

Town of Rico Memorandum

Date: November 14, 2024

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

Appointment of a Mayor Pro Tem

According to the Rico Home Rule Charter, Section 2.7, the Board of Trustees is responsible for electing a Mayor Pro Tem from its own membership. The Mayor Pro Tem serves as the acting Mayor during the absence of the mayor.

Recommended Action:

The Board of Trustees shall elect a new Mayor Pro Tem from among its members. This appointment is necessary to ensure continuity of leadership in the event of the Mayor's absence.

Approval of Dolores State Bank authorized check signers

The Board of Trustees is responsible for approving the individuals authorized to sign checks for the Town of Rico's accounts at Dolores State Bank. In the past, the Board determined that the Town Clerk and four Board members should be designated as signers on the account.

The current signers on the Dolores State Bank account are:

- Patrick Fallon (Mayor)
- Benn Vernadakis (Board Member)
- Nicole Pieterse (Past Mayor)
- Brandy Randall (Past Board Member)

As changes in the composition of the Board occur, it is necessary to update the list of authorized signers. Dolores State Bank requires that the Board's motion formally includes the removal of any signers who will no longer be authorized to sign checks and the addition of new signers to ensure proper banking procedures.

Recommended Action:

Approval of a motion to update the Dolores State Bank check signing card, including:

- Removal of any individuals who are no longer authorized to sign checks.
- Addition of new authorized signers as determined by the Board.

First reading of Ordinance 2024-06 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. 16-18)

Included in the packet is ordinance 2024-06 which would extend the temporary moratorium on the acceptance of new land use applications for major or minor subdivisions, and residential or commercial planned unit developments (PUDs) within the Town of Rico, Colorado, until June 30, 2025.

Background:

- The Town has been experiencing challenges related to water system capacity and is currently working on improvements to the water infrastructure, including reactivating the Silver Creek surface water treatment plant, to help accommodate future growth and improve resiliency.

- A series of prior ordinances (Ordinance No. 2022-13, 2023-03, 2023-07, and 2024-02) have extended the moratorium on new land use applications to allow time for the Town to evaluate water system needs, secure funding, and plan for necessary infrastructure upgrades.
- As the Town continues to assess water system improvements, the current moratorium needs to be extended to ensure no new land use applications are processed that could exacerbate existing water system limitations.

Details of the Ordinance:

- Ordinance No. 2024-06 extends the existing moratorium on new land use applications for major or minor subdivisions, and residential or commercial planned unit developments until June 30, 2025.
- The moratorium will not apply to applications for developments that have already been approved or for which water has already been allocated, as long as those developments do not increase demand on the water system.
- The moratorium will automatically expire on June 30, 2025, unless it is terminated earlier by the Board of Trustees or extended further by another ordinance.

Recommended Action:

Approval of the first reading of Ordinance No. 2024-06 to extend the temporary moratorium on the acceptance of new land use applications for subdivisions and planned unit developments.

Second reading of Ordinance 2024-05 an Ordinance of the Town of Rico, Colorado adopting the year 2025 Town budget; appropriating sums of money; and setting and certifying Town mill levies (Pg. 19-43)

Included in the packet is the 2025 budget containing ordinance 2024-05, staff memo, certificate of valuation by Dolores County Assessor, and a detailed budget for each fund. There has been one public comment letter submitted that has been included in the packet as well.

The property tax revenues in the 2025 budget are based on the August 2024 certification of valuation from the Dolores County Assessor. This certification is recalculated by the county in November and resubmitted to the Town. The county aims to provide the re-certification prior to next week's meeting. If received in time, a revised budget will be provided with updated property tax revenue figures for the General, Street, and Sewer Funds. Historically, the re-certification has not resulted in significant changes to these line items. Staff recommends proceeding with the second reading of Ordinance 2024-05, as state statute requires the budget to be adopted before December 15, and the next regular Board meeting is December 18, 2024.

The Board reviewed the draft 2025 budget at length during their special session on October 7, 2024. The Board approved the first reading of the budget at the October 16, 2024 meeting. Motion provided below:

Motion

Move to approve First reading of Ordinance 2024-05 an Ordinance of the Town of Rico, Colorado adopting the year 2025 Town budget; appropriating sums of money; and setting and certifying Town mill levies.

Moved by Trustee Joe Dillsworth, seconded by Mayor Pro Tem Patrick Fallon.

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

Recommended Action:

Approval of the Second reading of Ordinance 2024-05 an Ordinance of the Town of Rico, Colorado adopting the year 2025 Town budget; appropriating sums of money; and setting and certifying Town mill levies

Consideration of participating as a consulting party and concurring in the memorandum of agreement for the proposed construction of 1.7 miles of new trail along the Rio Grande Southern Railroad right-of-way south of the Town of Rico (Pg. 44-65)

Included in the packet is a letter from the U.S. Forest Service inviting the Town of Rico to participate as a consulting party in a Memorandum of Agreement (MOA) regarding the construction of 1.7 miles of new trail along the historic Rio Grande Southern Railroad right-of-way.

The trail will cross both National Forest System (NFS) lands (0.5 miles) and private easements held by the Town of Rico (1.2 miles) which was previously authorized by the Rico Trails Project. Relevant easements, the river corridor plat, and the decision notice for the Rico Trails Project are included in the packet for reference.

While the trail will provide recreational access, its construction may impact the historic railroad grade, potentially accelerating its deterioration. In consultation with the Colorado State Historic Preservation Officer (SHPO), the Forest Service has determined the project could adversely affect the historic property. As required by the National Historic Preservation Act, the Forest Service plans to enter into an MOA with SHPO and other stakeholders to mitigate these effects. The Town of Rico is invited to participate in the consultation process, review the potential impacts, suggest mitigation strategies, and potentially concur with the final MOA.

Recommended Action:

- Consideration of the Town of Rico's involvement in the consultation process as a consulting party.
- Decision on whether the Town will seek to concur in the Memorandum of Agreement (MOA) to address the adverse effects on the historic railroad property.

Town project updates

Staff to provide an update on current town projects.

RICO TOWN BOARD MEETING MINUTES

Date: October 7, 2024

Call to Order 6:30PM

Trustees Present: Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Benn Vernadakis
Trustee Cristal Hibbard
Trustee Chris Condon (arrival 6:40)

Trustees Absent:
Trustee Joe Dillsworth

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

Approval of the Agenda

Motion

To approve the agenda.

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

Vote. A roll call vote was taken and the motion was approved, 4-0.
Chris Condon not present at vote

Public Comment:

Anna Wolf brings to the board's attention the want for a forum or flyer of the candidates for the upcoming election.

Board decides on a Meet the Candidates for the 28th of October from 6:30 – 8:00PM at the Town hall. Town to provide pizza and soft drinks. Town Clerk to email all candidates for a bio to email out by October 21st.

Action Items:

Consideration of liquor license renewal for Motherlode Liquors LLC

Town Clerk gives summary.

Board has discussion.

Motion

Move to approve liquor license renewal for Motherlode Liquors LLC

Moved by Trustee Benn Vernadakis, seconded by Mayor Pro Tem Patrick Fallon

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

Discussion Items

EPA funding updates

Town manager Chauncey McCarthy introduces the topic.

Donzil Worthington from Bohannon Huston gives presentation.

Board has discussion.

Rico Center grant application

Town manager Chauncey McCarthy introduction.

Power for the pavilion is the priority, signs for the Dolores river corridor.

2025 Budget

Town manager Chauncey McCarthy gives summary of the 2025 budget.

Board has discussion.

First reading of the Budget October 16.

Motion

Move to go into executive Session:

Personnel matters except if the employee who is the subject of the session has requested an open meeting. § 24-6-402(4)(f)(I), C.R.S

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

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

Anna Wolf
Rico Town Clerk

Nicole Pieterse
Mayor

RICO TOWN BOARD MEETING MINUTES

Date: October 16, 2024

Call to Order 7:01PM

Trustees Present: Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Joe Dillsworth
Trustee Benn Vernadakis
Trustee Chris Condon (Arrives 8:02PM)

Trustees Absent:
Trustee Cristal Hibbard

Staff Present. Chauncey McCarthy, Anna Wolf (Zoom), Wilton Anderson (zoom),

Approval of the Agenda

Motion

To approve the agenda with an added Action item of a letter of support to the Colorado Broadband office.

Moved by Trustee Joe Dillsworth, seconded by Trustee Benn Vernadakis

Vote. A roll call vote was taken and the motion was approved, 4-0.
Trustee Chris Condon not present at vote.

Approval of the Minutes

Columbia Tailings misspelled. Liquor license motion is missing the word approved.

Motion

To approve the minutes of September 18 with the corrections.

Moved by Trustee Benn Vernadakis, seconded by Mayor Pro Tem Patrick Fallon.

Vote. A roll call vote was taken and the motion was approved, 4-0.
Trustee Chris Condon not present at vote.

Consent Agenda

Payment of the Bills

Motion

To approve payment of the bills.

Moved by Trustee Benn Vernadakis, seconded by Mayor Nicole Pieterse.

Vote. A roll call vote was taken and the motion was approved, 4-0.
Trustee Chris Condon not present at vote.

Public Comment:

Anna Wolf: reminder of the Meet the Candidates on October 28 from 6:30 – 8:00PM

Action Items:

Colorado Broadband office letter of support

Town Manager gives summary.

Board has discussion.

Motion

Move to approve the letter of support for the Colorado Broadband office. With the following additions. The 4th line down add and sustainability. Add services after government.

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

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

Trustee Chris Condon not present at vote.

Consideration of a cash contribution to the Dolores Watershed Collaborative for their WARP grant application to the Colorado Water Conservation Board

Town Manager Chauncey McCarthy gives summary.

Presentation given by Nina Williams.

Board has discussion.

Public Comment: Dylan Robertson, Kiplynn Smith

Board has more discussion.

Motion

Move to approve a cash contribution of \$5000 to the Dolores Watershed Collaborative for their WARP grant application to the Colorado Water Conservation Board

Moved by Trustee Joe Dillsworth, seconded by Mayor Nicole Pieterse.

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

Trustee Chris Condon not present at vote.

