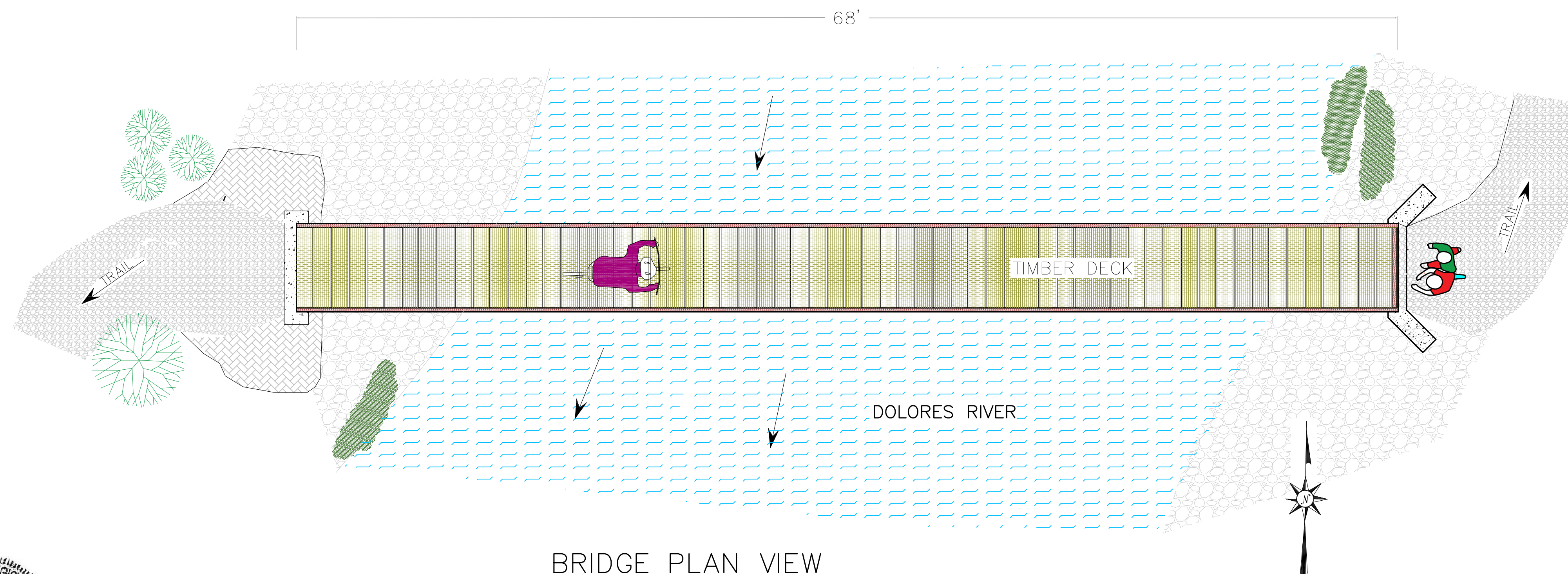
RICO FIRE PROTECTION DISTRICT

Gregg Anderson, Board Chair

Date: _____

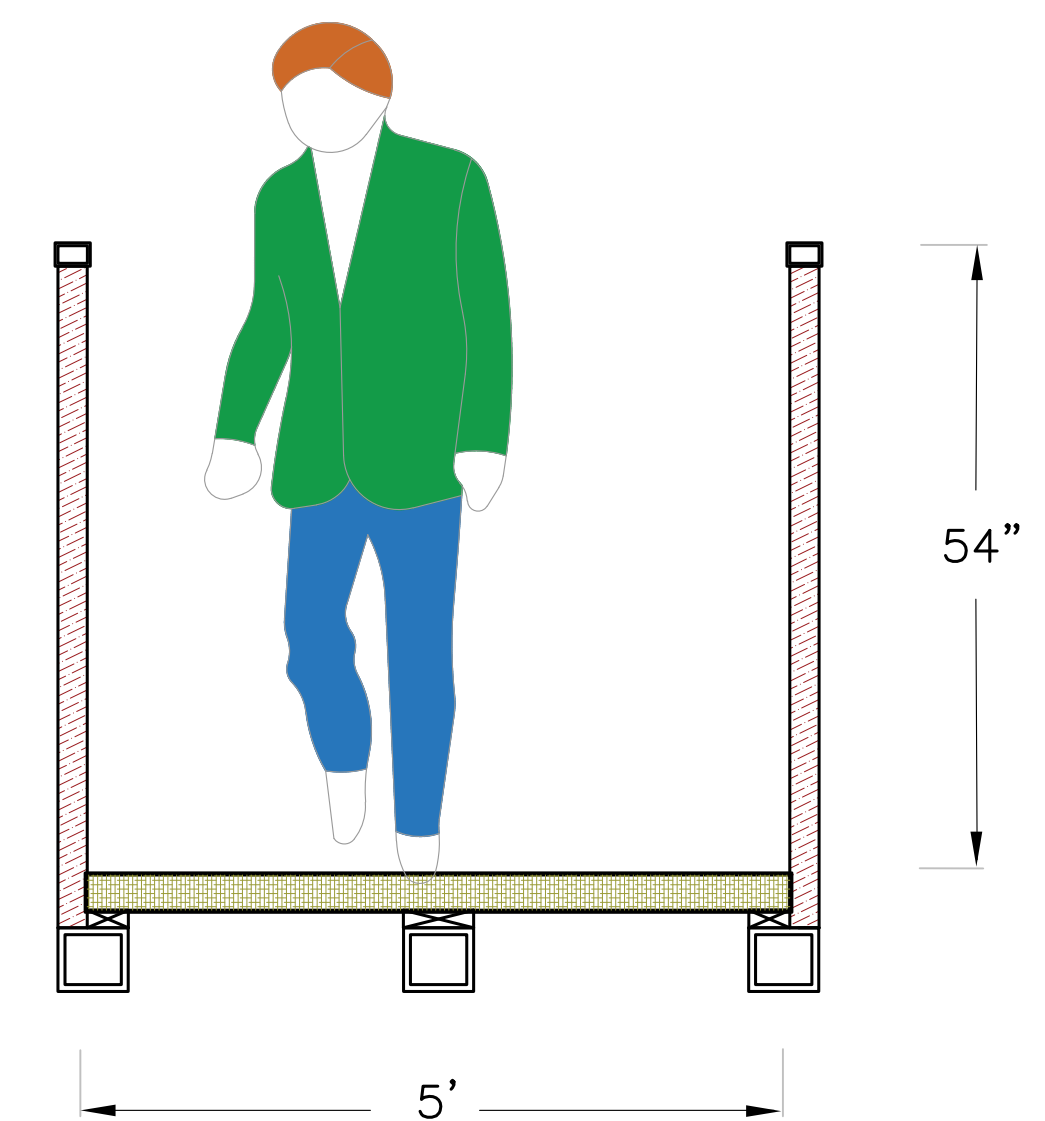


BRIDGE PROFILE VIEW



BRIDGE PLAN VIEW

DOLORES RIVER TRAIL BRIDGE
RICO TRAILS ALLIANCE

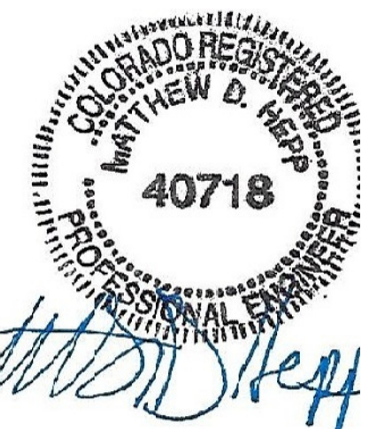


DESIGN CRITERIA:

- AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS
- AASHTO LRFD GUIDE SPECIFICATIONS FOR DESIGN OF PEDESTRIAN BRIDGES
- USFS TRAIL BRIDGE GUIDELINES AND SPECIFICATIONS
- SNOW LOAD = 99 POUNDS PER SQUARE FOOT (SEAC 2016)
- DESIGN DECK PEDESTRIAN LIVE LOAD = 90 PSF
- EXPOSURE CATEGORY = C
- WIND DESIGN LOAD = 115 MPH
- SOIL BEARING CAPACITY 5000 PSF
- ALLOWABLE SOIL BEARING CAPACITY 2500 PSF
- USGS STREAM STATS 100 YEAR PEAK FLOW: 2430 CFS

BRIDGE STRUCTURE TO BE PLACED OUTSIDE OF 100 YR. FLOOD PLAIN LIMITS PER BULSON SURVEY

* HYDROLOGIC ANALYSIS BY OTHERS

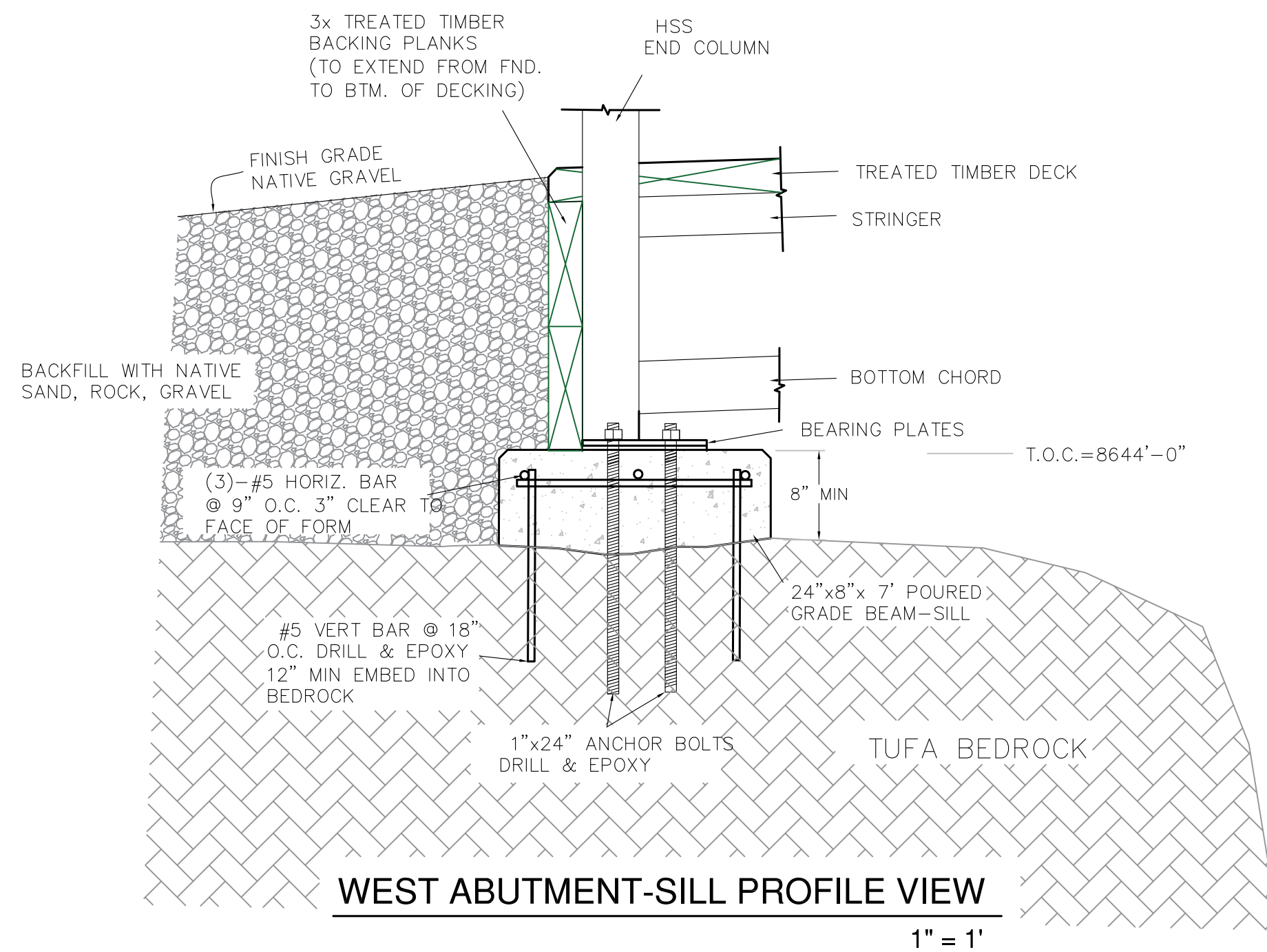


Project Title: DOLORES RIVER TRAIL BRIDGE, RICO TRAILS ALLIANCE
Location: POPEK MINING CLAIM MS #336, 45731 HGWAY 145, DOLORES COUNTY, RICO, COLORADO

Rev	Date	Description

CANYON BRIDGE LLC
Ph.970-318-0317
P.O. Box 1381
615 MOFFAT STREET
Ridgway, Co 81432