Consideration of Resolution 2024-04 A Resolution of the Board of Trustees of the Town of Rico, Colorado supporting a yes vote on Ballot Issue 3A referred by the San Miguel Authority for Regional Transportation ("SMART") seeking voter approval for a .82%% sales tax increase, a 1.25% lodging tax increase, and a 1.336 mill levy increase for the purpose of funding regional transportation

Town Manager Chauncey McCarthy gives summary.

David Averill gives summary of the resolution.

Board of Trustees has discussion.

Public Comment: Kiplynn Smith, Leah Chiemelski, Joe Croke

Board of Trustees has more discussion.

Motion

Move to approve Resolution 2024-04 A Resolution of the Board of Trustees of the Town of Rico, Colorado supporting a yes vote on Ballot Issue 3A referred by the San Miguel Authority for Regional Transportation ("SMART") seeking voter approval for a .82%% sales tax increase, a 1.25% lodging tax increase, and a 1.336 mill levy increase for the purpose of funding regional transportation

Moved by Mayor Nicole Pieterse, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 3-2. Mayor Pro Tem Patrick Fallon and Trustee Benn Vernadakis votes no.

Consideration of a lease agreement between the Town of Rico and Dolores County Library for the Town of Rico Library located at 2 North Commercial Street

Town Manager Chauncey McCarthy gives summary.

Board of Trustees has discussion.

Motion

Move to approve of a lease agreement between the Town of Rico and Dolores County Library for the Town of Rico Library located at 2 North Commercial Street with the following changes: change tenant to Dolores County Library in section 5.1.

Moved by Mayor Nicole Pieterse, seconded by Trustee Benn Vernadakis.

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

Consideration of certificate of appointment judges of election

Town Clerk gives summary.

Mayor Nicole Pieterse recuses herself due to her husband being one of the election judges.

Board of Trustees has discussion.

Motion

Move to approve of certificate of appointment judges of election

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

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

Mayor Nicole Pieterse recuses herself and did not vote.

Consideration of liquor license renewal for Boulder City Mixology LLC, DBA The Enterprise Bar and Grill

Town Manager gives summary.

Board has discussion.

Motion

Move to approve liquor license renewal for Boulder City Mixology LLC, DBA The Enterprise Bar and Grill

Moved by Trustee Benn Vernadakis, seconded by Mayor Pro Tem Patrick Fallon

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

Consideration of an application to vacate a portion of West Soda Street and vacate Leah Lane, McCroke Venture LLC applicant

Mayor Nicole Pieterse recuses herself due to her working relationship with the permit holder

Town Manager gives summary.

Applicant gives presentation.

Wilton Anderson Town attorney gives legal advice to the Board regarding the application. In accordance with State Statutes supersedes the Town code, it prohibits the Town from vacating the right of way as it leaves properties without a public access. The road building permit is now a vested property right and would be an unconstitutional taking

Board has discussion.

Public Comment: Dylan Robertson, Kylinn Smith, Leah Chiemelski, Joe Croke

Motion

Move to deny this application for vacation based on State precedence.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 4-0.
Mayor Nicole Pieterse recuses herself and did not vote.

Second reading of Ordinance 2024-04 an Ordinance of the Board of Trustees of the Town of Rico, Colorado adopting town soils overlay zone regulations and adopting by reference Appendix D of the Rico Land Use Code (lead soils management regulations).
Mayor Nicole Pieterse gives summary.

Motion

Move to approve Second reading of Ordinance 2024-04.

Moved by Trustee Benn Vernadakis, seconded by Trustee Joe Dillsworth.

Vote. A roll call vote was taken and the motion was approved, 4-1. Mayor Pro Tem Pat Fallon votes No.

First reading of Ordinance 2024-05 an Ordinance of the Town of Rico, Colorado adopting the year 2025 Town budget; appropriating sums of money; and setting and certifying Town mill levies
Town Manager gives summary.
Board has discussion

Motion

Move to approve First reading of Ordinance 2024-05 an Ordinance of the Town of Rico, Colorado adopting the year 2025 Town budget; appropriating sums of money; and setting and certifying Town mill levies.

Moved by Trustee Joe Dillsworth, seconded by Mayor Pro Tem Pat Fallon.

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

Staff Report

Clerk's report:

Election update.

New floors in the Clerk's office week of October 21st.

CMCA conference.

Manager's report

Dennis going into surgery November 12, most likely will be out of the office until late December.

VCUP public meeting.

Board of County commissioner Rico meeting on October 21st at courthouse

Vacation over Thanksgiving week.

Discussion Items

Stormwater system design

Town manager Chauncey McCarthy gives update.

Town project updates

Town manager Chauncey McCarthy gives update

Motion

Move to adjourn.

Moved by Mayor Nicole Pieterse, seconded by Trustee Benn Vernadakis.

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

Anna Wolf
Rico Town Clerk

Patrick Fallon
Mayor

Check Register

For the Period From Nov 1, 2024 to Nov 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
18255	11/5/24	Mary Hagan	10000	200.00
18256	11/5/24	Genevieve Yellowman	10000	200.00
18257	11/5/24	Robert Cummings	10000	200.00
18258	11/5/24	Anna Wolf	10000	54.12
18260	11/7/24	Chauncey McCarthy	10000	131.88
18261	11/7/24	Dennis E. Swank	10000	699.20
18262	11/13/24	Jon Kelly	10000	375.00
18263	11/13/24	Rico Telephone Company	10000	245.00
18264	11/13/24	Fraley Propane, LLC	10000	485.00
18265	11/13/24	San Miguel Power Associ	10000	92.00
18266	11/13/24	Orkin	10000	126.99
18267	11/13/24	WM Corporate Services, I	10000	30.55
18268	11/13/24	Vectra Bank Colorado	10000	28,277.50
18269	11/13/24	Colorado Municipal Leagu	10000	408.00
18270	11/13/24	Century Link	10000	53.18
18271	11/13/24	Kaplan Kirsch LLC	10000	38,031.03
18272	11/13/24	Coast to Coast	10000	339.84
18273	11/13/24	CEBT	10000	4,439.40
18274	11/13/24	Utility Notification Center	10000	77.40
18275	11/13/24	Karp Neu Hanlon, PC	10000	8,760.00
18276	11/13/24	Janet Wiley Architects, P.	10000	4,260.00
18277	11/13/24	Goff Engineeering and sur	10000	1,876.80
18278	11/13/24	Wagner Equipment Co	10000	625.44
18279	11/14/24	Jonathan F. Burnett	10000	68.92
18280	11/14/24	Chauncey P. McCarthy	10000	2,373.20
18281	11/14/24	Stephen C. Roberts	10000	1,146.70
18282	11/14/24	Jerry A. Sam	10000	449.64
18283	11/14/24	Anna C. Wolf	10000	1,334.77
Total				95,361.56

Check Register

For the Period From Nov 1, 2024 to Nov 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1785	11/13/24	LePew Porta-Johns, Inc	11000	410.00
1786	11/13/24	San Miguel Power Associ	11000	28.00
Total				438.00

Check Register

For the Period From Nov 1, 2024 to Nov 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1434	11/13/24	Bohannan Huston	13500	3,366.33
Total				3,366.33

Check Register

For the Period From Nov 1, 2024 to Nov 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2963	11/13/24	Rico Telephone Company	10000	45.00
2964	11/13/24	San Miguel Power Associ	10000	239.00
2965	11/13/24	Capital One Trade Credit	10000	119.45
2966	11/13/24	4 rivers Equipment	10000	2,365.77
2967	11/13/24	Partners in Parts, Inc	10000	375.13
2968	11/13/24	Senergy Petroleum, LLC	10000	1,428.47
Total				4,572.82

Check Register

For the Period From Nov 1, 2024 to Nov 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4671	11/13/24	Fraley Propane LLC	10000	200.00
4672	11/13/24	San Miguel Power Associ	10000	425.00
4673	11/13/24	PVS DX, INC	10000	10.00
4674	11/13/24	Plumbing Store	10000	175.39
4675	11/13/24	USDA Forest Services	10000	587.74
4676	11/13/24	AT&T Mobility	10000	111.37
4677	11/13/24	USA Bluebook	10000	677.00
4678	11/13/24	Rico Telephone Company	10000	115.00
4679	11/13/24	La Plata County PH Dept	10000	38.50
Total				2,340.00

**TOWN OF RICO
ORDINANCE NO. 2024-06**

**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 NOVEMBER 20TH 2024.

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 DECEMBER 18TH 2024.

TOWN OF RICO, COLORADO

Patrick Fallon, Mayor

ATTEST:

Anna Wolf, Town Clerk

Effective Date: December 18, 2024



Chauncey McCarthy <townmanager@ricocolorado.gov>

Objections to proposed 2025 Town of Rico budget

2 messages

Allyn <allyn92fm@aol.com>

Thu, Nov 14, 2024 at 4:00 PM

To: Chauncey McCarthy <townmanager@ricocolorado.gov>

Chauncey,

Objections to proposed 2025 Town of Rico budget are below.

Propane and electric 5% sales taxes. These taxes add no benefit or value to the services. These taxes add to the Rico cost of living, which is already impacted by housing affordability.

Electric 2% franchise fee. Same consumer expense issues as electric sales tax. Municipal franchises are unnecessary. The Colorado Public Utilities Commission granted San Miguel Power Association a Certificate of Public Convenience and Necessity to provide electric service within its service area. Town of Rico's franchise agreement with San Miguel Power Association is nonexclusive, and therefore has no value except as a means for Town of Rico to collect a franchise fee from San Miguel Power Association members within Town Limits.

<https://puc.colorado.gov/aboutelectric>

- Issuing Authorities to Operate

Cost of propane to heat Rico Town Hall. This expense is excessive and wasteful. Windows have no weather stripping and are drafty. Cold air blows around the gaps between window frame and operable sash, heated air blows out the other side of Town Hall. Some operable windows do not remain shut, requiring one or more bricks on top of the operable sash to undesired prevent opening. Glass is single pane, which conducts twice as much heat from indoors to outdoors compared to a double pane window. Windows are more than 100 years old, therefore, expense to replace them is justified. Town should consider "Energy Performance Contracting - A Financing Tool for Public Facility Improvements" service offered by the Colorado Energy Office to replace Town Hall windows.

<https://energyoffice.colorado.gov/epc>

Street lighting expense. This electric utility expense should be paid by Colorado Department of Transportation, not town of Rico. When I was electric cooperative utility engineer at Meeker, Colorado in northwest part of the state (1980s and 1990s), street lighting along CO Hwy 13 through Meeker was at the expense of CDOT. That location was a different CDOT region. Northwest Colorado CDOT Region 3, Grand Junction. Southwest Colorado CDOT Region 5, Durango. Town should investigate with Region 5 regarding transfer of streetlighting expense from Town to CDOT.

<https://www.codot.gov/topcontent/contact-cdot>

Allyn Svoboda
481 Silverglance Way

Chauncey McCarthy <townmanager@ricocolorado.gov>
To: Allyn <allyn92fm@aol.com>

Thu, Nov 14, 2024 at 4:19 PM

Allyn,

Thank you. I will include this in the packet for the board's review during the budget hearing.

[Quoted text hidden]

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



Town of Rico
2025 Fiscal Year Budget

Town of Rico Budget Summary

Date: November 14, 2024

TO: Town of Rico Board of Trustees
 FROM: Chauncey McCarthy, Town Manager
 SUBJECT: Town of Rico Budget Summary

Consideration of the 2025 Budget

The state requires that the 2025 proposed budget be submitted to the governing body no later than October 15. December 15 is the deadline in which the Town of Rico must then approved the budget and provide a certificate of mill levy to the county. The budget must be adopted via two reading of Ordinance 2024-05 an Ordinance of the Town of Rico, Colorado adopting the year 2025 Town budget; appropriating sums of money; and setting and certifying Town mill levies. The proposed budget Revenue from property taxes is based upon the August certification.

Included in the budget details are notes describing the method in which assumptions were made regarding revenues and expenses. The following is a summary of each fund.

General Fund Revenues:

2024 sales tax revenue has been doing very well and is on track to exceed \$350,000. Staff believes this increase is due to the purchase of modular homes. Sales tax revenues were budgeted lower for 2025 than what 2024 has been projected to finish out as due to the uncertainty of 2025 construction trends.

Property tax is based on the Town's assessed valuation. 2024 assessed valuation was \$8,119,423; Projected to generate \$105,500 of property tax revenue for the town. Development this year proceeded at a similar pace compared to last year. Revenues within these categories were budgeted with the assumption that two new homes will be constructed during 2025.

Revenue through the Town's investment account has been budgeted lower for 2025 than what 2024 has been projected to finish out as due to changes in the Federal Reserve rates and the Town drawing upon some of the funds for the Town Shop project.

Other revenues include licenses, lodging and specific ownership tax, and fines. These revenues are harder to forecast. Fines and forfeits have grown over the last year and our marshal department has focused on increasing tickets to offset labor and fuel cost.

All revenues for building and septic permits are based upon the construction of two new homes

General Fund Expenses - Employees:

All full-time salary positions have been budgeted to receive a 5% cost of living adjustment. The Town Manager and Town Clerk saw an additional increase due to the VCUP approval. The following is a summary of the staffing expenses that are reflected in this budget:

Town Manager. In addition to a COLA this position is budgeted to receive a 12% increase due to the approval of the VCUP. Full time, \$100,620.00 per year with benefits that include insurance for one person and PERA retirement benefits at a 14.78% match with a total cost including payroll taxes of \$132,573.10. This expense is distributed as follows: General Fund 50%, Water Fund 20%, Sanitation fund 20%, and Street Fund at 10%.

Maintenance 1. Full time, \$55,125 per year with benefits that include insurance for one person and PERA retirement benefits at a 14.78% match with a total cost including payroll taxes of \$76,668.84. This expense is distributed between the Water Fund 50% and the Street Fund 50%.

Town Clerk/Administrative Assistant. In addition to a COLA this position is budgeted to receive a 7% increase due to the approval of the VCUP. Full time (32 HR/WK), \$56,425 per year with benefits that include insurance for one person, 80% coverage for dependents, and PERA retirement benefits at a 14.78% match with a total cost including payroll taxes of \$90,955.44 This position is funded by the General Fund 60% and the Water Fund 40%.

POST Groomer. Part Time, no benefits, \$32.50 per hour. The amount spent on this activity is dependent entirely on the weather. There is \$8,000 budgeted for this activity based on last year's expenses.

POST Maintenance – Ice Rick and Park. Part Time, no benefits, \$25.00 per hour. This position is also variable. There is \$8,000 budgeted for this position.

Maintenance 2. Part Time, no benefits, \$32.50 per hour. There is \$35,000 budgeted for this position based on last year's expense. This position is funded by the Water Fund, 35%, and the Street Fund, 65%. (Funds are transferred based upon actual hours worked within each department). Ideally, the town will not need to expend the entirety of what has been appropriated. This position includes plowing snow, summer maintenance of roads, and assisting with the water system.

Water Technician. Part Time, no benefits, \$50.00 per hour. This position is that of Rico's water system's Responsible Operator. Having a Responsible Operator is a requirement of the Colorado Department of Public Health and Environment. This activity is highly specialized and requires years of training and testing to become certified. This position is funded entirely by the Water Fund.

Town Marshal. Part Time, no benefits, \$35.00 per hour. This position is funded through the General Fund. In 2024 the Marshal wage was offset by fines on traffic violations.

General Fund Expenses - Subcontractors:

Currently the Town employs several contractors

Municipal Court Judge. The Town has a long-standing arrangement with John Kelly for this duty. This arrangement will remain unchanged in the upcoming year.

Town Attorney. The Rico Home Charter requires that Rico have a Town Attorney. Karp, Neu, Hanlon is the appointed Town Attorney. Attorney cost are budgeted \$10,000 higher (\$45,000) than 2024 to help in the review and approval of the Rico Land Use Code Global Revision. Tom Bloomfield is used by the Town for matters involving the VCUP. Per the VCUP funding agreement in 2025 there is 60,000 budgeted for the implementation of the program. This account is a pass-thru account and should create no actual expense for the town.

Town Planner. This position is offset by development application. Currently the Town Manager handles smaller land use permit applications (variances, special use permits). Larger development applications that are reviewed by the planner are treated as a pass thru.

Auditor. The Town of Rico signed a letter of engagement with Atlas CPA for the 2024 – 2026 Audits. The cost of the 2024 audit will be \$13,000 and will be split between the General Fund and Water Fund

Building Inspector. Building fees offset plan review and building inspections. This expense, \$2,500, has been budgeted based upon the project 2024-year end cost.

General Fund Expenses - Other:

The other general fund expenses are dedicated to administrative related expenses including insurance, utilities and supplies as well as other things that are included in the budget details attached to this summary. These expense estimates are based on last year's cost. Town insurance saw a slight increase for 2025. Supplies and software have seen an increase in the 2025 budget due to the need to obtain licenses for ADA compliance software. Two additional projects are being considers:

- Codification of all Town ordinances work to be completed by MuniCode over the course of 2 years. (\$7,000 budgeted per year)
- Courthouse sidewalk and stair resurfacing due to cracks and damage that makes the building not ADA compliant (\$10,000 budgeted)

General Fund – Capital Improvement:

Capital improvement revenue for the construction of the town shop is being funded through a DOLA grant. The town shop project started in Q4 of 2023 and forecasted grant revenue and expenditures for 2024 related to this project have been used to determine the 2025 budget. The general fund shows a loss during the 2025 fiscal year due to this project. If the town shop project was removed from the 2025 budget the general fund would close approximately \$47,000 above the forecasted 2024-year end.

VCUP Fund

The revenue from this fund is paid by Atlantic Richfield per the VCUP Settlement, Implementation, and Funding Agreement. Section 9.1 initial payment for one-time VCUP-related expenses is \$60,000. These funds are to be used for purchase of a fire hydrant water meter, permitting software, and road resampling. Section 9.2 addresses annual payments to the Town for recurring VCUP related expenses. This payment totals \$102,800 and are to be used for a soil contractor, supplement to the Town manager's annual salary (25%), VCUP outreach and education programs, dust control on town roads, and potential insurance increase as a result of the VCUP. Section 8.1 establishes that AR shall pay 75,000 to the Town to be used for the VCUP incremental costs funding. This account is projected to close the year with a zero-dollar balance since the intent of the program is to have AR only directly fund the incurred cost. "By January 31 of each year, the Town shall provide AR with an annual accounting documenting all amounts withdrawn by the Town from the VCUP General Funding Account and the amount of any funds remaining in the VCUP General Funding Account at the end of the calendar year. Any such funds remaining in the VCUP General Funding Account at the end of a calendar year shall reduce on a dollar-for-dollar basis the total amount of the next annual payment owed by AR."

Water Fund Revenues:

Revenues from this year were based on proposed minimum yearly rates (which the Board will be considering for first reading at the November meeting) for commercial and residential accounts. The budgeted revenue is very conservative, and town should expect to exceed this number. Water Tap and System Improvement Fees are based upon the construction of two new homes.

Water Fund Expenses:

The expense budget is derived from the previous year's expenditures. Revenue generated from the sale of water taps is required to be used for capital improvement projects. Current capital projects being considered is the GIS software buildout, town shop lease purchase payment and additional engineering services.

If the Town of Rico decides to proceed with reactivating Silver Creek and restoring the third water tank, the Town may be awarded a low-interest loan with principal forgiveness (grant) from the State Revolving Fund. In that case, the Board of Trustees will need to amend the 2025 budget to reflect these additional revenues and expenditures.

Street Fund Revenues:

Street Fund revenues come from sales and use taxes, property taxes, franchise tax (SMPA), highway user's tax (State), lodging tax, excise tax, and the County Road and Bridge Reapportionment. Property tax is the only revenue line item that can be predicted based upon the previous year assessment. All other revenues are harder to forecast and are greatly affected by economic forces. The Street Fund only collects 1.875 mills generating \$14,493 dollars of property tax annually. Without the town pursuing a mill levy increase the combined revenues in this fund are often less than projected expenditures. Large capital projects and purchases are not currently feasible until property taxes are raised.