DRAWING DATE: MAY 20, 2025
SHEET 1 / 3
PROJECT: DOLORES TRAIL BRIDGE

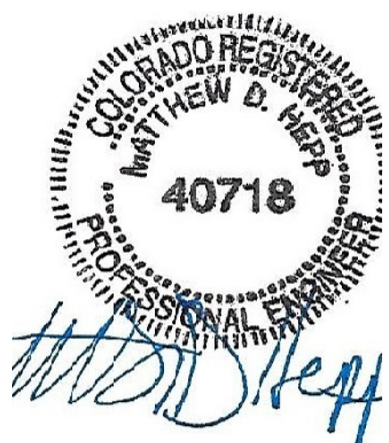
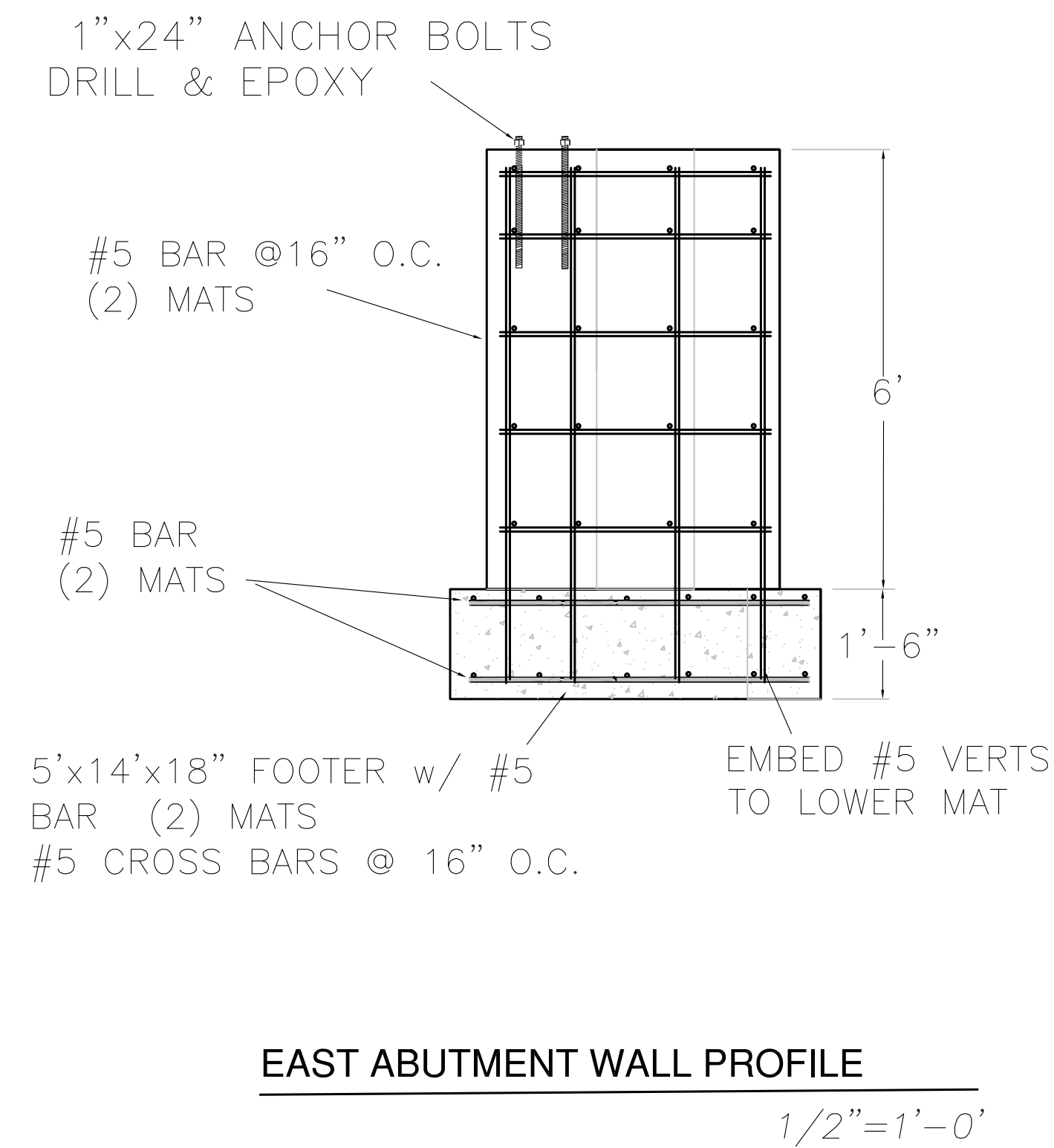
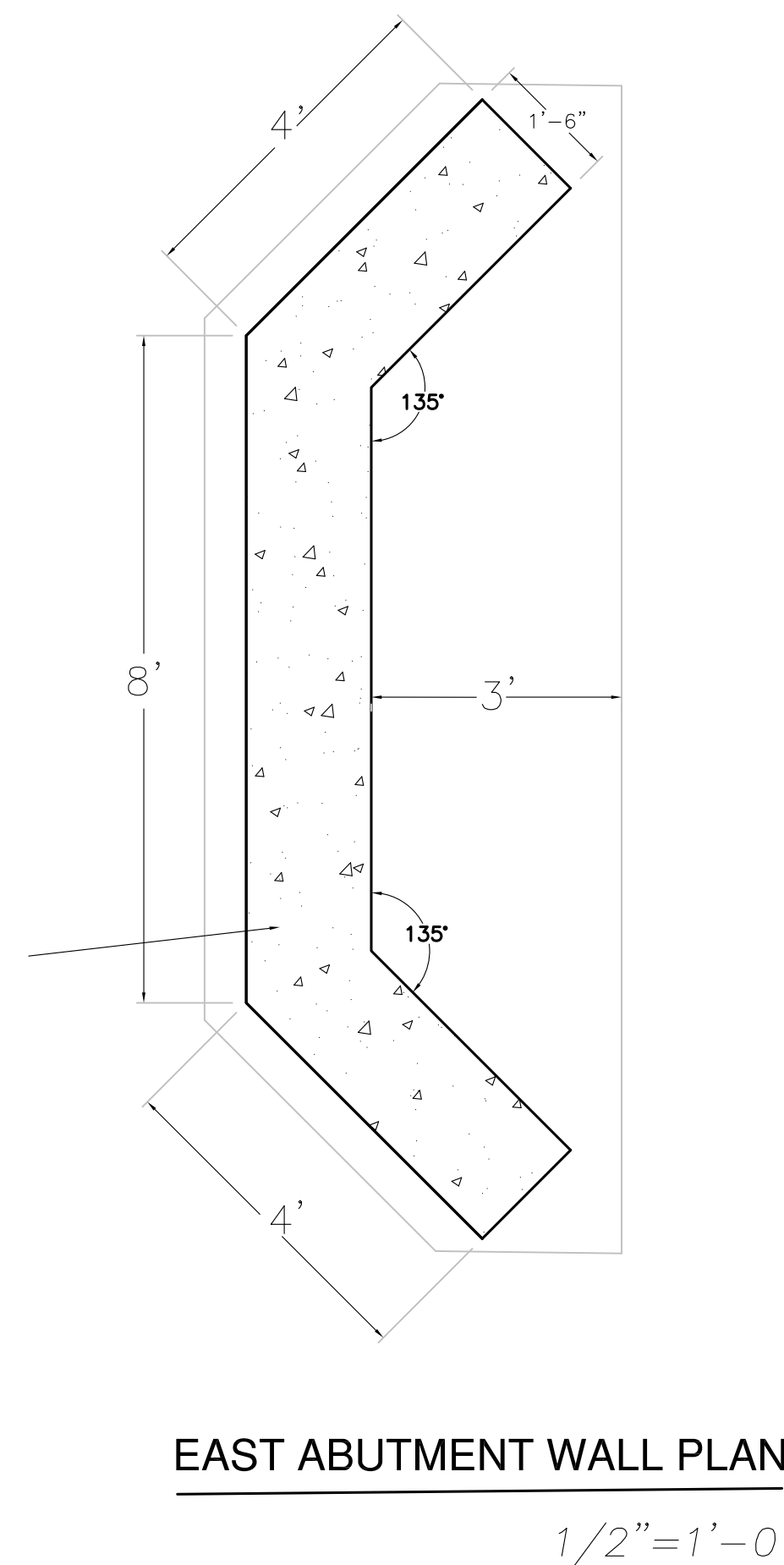
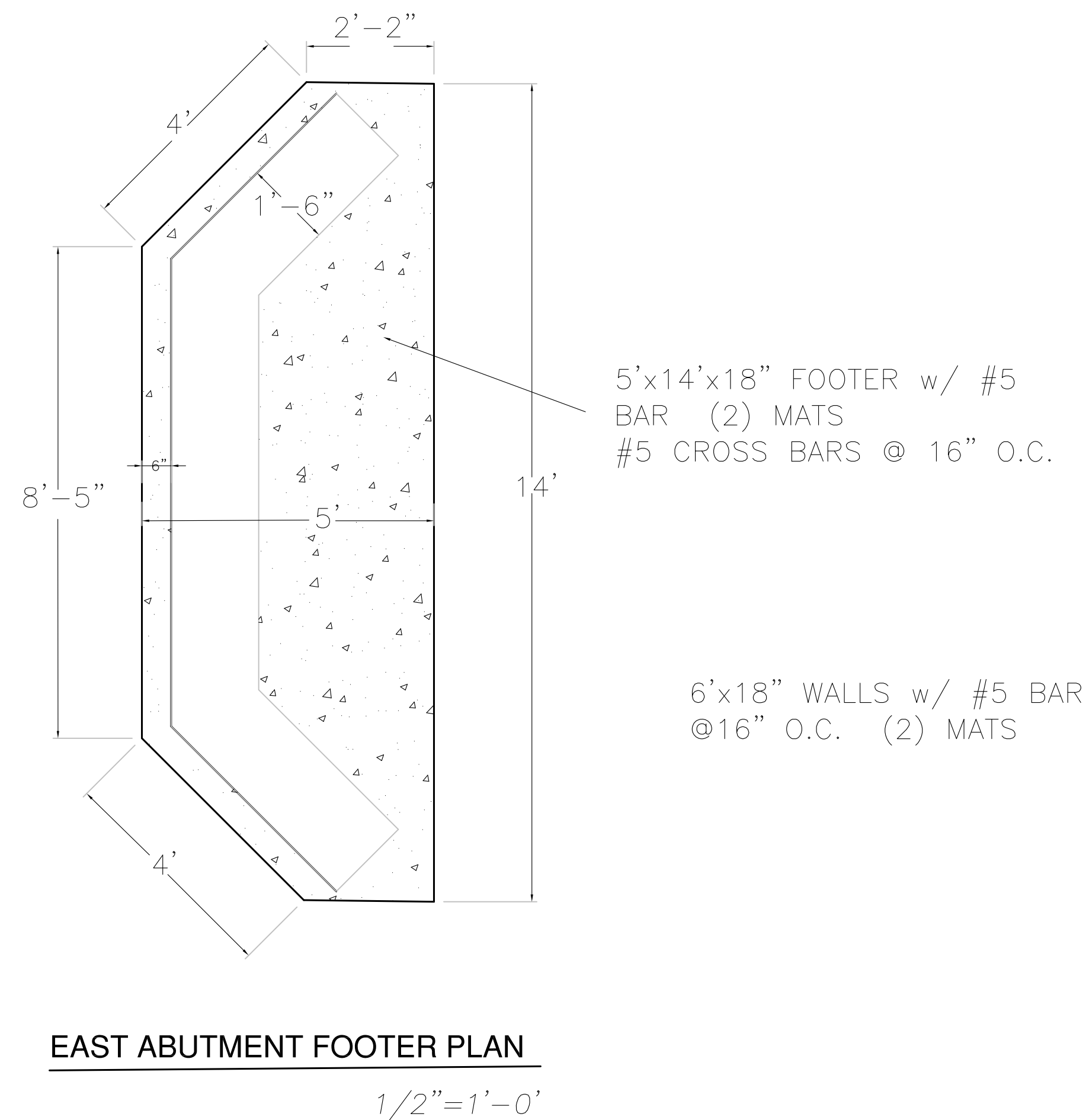