Mineral Leasing and Severance Tax have been inconsistent and historically shrinking. This year was a strong with \$38,265 deposited between the two revenue categories. Due to the uncertainty of these sources of revenue they have been budgeted very conservatively

Street Fund Expenses:

Cost estimates for the Street Fund were based on last year's expenses. The Street Fund as budgeted shows the expenses continuing to outpace revenue. The 2024 budgeted forecasted this issue as well; Due to upticks in certain revenue items and oversight on expenditures the street fund is projected to close above the prior year by approximately \$28,000.

Sanitation Fund Revenues:

Sanitation fund revenues are generated from a 3.939 mill levy. Additionally, this fund is expected to experience a significant increase in revenue, 1.65 million, due to congressionally directed spending for the design of a sewer treatment plant and a townwide collection system.

Sanitation Fund Expenses:

Payroll transfers have been budgeted to cover 20% of Town Manager salary. Also included in this budget is \$15,000 for miscellaneous engineering and legal which may be utilized for the environmental assessment and permitting. An additional 1.65 million has been budgeted to cover the cost of engineering for the sewer system. This expense is grant funded and should not result in any additional funds being spent out of the sanitation fund reserves.

Parks, Open Space and Trails Fund Revenues:

This fund is supported by sales and use tax, lodging tax, and excise tax from building permits. Additional revenue for the park improvement project will come from the approved GOCO grant along with a donation from the Rico Skatepark 503c

Parks, Open Space and Trails Fund Expenses:

The budgeted expenses for day-to-day operations are based on last year's expenses since there are no significant changes. The current park improvement project will carry over from 2024 into

2025. The 2025 budget accounts for the \$80,000 cash match that was committed by the Town in 2024 for the park improvement project. (\$30,000 from the park fund reserve and \$50,000 from the CTF for grant match)

Conservation Trust Fund

\$50,000 from this fund has been appropriated to be used as a grant match for the FMP park improvement project. This accounted is funded state lottery sales.

Conclusion

The 2025 budget for the Town of Rico reflects a proactive approach to financial planning, with a focus on balancing revenues and expenses while addressing community needs and regulatory requirements.

Revenue Projections: The budget conservatively estimates revenues across various streams, particularly sales and property taxes, which are influenced by construction trends and economic factors. The anticipated increase in sales tax due to modular home purchases is encouraging; however, the decision to budget conservatively for 2025 highlights a prudent approach to uncertain market conditions.

Expense Management: A significant emphasis is placed on personnel costs, with appropriate adjustments made for cost-of-living increases and specific raises tied to the VCUP approval. The detailed breakdown of employee salaries and benefits demonstrates the Town's commitment to fair compensation while managing overall expenditures effectively.

Infrastructure and Compliance Projects: The budget includes important allocations for infrastructure improvements and compliance with ADA regulations. Projects such as the codification of Town ordinances and enhancements to public facilities reflect a commitment to maintaining and improving community standards.

Long-term Planning: The VCUP fund shows a strategic effort to address environmental concerns while securing necessary resources for the cleanup. The planned expenditures in the Water, Sewer, and Parks funds illustrate a vision for sustainable development, prioritizing both essential services and community amenities.

Challenges Ahead: Despite the thorough planning, challenges remain, particularly in the Street Fund, where revenues are projected to continue falling short of expenditures. Addressing this gap may necessitate future discussions on increasing the mill levy or identifying alternative funding sources.

In summary, the 2025 budget not only seeks to meet the immediate fiscal responsibilities of the Town of Rico but also lays a foundation for long-term sustainability and community resilience. The careful consideration of both revenue and expenditure ensures that the town remains financially stable while effectively serving its residents.

**TOWN OF RICO
ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO ADOPTING THE YEAR
2025 TOWN BUDGET; APPROPRIATING SUMS OF MONEY; AND SETTING AND
CERTIFYING TOWN MILL LEVIES**

WHEREAS, the Board of Trustees designated Chauncey, Rico Town Manager to prepare and submit a proposed budget to the Governing Body; and

WHEREAS, a public hearing was conducted on the 16th day of October, and the 20th day of November 2024 in accordance with the law;

WHEREAS, the Rico Town Board finds that the adoption of the budget is essential to the provision of basic and necessary services and finds that this ordinance is necessary for the preservation of the health, safety and general welfare of the Rico community; and,

WHEREAS, the Town of Rico has reviewed and considered the 2025 Budget in accordance with the Local Government Budget Law on the 20th day of November, 2024; and,

WHEREAS, the proposed budget has made provisions therein for revenues in an amount equal to or greater than the total proposed described below; and,

WHEREAS, the August 26, 2023 valuation for the Town of Rico as certified by the County Assessor is \$8,119,423 and,

**NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF RICO
ORDAINS:**

SECTION 1. BUDGETED REVENUES AND EXPENDITURES

The following sums are hereby appropriated for the revenue of each fund, for the purposes stated. The budgeted revenues and expenditures for each fund are as follows:

General Fund Revenues:

Reserve Balance	1,048,445.00
Non Property Tax Revenues	607,130.00
Property Tax revenues	105,500.00
Grant/Other Revenues	592,028.00

Total General Fund: 2,353,103.00

General Fund Expenditures: 1,638,610.00

VCUP Fund Revenues:

Reserve Balance	1,000.00
Non Property Tax Revenue	237800.00

Total VCUP Fund: 238,800.00

VCUP Expenditures: 237,800.00

Street Fund Revenues:

Reserve Balance	197,150.00
Non Property Tax Revenue	71,850.00
Property Tax Revenue	14,400.00
Grant/Other	0.00

Total Street Fund: 283,400.00

Street Fund Expenditures: 119,950.00

Parks Trails and Open Space Revenue:

Reserve Balance	194,182.00
Non Property Tax Revenues	27,550.00
Grants/Other Revenues	270,450.00

Total Parks, Trails and Open Space Fund: 492,182.00

**Parks, Trails and Open Space
Expenditures:** 389,450.00

Water Enterprise Fund Revenues:

Reserve Balance	412,080.00
Non Property Tax Revenues	192,950.00
Grants/Other Revenues	

Total Water Enterprise Fund: 605,030.00

Water Fund Expenditures: 179,251.00

Sewer Fund Revenues

Reserve Balance	190,930.00
Non Property Tax Revenue	1,750.00
Property Tax Revenues	31,980.00
Grants/Other Revenues	1,650,000.00

Total Sewer Fund: 1,874,660.00

Sewer Fund Expenditures: 1,685,724.00

SECTION 2. ADOPTION OF BUDGET

The Budget as submitted, amended, and hereinabove summarized by fund hereby is approved and adopted as the Budget of the Town of Rico for the year 2025. The Budget shall be signed by the Mayor and made part of the public records of the Town.

SECTION 3. CERTIFICATION OF MILL LEVIES

That for the purpose of meeting all general operating expenses of the Town of Rico during the 2025 budget year there is hereby levied a tax of 13.020 mills upon each dollar of the total valuation for the assessment of all taxable property within the Town for the year 2024.

That for the purpose of meeting all Street Fund expenses of the Town of Rico during the 2025

budget year there is hereby levied a tax of 1.785 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for year 2024.

That for the purpose of meeting all Sewer Fund expenses of the Town of Rico during the 2025 budget year, there is hereby levied a tax of 3.939 mills upon each dollar of the total valuation for assessment of all taxable property within the Town for year 2024.

SECTION 3. This Ordinance shall take effect immediately upon final adoption.

This budget document was presented on the 7th day of October 2024. This Ordinance was introduced, read, approved, and adopted on the 16th day of October 2024 and considered for a second reading on the 20th day of November 2024.

THIS ORDINANCE WAS, FOLLOWING PUBLIC NOTICE, INTRODUCED, READ, AND APPROVED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY THIS 16TH DAY OF OCTOBER 2024.

TOWN OF RICO, COLORADO

Patrick Fallon, Mayor Pro Tem

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 THIS 20TH DAY OF NOVEMBER 2024.

TOWN OF RICO, COLORADO

ATTEST:

Patrick Fallon, Mayor

Anna Wolf, Town Clerk

Effective Date: January 1, 2025

**CERTIFICATION OF VALUATION BY
DOLORES COUNTY ASSESSOR**

New Tax Entity? YES NO

DATE: 8/26/2024

NAME OF TAX ENTITY: TOWN OF RICO

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) and 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR _____:

1.	PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1.	\$	7,572,162
2.	CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2.	\$	8,119,423
3.	LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3.	\$	
4.	CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4.	\$	8,119,423
5.	NEW CONSTRUCTION: *	5.	\$	30,559
6.	INCREASED PRODUCTION OF PRODUCING MINE: ≈	6.	\$	
7.	ANNEXATIONS/INCLUSIONS:	7.	\$	
8.	PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8.	\$	
9.	NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): Φ	9.	\$	
10.	TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.). Includes all revenue collected on valuation not previously certified:	10.	\$	
11.	TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.):	11.	\$	125.59

‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution

* New Construction is defined as: Taxable real property structures and the personal property connected with the structure.

≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.

Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART.X, SEC.20, COLO. CONSTUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR _____:

1.	CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1.	\$	69,304,658
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ADDITIONS TO TAXABLE REAL PROPERTY

2.	CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: *	2.	\$	456,114
3.	ANNEXATIONS/INCLUSIONS:	3.	\$	
4.	INCREASED MINING PRODUCTION: §	4.	\$	
5.	PREVIOUSLY EXEMPT PROPERTY:	5.	\$	
6.	OIL OR GAS PRODUCTION FROM A NEW WELL:	6.	\$	
7.	TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX	7.	\$	

WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.):

DELETIONS FROM TAXABLE REAL PROPERTY

8.	DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8.	\$	
9.	DISCONNECTIONS/EXCLUSIONS:	9.	\$	
10.	PREVIOUSLY TAXABLE PROPERTY:	10.	\$	

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.

* Construction is defined as newly constructed taxable real property structures.

§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:
TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY \$ _____

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): ** \$ 315.02

** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

General Fund Revenues	2023	2024	2024	2024	2025	
	Audit	Budget	Original vs Projected	Projected Year End Budget	Proposed Budget	Notes
Operating Revenues						
Property Tax*	104,650.00	98,580.00	14,570.00	113,150.00	105,500.00	1
Delinquent Taxes & Interest	2,432.00	1,000.00	500.00	1,500.00	1,000.00	
Lodging Tax	11,556.00	8,000.00	0.00	8,000.00	8,000.00	
Sales & Use Tax	227,918.00	220,000.00	135,000.00	355,000.00	250,000.00	\$20,833 assumed monthly revenue
Specific Ownership Tax	5,189.00	4,500.00	-500.00	4,000.00	4,000.00	
Cigarette Tax	-	180.00	0.00	180.00	150.00	
Total Operating Revenues	351,745.00	332,260.00	149,570.00	481,830.00	368,650.00	
Intergovernmental Revenue						
Building Permits - All licenses and permits are grouped together in audit	26,049.00	11,000.00	-2,620.00	8,380.00	10,000.00	Based on 2 new homes
Septic Permit	-	800.00	0.00	800.00	800.00	Based on 2 new homes
Development Applications	-	2,500.00	-150.00	2,350.00	2,000.00	
Licenses	-	1,100.00	4,500.00	5,600.00	2,500.00	Includes STR, Business, Liquor
Dog Licenses (licenses & permits together on audit)	-	150.00	-30.00	120.00	120.00	Based on 2024
Total Intergovernmental Revenues & Fees	26,049.00	15,550.00	1,700.00	17,250.00	15,420.00	
Miscellaneous Revenues						
Interest	31,734.00	20,000.00	46,000.00	66,000.00	40,000.00	
Fines & Forfeits	12,892.00	13,000.00	6,000.00	19,000.00	20,000.00	
SMPA dividend - in miscellaneous in audit	-	400.00	155.00	555.00	400.00	
Miscellaneous Revenues (lumped together in audit)	426,909.00	0.00	0.00	0.00	0.00	
Total Miscellaneous	471,535.00	33,400.00	52,155.00	85,555.00	60,400.00	
Total Revenues before Payroll						
Transfers	849,329.00	381,210.00	203,425.00	584,635.00	444,470.00	
Transfers						
Payroll Transfer	164,395.00	175,690.00	0.00	175,690.00	208,160.00	
Attorney pass through	-	100,000.00	60,000.00	160,000.00	60,000.00	Per funding agreement 9.4
Total Payroll Transfers to / From Other Funds	164,395.00	275,690.00	60,000.00	335,690.00	268,160.00	
Total Operating Revenues and Transfers						
	1,013,724.00	656,900.00	263,425.00	920,325.00	712,630.00	
Special Projects Revenues	521,036.00	960,500.00	-596,137.00	364,363.00	592,028.00	
Total Revenues	1,548,180.00	1,617,400.00	-332,712.00	1,284,688.00	1,304,658.00	
Total Expenses	868,852.00	2,583,270.00	-659,135.00	1,924,135.00	1,638,610.00	
Fund Balance Ending	1,687,892.00	722,022.00		1,048,445.00	714,493.00	

Notes:

1. A levy of 13.020 mills upon each dollar of the total valuation for assessment of taxable property in the Town of Rico.

	2023 Aug AV	Property Taxes,	
		2023	Mill Levy
Assessed Valuation (AV)	8,119,423.00	105,714.89	13.020

General Fund Employee & Contract Labor Expenses	2023 Audit	2024 Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Operating Expenses						
Salaries & Wages						
Town Administrator / Manager	79,000.00	86,000.00	0.00	86,000.00	100,620.00	5% COLA + 12% VCUP
Maintenance 1	50,000.00	52,250.00	0.00	52,250.00	55,125.00	5% COLA
Town Clerk / Admin Assistant	46,650.00	50,380.00	0.00	50,380.00	56,425.00	5% COLA + 7% VCUP
Park & Recreation groomer - combined with all POST programs in audit	-	8,000.00	0.00	8,000.00	8,000.00	
Park & Recreation ice rink & park - combined with all POST programs in audit	-	8,000.00	-3,000.00	5,000.00	8,000.00	
Maintenance 2	39,062.00	35,000.00	-10,000.00	25,000.00	35,000.00	
Water Technician	1,350.00	4,000.00	-2,000.00	2,000.00	4,000.00	
Town Marshall	23,982.00	20,000.00	-2,000.00	18,000.00	20,000.00	
Subtotal - Salaries & Wages	240,044.00	263,630.00	-17,000.00	246,630.00	287,170.00	
Employee Taxes and Benefits						
Payroll Taxes	18,578.00	21,200.00	0.00	21,200.00	23,000.00	7.6% Employer match
FAMLI	-	1,150.00	-1,150.00	0.00	1,150.00	.45% Employer match
Employer PERA (employee benefits combined on audit)	74,718.00	27,900.00	-1,650.00	26,250.00	32,000.00	14.78% of full time wages
Employee Health Insurance	-	42,500.00	4,500.00	47,000.00	50,000.00	
Employee Life Insurance (employee benefits combined on audit)	-	140.00	-140.00	0.00	140.00	
Employee Consideration	-	4,000.00	0.00	4,000.00	4,000.00	
Subtotal - Employee Taxes & Benefits	93,296.00	96,890.00	1,560.00	98,450.00	110,290.00	
Subtotal - Employee Costs	333,340.00	360,520.00	-15,440.00	345,080.00	397,460.00	
Other Labor						
Municipal Court Judge (Part Time)	4,500.00	4,500.00	0.00	4,500.00	4,500.00	
Town Attorney (plus prosecutor)	24,808.00	30,000.00	0.00	30,000.00	45,000.00	LUC Review
VCUP Attorney (pass through)	-	100,000.00	60,000.00	160,000.00	60,000.00	1
Town Planner	-	4,000.00	500.00	4,500.00	5,000.00	
Auditor	6,300.00	6,600.00	0.00	6,600.00	6,500.00	Split between general and water
Building Inspector - not on audit	-	4,000.00	-1,500.00	2,500.00	2,500.00	
Subtotal - Other Labor	35,608.00	149,100.00	59,000.00	208,100.00	123,500.00	
Total Employee & Other Labor	368,948.00	509,620.00	43,560.00	553,180.00	520,960.00	
Other Administrative Expenses	499,893.00	117,650.00	11,305.00	128,955.00	122,650.00	
Special Projects Expenses	521,036.00	1,956,000.00	-714,000.00	1,242,000.00	995,000.00	
Total General Fund Expenses	868,852.00	2,583,270.00	-659,135.00	1,924,135.00	1,638,610.00	

1. Section 9.4 VCUP Funding, Settlement, and Implementation Agreement: Reimbursement of Attorneys' Fees for Overlay Zone Enforcement and Implementation of VCUP and this Agreement: 60,000 during the first calendar year and #35,000.00 per calendar year thereafter.

General Fund Other Administrative Expenses	2023 Audit	2024 Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Administrative Costs						
Insurance (CIRSA)	7,044.00	9,400.00	905.00	10,305.00	9,400.00	Based on renewal price
IT/Website - Domain						
Maintenance - under						
miscellaneous in audit	-	1,500.00	-850.00	650.00	750.00	
Advertisements/Agenda - in						
supplies in audit	-	1,500.00	-1,500.00	0.00	1,000.00	
Supplies/Software	9,541.00	10,000.00	0.00	10,000.00	14,000.00	
Dues & Fees - in miscellaneous						
in audit	-	3,000.00	-1,000.00	2,000.00	2,500.00	
Travel/Conference/ Training						
Expenses - in miscellaneous in						
audit	-	7,500.00	-1,750.00	5,750.00	7,500.00	CML conference for board members.
Miscellaneous	470,546.00	1,000.00	2,000.00	3,000.00	6,000.00	
Subtotal - Administrative Costs	487,131.00	33,900.00	-2,195.00	31,705.00	36,150.00	
Utilities						
Electric	-	1,800.00	-400.00	1,400.00	1,800.00	
Propane	-	7,500.00	-400.00	7,100.00	6,000.00	Based upon prepayment
Telephone & Internet	-	3,600.00	0.00	3,600.00	3,100.00	Removing Fax account
Utilities-Other (all included in audit)	12,762.00	1,000.00	-200.00	800.00	1,000.00	
Subtotal - Utilities	12,762.00	13,900.00	-1,000.00	12,900.00	11,900.00	
Town Vehicle Costs						
Fuel (not separated on audit)	-	3,000.00	-2,000.00	1,000.00	1,000.00	
Repair & Maintenance	-	2,500	-2,500.00	0.00	2,500	
Subtotal - Vehicle Costs	0.00	5,500.00	-4,500.00	1,000.00	3,500.00	
Other						
Facilities Maintenance - all lumped into special projects on Audit	-	5,000.00	0.00	5,000.00	10,000.00	Sidewalk and stair resurface
Elections	-	2,000.00	0.00	2,000.00	2,000.00	
July 4th Expenses	-	2,000.00	-250.00	1,750.00	2,000.00	
Treasurer Fees	-	2,500.00	-500.00	2,000.00	2,500.00	
Lodging Tax Transfer	-	2,000.00	-400.00	1,600.00	1,600.00	Transfers from General Fund to POST and Street Funds 20%
Sales & Use Tax Transfer	-	44,000.00	27,000.00	71,000.00	48,000.00	Transfers from General Fund to POST and Street Funds 20%
Subtotal - Other	0.00	57,500.00	25,850.00	83,350.00	66,100.00	
Total Other Administrative Expenses	499,893.00	110,800.00	18,155.00	128,955.00	122,650.00	

General Fund Capital Improvement Revenues	2023 Audit	2024 Budget	2024 Original vs Amended	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Excise Tax	7,836.00	2,500.00	-698.00	1,802.00	2,500.00	1
Total Capital Improvement Revenues	7,836.00	2,500.00	-698.00	1,802.00	2,500.00	
Special Projects / Grants Revenues						
Rico Center Cemetery Pass through	-	13,000.00	-13,000.00	0.00	0.00	Based on 2023 (pass-thru)
DOLA - Town Shop Grant	-	925,000.00	-582,439.00	342,561.00	569,528.00	
Lease Purchase Tranfer	-	20,000.00	0.00	20,000.00	20,000.00	
All lumped together on Audit	513,200.00					
Total Special Projects / Grants Revenues	513,200.00	958,000.00	-595,439.00	362,561.00	589,528.00	
Total Capital & Special Projects Revenues	521,036.00	960,500.00	-596,137.00	364,363.00	592,028.00	
Capital Improvements Expenses						
Facility Improvements	-	0.00	0.00	0.00	0.00	
Town Shop Construction	-	1,900,000.00	700,000.00	1,200,000.00	945,000.00	
Lease Purchase Payment	-	42,000.00	0.00	42,000.00	42,000.00	
Total Capital Improvements Expenses	0.00	1,942,000.00	700,000.00	1,242,000.00	987,000.00	
Special Projects Expenses						
Codifcation	-	-	-	-	7,000.00	
Rico Center Cemetery Pass through	-	13,000.00	-13,000.00	0.00	0.00	Based on 2023 (pass-thru)
Community Meetings	-	1,000.00	-1,000.00	0.00	1,000.00	
Total Special Projects/ Capital Improvement Expenses	521,036.00	1,956,000.00	-714,000.00	1,242,000.00	995,000.00	

Notes:

1. The Town has a \$2.00 per square foot excise tax on all new construction. The General Fund receives 25% of the excise tax. All revenues received from the excise tax can only be used for capital improvements and purchases.