CONCRETE

1. CONCRETE FOR FOOTINGS AND SLABS SHALL HAVE A MIN. COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS FROM INITIAL DATE OF POUR.
2. ENTRAINED AIR CONTENT 5%.
3. ALL DOWELS, HOLDDOWNS, ANCHORS, BOLTS AND INSERTS TO BE SECURED ACCURATELY IN PLACE UNTIL CONCRETE HAS HARDENED.
4. POTABLE WATER SHALL BE USED IN CONCRETE MIX.
5. FOUNDATION GRADE BEAM SHALL BE BACKFILLED WITH FREE DRAINING GRANULAR NATIVE MATERIAL
6. ALL CONCRETE SHALL BE MECHANICALLY VIBRATED.
7. CHAMFER ALL EXPOSED EDGES 3/4".
8. (2) TEST CYLINDERS TO BE TAKEN FOR EACH POUR AND LAB TESTED AT 28 DAYS

REINFORCING STEEL

1. REINFORCING STEEL SHALL BE OF NEW STOCK DEFORMED BARS CONFORMING TO ASTM A-615 GRADE 60
2. ALL #5 HORIZONTAL BAR SPLICES SHALL BE A MIN. 24".
3. ALL BAR BENDS SHALL BE MADE COLD.
4. ALL BARS SHALL BE FREE OF DIRT, DUST, RUST GREASE, MILL SCALE OR ANY OTHER MATERIAL WHICH MIGHT AFFECT ITS BOND TO CONCRETE.
5. ALL BAR SHALL HAVE A MINIMUM OF 3" OF CLEARANCE TO FACE OF FORM
6. EPOXY SHALL BE HILTI HIT-HY 200R OR AC100 DEWALT



Project Title: DOLORES RIVER TRAIL BRIDGE, RICO TRAILS ALLIANCE
Location: POPEK MINING CLAIM MS #336, 45731 HWY 145, DOLORES COUNTY, RICO, COLORADO

Rev	Date	Description

CANYON BRIDGE LLC

Ph.970-318-0317
P.O. Box 1381
615 MOFFAT STREET
Ridgway, Co 81432

DRAWING DATE: MAY 20, 2025
SHEET 2 / 3
PROJECT: DOLORES TRAIL BRIDGE

SPECIFICATIONS AND GENERAL NOTES :

DESIGN CRITERIA:

AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS
AASHTO LRFD GUIDE SPECIFICATIONS FOR DESIGN OF PEDESTRIAN BRIDGES
USFS TRAIL BRIDGE GUIDELINES AND SPECIFICATIONS
SNOW LOAD = 99 POUNDS PER SQUARE FOOT (SEAC 2016)
DESIGN DECK PEDESTRIAN LIVE LOAD = 90 PSF
EXPOSURE CATEGORY = C
WIND DESIGN LOAD = 115 MPH
SOIL BEARING CAPACITY 5000 PSF
ALLOWABLE SOIL BEARING CAPACITY 2500 PSF
USGS STREAM STATS 100 YEAR PEAK FLOW: 2430 CFS

STEEL

ALL STEEL SHAL BE HIGH STRENGTH LOW ALLOY, (Fy = 50,000 psi)
SELF WEATHERING

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ANCHOR BOLTS

- 1. ANCHOR BOLTS SHALL BE 1" ASTM F 1554 GRADE 105 GALVANIZED ANCHOR RODS w/ 2 NUTS AND WASHERS
- 2. EPOXY SHALL BE HILTI HIT-HY 200R or DEWALT AC100

BACKFILL

- 1. BACKFILL SHALL CONSIST OF NATIVE GRAVEL SOILS OR IMPORTED CLASS 6 ROADBASE.

ELOSTOMERIC BEARING PADS

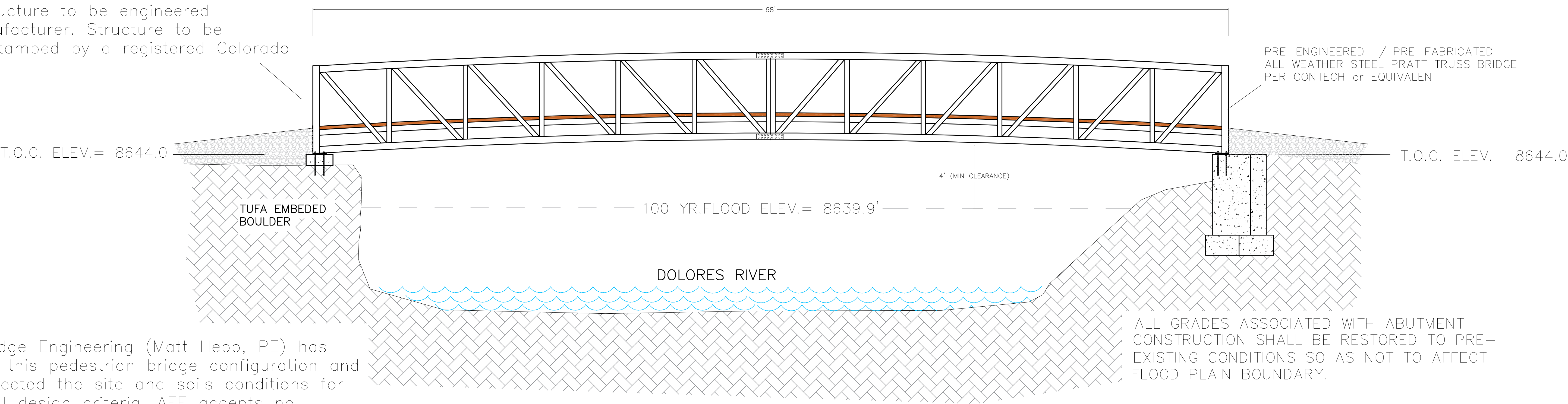
- 1. BEARING PADS SHALL BE ELASTOMERIC, GRADE 3, DURO HARDNESS 50

TIMBER

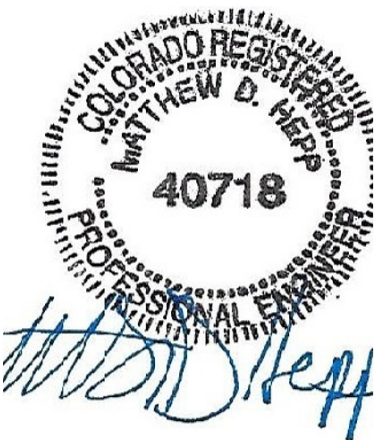
- 1. TIMBER DECKING AND BACKING PLATE SHALL BE 3"x12" NOMINAL D.F.
- 2. TIMBER TREATMENT PRESERVATIVE TREATMENT SHALL BE CA-C-BULKHEAD CA-C-DECK

**NOTE: CONTRACTOR SHALL BEAR RESPONSIBILITY TO VERIFY ALL DETAILS, DIMENSIONS, AND ELEVATIONS PRIOR TO CONSTRUCTION.*

Steel bridge structure to be engineered per Bridge Manufacturer. Structure to be approved and stamped by a registered Colorado P.E.



Alpine Edge Engineering (Matt Hepp, PE) has reviewed this pedestrian bridge configuration and has inspected the site and soils conditions for structural design criteria. AEE accepts no responsibility for hydrologic flow analysis or required clearance from river flow. AEE shall be notified for inspection of completed structure prior to public use. Bridge Steel Structure by Manufacturer.