VCUP Fund	2023 Audit	2024 Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Operating Revenues						
Initial Payment	-	-	-	-	60,000.00	1
Annual Payment	-	-	-	-	102,800.00	2
Miscellaneous	-	-	-	1,000.00	0.00	
Total VCUP Fund Operating Revenues		0.00	0.00	1,000.00	162,800.00	
Incremental Cost Funding Account						
Incremental Cost	-	-	-	-	75,000.00	3
Total VCUP Revenues	0.00	0.00	1,000.00	1,000.00	237,800.00	
Operating Expenses						
Dust Control	-	-	-	-	37,345.00	2
Salary stipend payroll transfer	-	-	-	-	25,155.00	2
Outreach and Education Programs	-	-	-	-	3,000.00	2
Insurance	-	-	-	-	2,300.00	2
Soil Remediation Contractor	-	-	-	-	35,000.00	2
Road Resampling	-	-	-	-	20,000.00	1
Hydrant Water Meter	-	-	-	-	10,000.00	1
Permitting Software Development	-	-	-	-	30,000.00	1
Total VCUP Fund Operating Expenses	0.00	0.00	0.00	0.00	162,800.00	
Incremental Cost Funding Account						
Incremental Cost	-	-	-	-	75,000.00	3
Total VCUP Fund Expenses					237,800.00	
Total VCUP Fund Balance Ending				1,000.00	1,000.00	

1. VCUP Funding agreement section 9.1 Initial payment for one-time VCUP-related expenses

2 VCUP Funding agreement section 9.2 Annual Payments for Recurring VCUP-Related expenses

3 VCUP Funding agreement 8.1 Establishment and annual funding of the VCUP Incremental Costs funding account

Water Fund Revenues	2023 Audit	2024 Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Operating Revenues						
Water Revenue	249,142.00	135,000.00	11,100.00	146,100.00	153,180.00	1
Interest	1,119.00	800.00	350.00	1,150.00	1,100.00	
Electric Reimbursement	-	1,450.00	350.00	1,800.00	1,450.00	
Total Water Fund Operating Revenues	250,261.00	137,250.00	11,800.00	149,050.00	155,730.00	
Capital Improvement Revenues						
Water Tap	-	37,500.00	35,500.00	73,000.00	25,000.00	2
Water System Improvement Fee		-	-	12,220.00	12,220.00	2
Total Water Fund Capital Improvement Revenues	0.00	37,500.00	47,720.00	85,220.00	37,220.00	
Total Water Fund Revenues	250,261.00	174,750.00	59,520.00	234,270.00	192,950.00	
Total Water Fund Expenses	160,644.00	192,990.00		164,290.00	179,251.00	
Water Fund Balance Ending	342,100.00	323,860.00		412,080.00	425,779.00	

Notes:

1. Base on number of accounts multiplied by the proposed monthly minimum rate
2. Based upon the construction of 2 new homes, funds to be used for capital projects only

Water Fund Expenses	2023	2024	2024	2024	2025	Notes
	Audit	Budget	Original vs Amended	Projected Year End Budget	Proposed Budget	
Operating Expenses						
Payroll Transfer	90,556.00	84,890.00	0.00	84,890.00	86,501.00	Split between general and water
Auditor	-	6,600.00	0.00	6,600.00	6,500.00	
Attorney	-	1,000.00	-1,000.00	0.00	2,000.00	
Subtotal - Employee and Other Labor Costs	90,556.00	92,490.00	- 1,000.00	91,490.00	95,001.00	
Other Costs						
Insurance	6,500.00	6,500.00	0.00	6,500.00	6,500.00	Based on renewal price
Repairs & Maintenance	7,958.00	5,000.00	2,750.00	7,750.00	7,500.00	Software licenses moved into new account
Supplies	10,044.00	5,000.00	0.00	5,000.00	5,000.00	
Water Samples	8,868.00	2,000.00	-1,500.00	500.00	3,000.00	
Electric	4,463.00	6,000.00	-200.00	5,800.00	6,000.00	
Propane	4,824.00	5,000.00	-1,000.00	4,000.00	3,000.00	
Telecommunication	1,492.00	2,800.00	-50.00	2,750.00	2,750.00	ATT and WiFi
Dolores Water Conservation District	2,700.00	2,700.00	300.00	3,000.00	3,000.00	
Software	-	7,900.00	-	2,300.00	2,500.00	
Miscellaneous	23,239.00	500.00	200.00	700.00	500.00	
Water Fund Operating Expenses	70,088.00	43,400.00	- 5,100.00	38,300.00	39,750.00	
Total Water Fund Operating Expenses	160,644.00	135,890.00	-6,100.00	129,790.00	134,751.00	
Capital Improvement Expenses						
Water Tap & Installation	-	4,000.00	1,500.00	5,500.00	5,500.00	
Water Tank replacement	-	0.00	0.00	0.00	0.00	
Lease Purchase Transfer	-	10,000.00	0.00	10,000.00	10,000.00	
Neptune AMR Gateway	-	15,000.00	-	0.00	0.00	
GIS Development	-	8,100.00	-	0.00	9,000.00	
Water Engineering Service	-	20,000.00	-1,000.00	19,000.00	20,000.00	
Total Water Capital Improvement Expenses	0.00	57,100.00	- 22,600.00	34,500.00	44,500.00	
Total Water Fund Expenses	160,644.00	192,990.00	- 28,700.00	164,290.00	179,251.00	

Street Fund Revenues	2023	2024	2024	2024	2025	Notes
	Audit	Budget	Original vs Projected	Projected Year End Budget	Proposed Budget	
Operating Revenues						
Property Tax	12,058.00	13,515.00	-1,015.00	12,500.00	14,400.00	1
Sales & Use Tax	28,468.00	22,000.00	13,500.00	35,500.00	24,000.00	2
Specific Ownership Tax	711.00	500.00	0.00	500.00	500.00	
Delinquent Tax & Interest	-	100.00	-85.00	15.00	100.00	
Franchise Tax	7,234.00	7,000.00	-500.00	6,500.00	6,500.00	
Highway Users Tax	18,607.00	15,000.00	4,000.00	19,000.00	17,900.00	Based on CDOT estimates
County R&B Reapportionment	13,276.00	13,000.00	1,965.00	14,965.00	13,000.00	
Lodging Tax	-	1,000.00	-200.00	800.00	800.00	3
Interest	500.00	300.00	200.00	500.00	550.00	
Miscellaneous	-	0.00	0.00	0.00	0.00	
Mineral Leasing	-	5,000.00	30,125.00	35,125.00	5,000.00	4
Severance Tax	-	1,000.00	2,140.00	3,140.00	1,000.00	4
Other taxes (audit)	26,991.00	-	-	-	-	
Total Street Fund Operating Revenues	107,845.00	78,415.00	50,130.00	128,545.00	83,750.00	
Capital Improvement Revenues						
Excise Tax	7,836.00	2,500.00	-700.00	1,800.00	2,500.00	5
Total Street Fund Capital Improvement Revenues	7,836.00	2,500.00	-700.00	1,800.00	2,500.00	
Total Street Fund Revenues	115,681.00	80,915.00	49,430.00	130,345.00	86,250.00	
Total Street Fund Expenses	82,477.00	120,650.00		102,228.00	119,950.00	
Street Fund Balance Ending	169,033.00	129,298.00		197,150.00	163,450.00	

Notes:

1. A levy of 1.785 mills upon each dollar of the total valuation for assessment of taxable property in the Town of Rico.

	2023 Aug AV	Property Taxes,	2023	Mill Levy
Assessed Valuation (AV)	8,119,423.00		14,493.17	1.785

2. Street Fund receives 10% of the total revenue collected from the Sales Tax. The Sales Tax rate for the Town of Rico is 5%.
3. The Street Fund receives 10% of proceeds from the lodging tax, which is a 7% tax on all lodging. Ordinance No. 2022-05.
4. Mineral leasing and severance tax has been shrinking historically.
5. The Town has a \$2.00 per square foot excise tax on all new construction. The Street Fund receives 25% of the excise tax. All revenues received from the excise tax can only be used for capital improvements and purchases.

Street Fund Expenses	2023	2024	2024	2024	2025	Notes
	Audit	Budget	Original vs Amended	Projected Year End Budget	Proposed Budget	
Operating Expenses						
Payroll Transfer	45,527.00	57,600.00	0.00	57,600.00	60,375.00	
Subtotal - Employee and Other Labor Costs						
	45,527.00	57,600.00	-	57,600.00	60,375.00	
Contract Snow Removal	0.00	5,000.00	-5,000.00	0.00	5,000.00	1
Equipment Rental	-	5,000.00	-5,000.00	0.00	5,000.00	1
Fuel	16,601.00	17,000.00	-8,000.00	9,000.00	15,000.00	
Equipment Repairs & Maintenance	5,681.00	7,500.00	0.00	7,500.00	7,500.00	
Insurance	4,537.00	4,700.00	0.00	4,700.00	5,500.00	
Supplies	4,936.00	2,500.00	0.00	2,500.00	2,500.00	
Electric	1,524.00	2,000.00	0.00	2,000.00	2,000.00	
Street Lights	1,027.00	1,000.00	68.00	1,068.00	1,300.00	
Utilities - other	2,408.00	2,500.00	2,100.00	4,600.00	3,000.00	
Treasurer Fees	236.00	350.00	-100.00	250.00	275.00	
Total Street Fund Operating Expenses						
	36,950.00	47,550.00	- 15,932.00	31,618.00	47,075.00	
Capital Improvement Expenses						
Gravel Project - Various Streets	-	2,500.00	-1,500.00	1,000.00	2,500.00	
Lease Purchase Transfer		10,000.00	0.00	10,000.00	10,000.00	
Street Saftey	-	3,000.00	-990.00	2,010.00	-	
Total Street Fund Capital Improvement Expenses						
	0.00	15,500.00	-2,490.00	13,010.00	12,500.00	
Total Street Fund Expenses						
	82,477.00	120,650.00	-18,422.00	102,228.00	119,950.00	

Notes:

1. These funds are appropriated as a contingency but are not forecasted to be expended during 2024 fiscal year

Sewer Fund	2023 Audit	2024 Proposed Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Operating Revenues						
Property Tax	26,608.00	29,825.00	-2,375.00	27,450.00	31,980.00	1
Specific Ownership Tax	1,570.00	950.00	150.00	1,100.00	1,000.00	
Miscellaneous		0.00	0.00	0.00	0.00	
Interest		500.00	140.00	640.00	700.00	
Delinquent Tax and Interest	621.00	50.00	-10.00	40.00	50.00	
Special Project and Grant Revenues						
CDS/EPA Grant					1,650,000.00	
Total Sewer Fund Operating Revenues	28,799.00	31,325.00	-2,095.00	29,230.00	1,683,730.00	
Sewer Fund Expenses						
Payroll Transfer	67,550.00	17,200.00	0.00	17,200.00	20,124.00	
Treasurer Fees	-	750.00	-190.00	560.00	600.00	
Misc. Engineering/ legal	-	25,000.00	0.00	25,000.00	15,000.00	2
Special Project and Grant Expenses						
Sewer Engineering					1,650,000.00	
Total Sewer Fund Operating Expenses	67,550.00	42,950.00	-190.00	42,760.00	1,685,724.00	
Sewer Fund Balance Ending	204,460.00	192,835.00		190,930.00	188,936.00	

Notes:

1. A levy of 3.939 mills upon each dollar of the total valuation for assessment of taxable property in the Town of Rico.

	2023 Aug AV	Property Taxes, 2023	Mill Levy
Assessed Valuation (AV)	8,119,423.00	31,982.41	3.939

2. Misc. expenditures have been appropriated for the legal and engineering for town wide sewer project

Conservation Trust Fund (CTF) Fund	2023 Audit	2024 Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Operating Revenues						
Lottery Proceeds	4,275.00	2,500.00	1,200.00	3,700.00	2,500.00	
Intrest	102.00	-	-	100.00	50.00	
Total CTF Revenues	4,377.00	2,500.00	1,200.00	3,700.00	2,500.00	
Conservation Trust Expenses						
FMP Capital Park Improvement						
Grant Match	-	45,000.00	-45,000.00	0.00	50,000.00	1
Total CTF Expenses	0.00	45,000.00	-45,000.00	0.00	50,000.00	
Total CTF Expenses	0.00	45,000.00		0.00	50,000.00	
CTF Fund Balance Ending	48,973.00	6,473.00		52,673.00	5,173.00	

Notes:

1. Funds to be appropriated for the grant match required for the town's parks and rec facility improvements.

CTF funds can be used for the acquisition, development, and maintenance of new conservation sites, or for capital improvements or maintenance on public sites

Parks, Open Space and Recreation (POST Fund)	2023 Audit	2024 Budget	2024 Original vs Projected	2024 Projected Year End Budget	2025 Proposed Budget	Notes
Operating Revenues						
Sales & Use Tax	28,468.00	22,000.00	13,500.00	35,500.00	24,000.00	1
Lodging Tax	1,310.00	1,000.00	-200.00	800.00	800.00	2
Interest	346.00	150.00	250.00	400.00	250.00	
Excise Tax	7,836.00	2,500.00	-700.00	1,800.00	2,500.00	3
Miscellaneous Income	-	0.00	0.00	0.00	0.00	
Total POST Fund Operating Revenues	73,858.00	25,650.00	12,850.00	38,500.00	27,550.00	
Special Project Revenues						
Rico Center Grant		40,000.00	0.00	40,000.00	40,000.00	
Rico Skatepark 503c Donation		-	-	-	75,000.00	
GOCO/Park Improvements Grant		594,990.00	-75,450.00	519,540.00	155,450.00	
Total POST Fund Revenues	73,858.00	660,640.00	-62,600.00	598,040.00	298,000.00	
Operating Expenses						
Grooming Payroll Transfer (all payroll combined on Audit)	1,244.00	8,000.00	0.00	8,000.00	8,000.00	
Ice Rink & Park Maintenance Payroll Transfer	-	8,000.00	-5,000.00	3,000.00	8,000.00	
Repairs & Maintenance of Equipment (combined on audit)	-	2,000.00	0.00	2,000.00	2,000.00	
Supplies (combined on audit)	6,007.00	5,000.00	-500.00	4,500.00	3,000.00	
Insurance	13,220.00	2,500.00	0.00	2,500.00	3,600.00	
Miscellaneous	-	500.00	10,750.00	11,250.00	500.00	
Total POST Fund Operating Expenses	20,471.00	26,000.00	5,250.00	31,250.00	25,100.00	
Special Project Expenses						
Flowers	-	1,500.00	-195.00	1,305.00	1,500.00	
Carnival/Festival/Event	-	1,500.00	-1,500.00	0.00	1,500.00	
Grooming supplies	-	1,500.00	0.00	1,500.00	1,000.00	
Park Improvements (Grant)	40,681.00	670,000.00	-195,450.00	474,550.00	385,450.00	
POST Fund Special Project Expenses	40,681.00	674,500.00	-197,145.00	477,355.00	389,450.00	
Total POST Expenses	61,152.00	700,500.00		508,605.00	414,550.00	
POST Fund Balance Ending	104,747.00	64,887.00		194,182.00	77,632.00	

Notes:

1. The POST Fund receives 10% of the total revenue collected from the Sales Tax. The Sales Tax rate for the Town of Rico is 5%.
2. The POST Fund receives 10% of proceeds from the lodging tax, which is a 7% tax on all lodging. Ordinance No. 2022-05.
3. The Town has a \$2.00 per square foot excise tax on all new construction. The POST Fund receives 25% of the excise tax. All revenues received from the excise tax can only be used for capital improvements and purchases.

Employee Allocation Details																		
Summary of Total Wages and Allocation Percentages 2024																		
Employees	General Fund	Water Fund	Sewer Fund	Street Fund	Parks Fund	Total Allocation	2024										Life Insurance per year	Total Cost
							Compensation	Payroll Taxes	FAMLI	PERA	Medical	Dental	Vision	Total Health Care				
								7.65%	0.45%	14.8%								
Town Manager	50%	20%	20%	10%	0%	100%	100,620.00	7,697.43	452.79	14,871.64	\$8,279.64	540.00	76.00		35.60	132,573.10		
Maintenance 1	0%	50%	0%	50%	0%	100%	55,125.00	4,217.06	248.06	8,147.48	\$8,279.64	540.00	76.00		35.60	76,668.84		
Town Clerk/Admin Assistant	60%	40%	0%	0%	0%	100%	56,425.00	4,316.51	253.91	8,339.62	\$23,548.80	1,080.00	76.00		35.60	90,955.44		
Part Time POST Groomer	0%	0%	0%	0%	100%	100%	8,000.00	612.00	36.00							8,648.00		
Part Time POST ice rink & park	0%	0%	0%	0%	100%	100%	8,000.00	612.00	36.00							8,648.00		
Maintenance 2	0%	40%	0%	60%	0%	100%	35,000.00	2,677.50	157.50							37,835.00		
Water Technician	0%	100%	0%	0%	0%	100%	4,000.00	306.00	18.00							4,324.00		
Town Marshall	100%	0%	0%	0%	0%	100%	20,000.00	1,530.00	90.00							21,620.00		
							287,170.00	21,968.51	1,292.27	31,358.73	40,108.08	2,160.00	228.00	42,496.08	106.80	384,392.38		
Transfers																		
Employees	General Fund	Water Fund	Sewer Fund	Street Fund	Parks Fund	2024												
						Compensation												
Town Manager	50,310	20,124	20,124	10,062	-	100,620.00												
Maintenance 1		27,563	-	27,563	-	55,125.00												
Town Clerk/Admin Assistant	33,855	22,570	-	-	-	56,425.00												
Part Time POST Groomer	-	-	-	-	8,000	8,000.00												
Part Time POST ice rink & park	-	-	-	-	8,000	8,000.00												
Part Time Maintenance	-	12,250	-	22,750	-	35,000.00												
Water Technician	-	4,000	-	-	-	4,000.00												
Town Marshall	20,000	-	-	-	-	20,000.00												
Total Allocations	104,165.00	86,506.50	20,124.00	60,374.50	16,000.00	287,170.00												
Contract Labor																		
General Fund	Water Fund	Sewer Fund	Street Fund	Parks Fund	Total Allocation													
Municipal Court Judge	4,500	-	-	-	-	4,500.00												
Town Attorney	30,000	1,000	-	-	-	31,000.00												
VCUP Attorney	100,000	-	-	-	-	100,000.00												
Town Planner	4,000	-	-	-	-	4,000.00												
Auditor	6,600	6,600	-	-	-	13,200.00												
Building Inspector	4,000	-	-	-	-	4,000.00												
Total Allocations	149,100.00	7,600.00	-	-	-	156,700.00												

File Code: 2360

Date: November 7, 2024

Mayor Nicole Pieterse
Town of Rico
PO Box 9
Rico, CO 81332

Dear Mayor Pieterse:

The San Juan National Forest, Dolores Ranger District (Forest Service) proposes to authorize construction of about 1.7 miles of new trail along the Rio Grande Southern Railroad right-of-way south of the Town of Rico in Dolores County, Colorado. The proposed trail crosses 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 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 Finding of No Significant Impact (FONSI) issued in November of 2021. The location of the project area is shown on the enclosed map.