Project Title: <i>DOLORES RIVER TRAIL BRIDGE, RICO TRAILS ALLIANCE</i>	Rev	Date	Description	CANYON BRIDGE LLC Ph.970-318-0317 P.O. Box 1381 615 MOFFAT STREET Ridgway, Co 81432	DRAWING DATE: <i>MAY 20, 2025</i>
Location: <i>POPEK MINING CLAIM MS #336, 45731 HWY 145, DOLORES COUNTY, RICO, COLORADO</i>					SHEET 3 / 3
					PROJECT: <i>DOLORES TRAIL BRIDGE</i>



Forest Service
U.S. DEPARTMENT OF AGRICULTURE

Rocky Mountain Region

April 2025

Decision Memo

Rico Trails Alliance - Rio Grande Southern Trail Construction Project

Dolores Ranger District
San Juan National Forest
Dolores County, Colorado

Decision

I have decided to authorize the Rico Trails Alliance and the Town of Rico's proposal to construct a single-track, non-motorized route along a portion of the historic Rio Grande Southern (RGS) rail alignment. The proposed trail follows the RGS right-of-way south of the Town of Rico and would provide connectivity between the Town of Rico and the Rio Grande Southern Trail authorized in the Rico Trails Project – Rio Grande Southern Trail Decision Notice and FONSI (Finding of No Significant Impact) issued in November of 2021.

The route traverses several private easements held by the Town of Rico as well as National Forest System (NFS) Lands. Approximately 0.5 miles of the proposed alignment are located on NFS Lands, and approximately 1.2 miles of the proposed alignment are located on privately held easements and Town property.

The proposed trail would require new trail construction, brush removal, construction of a bridge spanning the Dolores River, and an armored crossing at Burnett Creek that the U.S. Forest Service would construct. A staging area would be located on the east bank of the river during construction.

The trail would be open year-round and would include winter grooming for snow bikes and Nordic skiing.

The following design elements are required and incorporated into the proposed action to ensure compliance with law, policy and regulation:

- If a previously undocumented historic property is discovered, or if inadvertent effects occur to a historic property, all work in the vicinity of the property shall cease and a SJNF archaeologist shall be notified immediately. The property shall be protected and project activities in the immediate vicinity of the property shall not resume until any actions necessary to resolve adverse effects to the property have been completed.
- Upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony, a SJNF archaeologist shall be immediately notified by telephone, with written confirmation. All project activities shall cease in the vicinity of the discovery, and the discovery shall be protected for 30 days, or until the contractor is given notice to proceed by a SJNF archaeologist.
- To protect eligible sites, the existing trail along the RGS alignment should be utilized without extensive modification/maintenance. Site No. 5DL2680 will be avoided.

- Refer to and follow all applicable best management practices (BMPs) for nonmotorized trails and stream crossings outlined in FS-990a, *National Best Management Practices for Water Quality Management on National Forest System Lands*.
- Ensure equipment is washed and free of invasive seeds prior to entering NFS lands. Weed prevention and suppression efforts will continue to occur throughout the project area.
- Ground disturbance activities associated with trail constructions should be limited to the footprint necessary for trail establishment. This generally occurs in a linear feature.
- The project would be implemented according to trail management direction described in Forest Service Handbook 2309.15. Trails would be managed as a standard terra trail of Trail Class 2 or 3, with allowed uses of Pedestrian, Pack and Saddle, and Bicycle for the non-motorized trail proposals. Design specifications associated with several types of trail use may be incorporated in order to effectively manage and maintain a trail segment. For example, trail management may include vegetation clearing limits associated with Pack and Saddle in order to allow safe passage for stock. These same trails might also incorporate some tread width, grade, and surface design elements from design parameters associated with bicycles. Additional information about trail management concepts is provided in Forest Service Handbook 2309.18.
- Contact the district biologist if specific impacts to threatened, endangered, proposed, Region 2 sensitive species, or SJNF species of local concern and/or their habitats are identified prior to or during project implementation. Management of the project (e.g., timing restrictions or project boundary) may be adjusted as necessary to reduce impacts.
- If a raptor moves into the area of the proposed designated trail, consult the SJNF Wildlife Biologist. Address new nests in accordance with Forest Plan Guideline 2.3.49 and Forest Plan Table 2.3.2.

Applicable Categorical Exclusion and Findings Required by Other Laws

This proposal is categorically excluded from documentation in an environmental assessment or environmental impact statement because it fits category 36 CFR 220.6(e)(1), which allows for the construction and reconstruction of trails.

This decision is consistent with the San Juan National Forest Land and Resource Management Plan. The trail bridge design avoids any dredge or fill in wetlands or waters of the U.S. and consequently, no Clean Water Act 404 or 401 permits are required.

The trail alignment is located on top of the historic Rio Grande Southern Railroad, an eligible property for the National Register of Historic Places under Criteria A, B, and C, and will therefore adversely affect the historic property. A Memorandum of Agreement (MOA) between the Forest Service and State Historic Preservation Office was filed on March 18, 2025 to mitigate the impacts of the project. The Town of Rico and Rico Trails Alliance also signed the MOA as concurring parties.

Tribal Consultation

A letter was sent to the Ute Mountain Ute Tribe, Southern Ute Indian Tribe, and the Ute Indian Tribe on October 3, 2023 informing them that the project was proposed within the Brunot Treaty area and that proposed activities would not impede rights guaranteed under that agreement. The project was added to the San Juan National Forest Schedule of Proposed Actions (SOPA) on July

27, 2023, which was distributed to Tribes on November 1, 2023 and quarterly thereafter. The Hopi Tribe requested additional information regarding the project.

Agencies, Organizations and Persons Contacted

The proposed action was developed by the Town of Rico, Rico Trails Alliance, and Forest Service. Forest Service resource specialists were consulted for this project. The project was also listed in the Schedule of Proposed Actions in on July 27, 2023. No extraordinary circumstances were identified through scoping or publication in the SOPA.

Implementation Date

I intend to implement this decision in the Summer of 2025.

Administrative Review

Decisions that are categorically excluded from documentation in an environmental assessment or environmental impact statement are not subject to an administrative review process (Agriculture Act of 2014 [Pub. L. No. 113-79], Subtitle A, Sec. 8006).

Contact

For additional information concerning this decision, contact:

Tom Rice, Recreation Staff Officer

29211 Highway 184

Dolores, CO

thomas.b.rice@usda.gov

970-882-6843

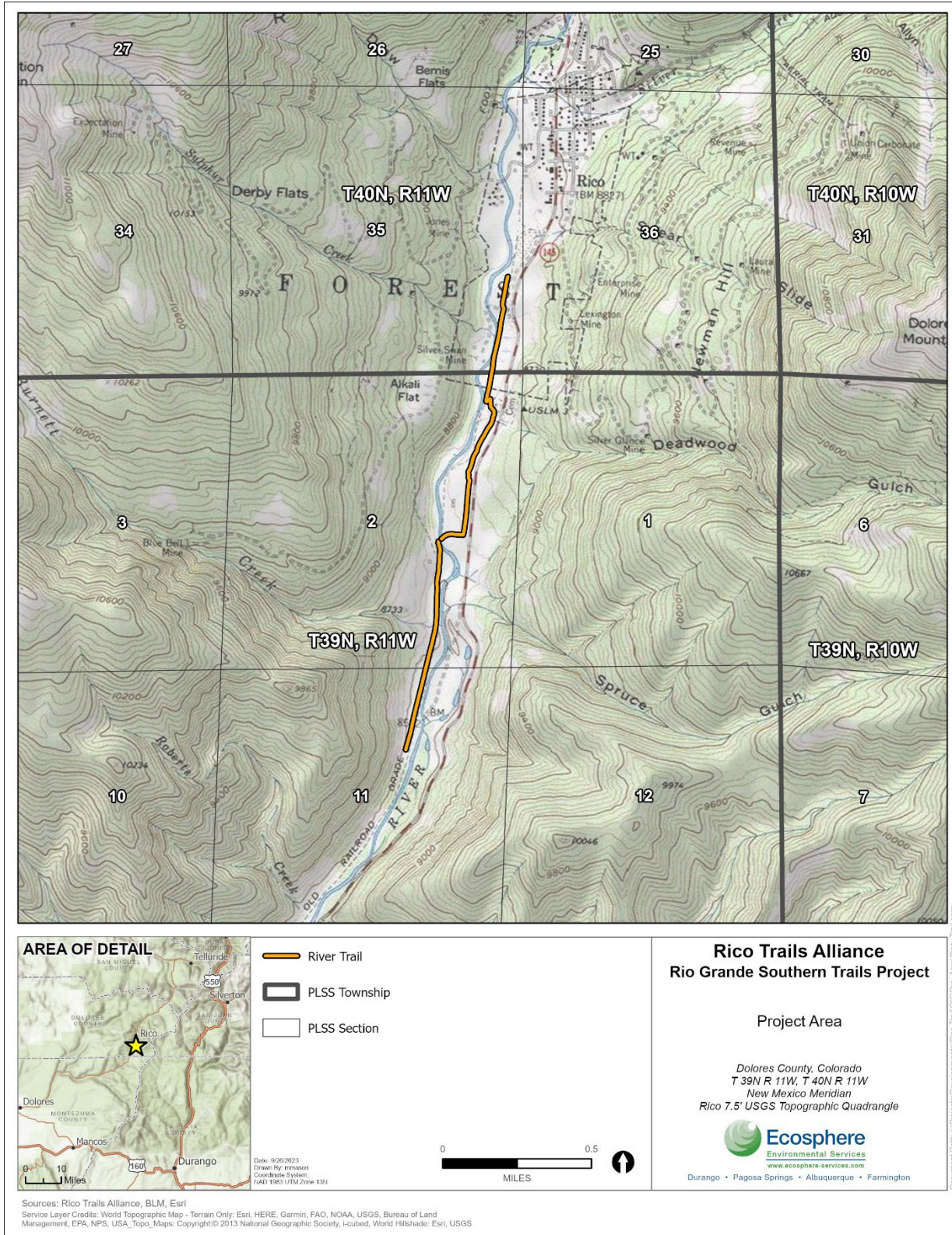


Nick Mustoe
Dolores District Ranger
San Juan National Forest¹



Date

Project Maps



Extraordinary Circumstances Determination

Table 1. Resource conditions considered for extraordinary circumstance determinations

Resource Conditions Considered for Extraordinary Circumstances	Is there a degree of potential effect that raises uncertainty over its significance? Briefly explain.
Federally listed threatened or endangered species, designated critical habitat, and Forest Service sensitive species	Botany: NO, there is no uncertainty Rationale for yes/no: None found within project area.
	Fisheries: N/A, not present Rationale for yes/no: No habitat in the project area for TES fish species and no water depletion activities related to project.
	Wildlife: NO, there is no uncertainty Rationale for yes/no: The proposed action falls under Screen 6 of the Southern Rockies Lynx Amendment, and is screened as not likely to adversely affect lynx due to the overall vegetation disturbance is less than 2 acres.
Floodplains, wetlands, or municipal watersheds	NO, there is no uncertainty Rationale for yes/no: The project was designed to avoid impacts to floodplains, wetlands, and municipal watersheds.
Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas	N/A, not present Rationale for yes/no: There are no wilderness areas present in the project area.
Inventoried roadless areas	N/A, not present Rationale for yes/no: There are no Colorado Roadless Areas present in the project area.
Research natural areas	N/A, not present Rationale for yes/no: There are no RNAs present in the project area..
American Indians and Alaska Native religious or cultural sites	NO, there is no uncertainty Rationale for yes/no: A letter was sent to the Ute Mountain Ute Tribe, Southern Ute Indian Tribe, and the Ute Indian Tribe on October 3, 2023 informing them that the project was proposed within the Brunot Treaty area and that proposed activities would not impede rights guaranteed under that agreement. No response was received.
Archaeological sites, or historic properties or areas	NO, there is no uncertainty Rationale for yes/no: The trail alignment is located on top of the historic Rio Grande Southern Railroad, an eligible property for the National Register of Historic Places under Criteria A, B, and C, and will therefore adversely affect the historic property. A Memorandum of Agreement (MOA) between the Forest Service and State Historic Preservation Office was filed on March 18, 2025 to mitigate the impacts of the project. The Town of Rico and Rico Trails Alliance also signed the MOA as concurring parties.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov (link sends e-mail).

USDA is an equal opportunity provider, employer, and lender.



Chauncey McCarthy <townmanager@ricocolorado.gov>

Potential tax revenue for the town of Rico

Scott Smith <scotts80521@gmail.com>

Fri, May 2, 2025 at 12:40 PM

To: Kari Distefano <townmanager@ricocolorado.gov>

Hello Rico,

When we first asked the town to look into increasing the cap on STRs to 10 percent, we were told that as long as we had 2 years on the books without any complaints that we could revisit this proposal. Now that the hotel has been sold to Telski, the Town of Rico has even less accommodations for people to stay. We also lost an important stream of tax revenue.

We were curious if the town could revisit the proposal of increasing the STR cap from 7 to 10 percent. We currently only have 7 airbnbs in town and the only complaint that the town has ever received regarding STRs is that we don't have enough places for visiting families to stay. Increasing the cap would help solve this issue, and it would allow more tax revenue to be collected not only from STR lodging tax but from the guests visiting local establishments as well.

The other option to consider, now that the lawsuits preventing people from renting out a spare bedroom or a lockoff in their house are settled, would be to allow owners to occupy airbnbs they are renting.

Thank you for making this a discussion item at this upcoming meeting, we appreciate it.

TASK ORDER NO. 3

In accordance with Paragraph 1.01, Main Agreement, of the Agreement Between Owner and Engineer for Professional Services—Task Order Edition dated April 18, 2023, Owner and Engineer agree as follows:

1. TASK ORDER DATA

Effective Date of Task Order:	January 31, 2025
Owner:	Town of Rico
Engineer:	Bohannon Huston, Inc.
Specific Project (title):	Town of Rico Wastewater Treatment & Collection System Design Phase
Specific Project (description):	Design Phase for a municipal wastewater system, including collection and treatment
Related Task Orders:	Task Order No. 1 (Preliminary Engineering Report) Task Order No. 2 (Environmental Information Document)

2. BASELINE INFORMATION

Baseline Information. Owner has furnished the following Specific Project information to Engineer as of the Effective Date of the Task Order. Engineer's scope of services has been developed based on this information. As the Specific Project moves forward, some of the information may change or be refined, and additional information will become known, resulting in the possible need to change, refine, or supplement the scope of services.

Specific Project Title:	Town of Rico Wastewater Treatment & Collection System Engineering Report
Prior Studies, Reports, Plans:	<ol style="list-style-type: none"> 1) <i>Preliminary Engineering Report – Wastewater - Town of Rico</i>. December 2018. Prepared by SGM. 2) <i>Preliminary Engineering Report Update</i> – Prepared by Bohannon Huston Inc. June 2024
Facility Location(s):	Rico, CO
Current Specific Project Budget:	\$1,580,190
Known Specific Project Limitations:	Public Impact and CDPHE Permitting

3. SERVICES OF ENGINEER ("SCOPE")

- A. The specific basic services to be provided or furnished by Engineer under this task order are:
 - Exhibit A to task order, "Engineer's Services for Task Order," as attached to this specific task order.
- B. All services included above compose basic services for purposes of Engineer's compensation under this task order.

4. DELIVERABLES SCHEDULE

The project schedule will be provided at the kick-off meeting and presented as a Gantt Chart based on the work breakdown structure of the project. The schedule shall provide milestone deliverable data and also identify critical

paths that have the greatest influence on executing tasks. The schedule shall be updated periodically throughout the completion of work and changes to the schedule shall be discussed with the Owner as they are known.

5. ADDITIONS TO OWNER'S RESPONSIBILITIES

- A. Owner shall have those responsibilities set forth in Article 2 of the Main agreement, and the following supplemental responsibilities that are specific to this task order: None.

6. TASK ORDER SCHEDULE

- A. In addition to any schedule provisions provided in Exhibit B or elsewhere, the parties shall meet the following schedule: None.

7. ENGINEER'S COMPENSATION

- A. The terms of payment are set forth in Article 4 of the Main Agreement.
- B. Owner shall pay Engineer for services rendered under this task order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services		
Task 1. Project Management and Communication	\$118,150	Lump Sum
Task 2. Supplemental Site Data Acquisition	\$415,160	Lump Sum
Task 3A. Design Phase (30%)	\$225,661	Lump Sum
Task 3B. Design Phase (60%)	\$389,230	Lump Sum
Task 3C. Design Phase (90%)	\$335,869	Lump Sum
Task 3D. Design Phase (100%)	\$96,120	Lump Sum
TOTAL COMPENSATION	\$1,580,190	

- C. Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Subconsultants' charges (if any). For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services rendered but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.
- D. The Engineer shall recognize the Town is utilizing funds through the Environmental Protection Agency (EPA) for this project. The Town shall pay for services rendered upon receiving grant funds from the EPA which may delay the payment to the Engineer beyond 30 days as stated in the Main Agreement. The Engineer shall not enforce Section 4.02.C of the main agreement and will not be allowed to charge interest on late payments. The Engineer shall have the option of stopping work in the event payments are delayed greater than 90 days.
- E. In addition, in the event the EPA elects to stop work on this project, the Engineer shall stop work immediately upon notice from either the EPA or the Town and not incur additional costs. Final

Payment for services rendered shall be completed in accordance with Section 6.05.F of the Main Agreement.

8. ENGINEER'S PRIMARY SUBCONSULTANTS FOR TASK ORDER, AS OF THE EFFECTIVE DATE OF THE TASK ORDER

- A. Aqua Engineering

9. EXHIBITS AND ATTACHMENTS

- A. Exhibit A to task order—Engineer's Services for Task Order
- B. Exhibit B to task order—Task Order Deliverables Schedule
- C. Exhibit C to task order—Design Fee and Manhour Estimate

Execution of this task order by Owner and Engineer makes it subject to the terms and conditions of the Main Agreement and its exhibits and appendices, which Main Agreement, exhibits, and appendices are incorporated by this reference.

OWNER		ENGINEER	
By:	Town of Rico	By:	Bohannon Huston Inc
Print Name:	Chauncy McCarthy	Print Name:	Todd Burt, PE
Title:	Town Manager	Title:	Senior Vice President
Date:		Date:	January 31, 2025
Signature:		Engineer's License and State of:	46405 CO
		Signature	
OTHER (If Needed)		ENGINEER	
By:		By:	Bohannon Huston Inc
Print Name:		Print Name:	Leslie Small
Title:		Title:	Chief Operations Officer
Date:		Date:	January 31, 2025
Signature:		Engineer's License and State of:	N/A
		Signature	
DESIGNATED REPRESENTATIVE FOR TASK ORDER		DESIGNATED REPRESENTATIVE FOR TASK ORDER	
Name:	Chauncy McCarthy	Name:	Andrew Swartswalter, PE
Title:	Town Manager	Title:	Project Manager
Email Address:	townmanager@ricocolorado.gov	Email Address:	aswartswalter@bhinc.com
Phone:	970-967-2863	Phone:	505-221-7801
Date:	January 31, 2025	Date:	January 31, 2025