The proposed Rico Trails Rio Grande Southern (RGS) Connector trail development includes the installation and construction of trail features and a bridge within the boundaries of the Rio Grande Southern Railroad (5DL478), a historic property eligible for listing on the National Register of Historic Places (NRHP). The proposed trail would follow the alignment of two segments of the historic Rio Grande Southern Railroad (5DL478.21 and 5DL478.22). Both linear segments support the NRHP eligibility of the entire resource. This project would likely increase visitor traffic on the historic railroad grade and may increase the deterioration of this historic property. In addition, subsequent maintenance of the proposed trail where it follows the historic railroad grade has the potential to cause additional adverse effects.

The Forest Service, in consultation with the Colorado State Historic Preservation Officer (SHPO), has determined that the proposed undertaking will adversely affect this historic property. The Forest Service intends to enter into a Memorandum of Agreement (MOA) with Colorado SHPO and other interested parties to mitigate the adverse effect to this historic property as required in Section 106 of the National Historic Preservation Act. The Forest Service plans to execute the MOA with SHPO this winter.

Under 36 CFR 800.6(a)(2) and 36 CFR 800.6(c), the Forest Service is inviting you to consult on the resolution of the adverse effects to the Rio Grande Southern Railroad segments from the proposed undertaking and the development of this MOA.


If your organization is interested in participating as a consulting party, please respond by December 9, 2024, indicating this interest. As a consulting party, your organization would



continue to receive information about the project and the development of the MOA and would be invited to provide additional input as mitigation options are developed and the MOA is drafted. If, in addition to participating as a consulting party, your organization is interested in concurring in the MOA, please indicate this interest by December 9, 2024.

If you would like to provide input or participate further in this project, please contact me at Nicholas.mustoe@usda.gov or (970) 882-6834. If you would like more information about the cultural resources, please contact San Juan National Forest Heritage Program Leader Michelle Stevens at michelle.stevens@usda.gov or (970) 468-7069.

Sincerely,

 Digitally signed by
NICHOLAS MUSTOE
Date: 2024.11.07
16:05:28 -07'00'

NICHOLAS MUSTOE
Dolores District Ranger

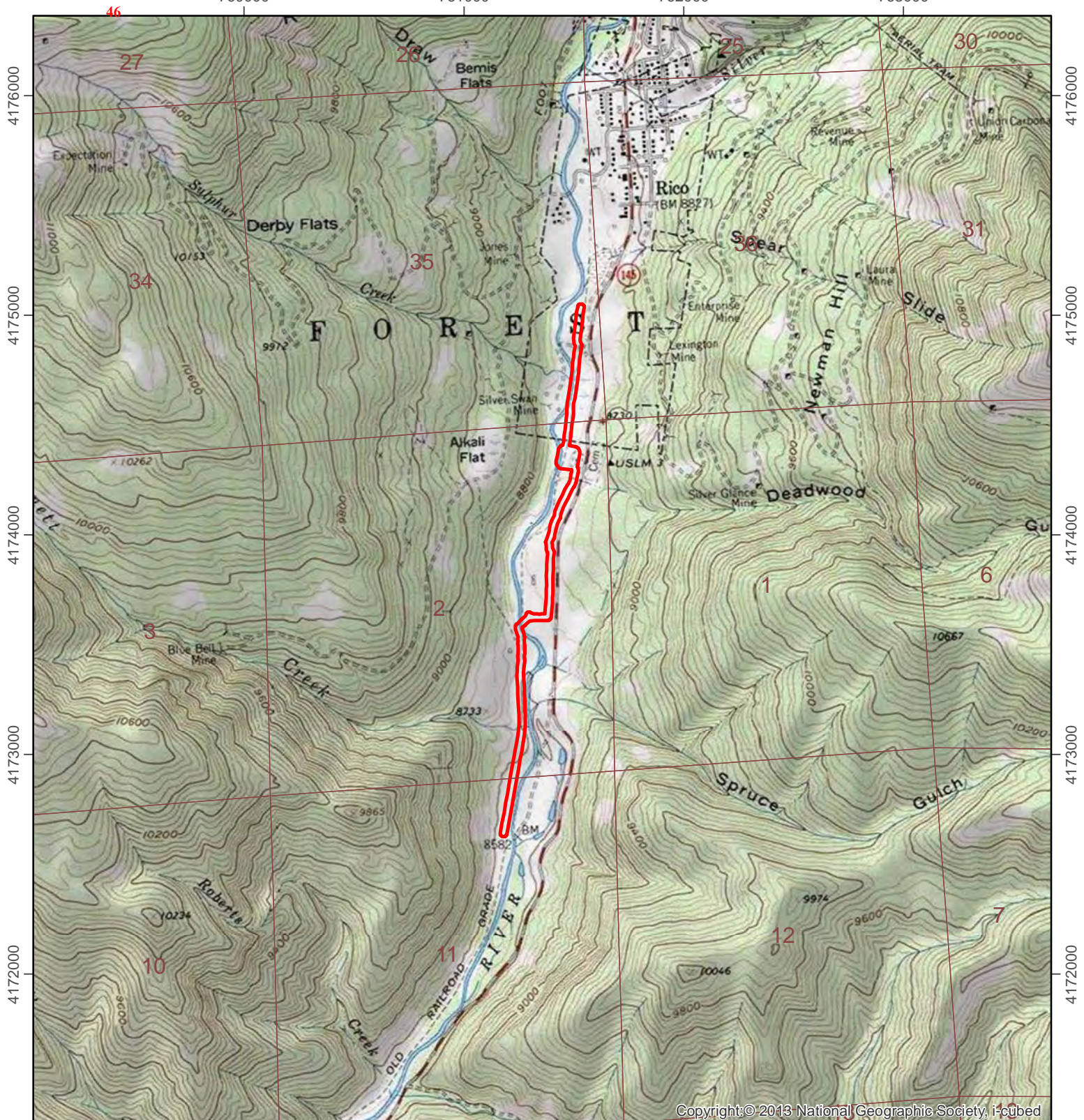
Enclosed: Map

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**Class III Cultural Resource Inventory of the Rico Trails Alliance
Segment, San Juan National Forest and Private Lands,
Dolores County, Colorado (SJNF #2023-05016; OAH# DL.FS.R178)**

Survey area

USGS Rico, CO
T39N, R11W, Section 2, 11
T40N, R11W, Section 35
NMPM, NAD83, Zone 12
1:24,000

600

Meters

N



2023





United States Department of Agriculture
Forest Service

Rico Trails Project – *Rio Grande Southern Trail*

Decision Notice and Finding of No Significant Impact

Dolores Ranger District, San Juan National Forest
Dolores County, Colorado

A handwritten signature in blue ink, appearing to read "Derek Padilla", on a light-colored background.

Digitally signed by DEREK
PADILLA
Date: 2021.11.17 15:54:40
-07'00'

Derek Padilla
Dolores District Ranger

November 17, 2021

Date

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Introduction

My decision is to implement the newly designated Rio Grande Southern Trail component of Alternative 3 - Proposed Action as described in the *Rico Trails Project - Environmental Assessment*. The specifics of my decision are described below. My decision is based on the analysis described in the Environmental Assessment (EA) and the Project Record. The EA is available at the Dolores Public Lands Office in Dolores, Colorado.

The Spring Creek Trail, Circle Trail, and Ryman Trail re-route components of Alternative 3 were considered separately in a Final Decision Notice (DN) issued on January 8, 2021.

Proposed Project Location

The project area is in the vicinity of Rico, Colorado. The proposed Rio Grande Southern trail is located to the south of the Town of Rico. The proposed trail would generally follow the alignment of the former Rio Grande Southern rail line, parallel to, and west of, the Dolores River. The proposed trail would provide non-motorized connection from the Town of Rico (from National Forest System Route #422) to the existing Scotch Creek and Salt Creek/Ryman trailheads. The proposed trail is located on lands managed by the U.S. Forest Service, on the Dolores Ranger District of the San Juan National Forest.

Purpose of and Need for Action

Purpose - the proposed trail would provide connectivity and loop opportunities utilizing existing trail segments (where possible) and would provide better route alignments that protect sensitive resources. Designating trails with cooperating organizations provides volunteer commitment to trail maintenance and increased connection between local communities and adjacent public lands by way of recreation opportunity, trail work and social outreach between volunteers.

Need – respond to requests from the Rico Trails Alliance and the San Juan Trail Riders for additional trails and associated non-motorized and motorized recreation opportunities.

Public Involvement and Consultation

In September 2019 the Rico Trails Project was listed on the Forest Service's Planning, Appeals and Litigation System website (Project #56748) and in the San Juan National Forest Schedule of Proposed Actions. An information meeting for the project was held on September 23, 2019 at the Dolores Public Lands Office

A draft EA was released, and a 30-day public comment period was initiated on February 25, 2020. In addition, a request for comment letter for the draft EA was sent to 51 individuals, government agencies and interest groups. A revised draft EA was released, and a 30-day public comment period was initiated on June 24, 2020. A request for comment letter for the revised draft EA was sent to 51 individuals, government agencies and interest groups.

The Final EA was developed and the Spring Creek Trail, Circle Trail, and Ryman Trail re-route components of Alternative 3 were considered separately in a Draft Decision Notice. An objection period for the Final EA and Draft DN of these trail components was conducted, and the Final Decision Notice was signed on January 8, 2021. The Finding of No Significant Impact (FONSI) for these trails is found in the Final EA.

Consultation with the U.S. Fish and Wildlife Service was initiated on October 25, 2019.

In accordance with 36 CFR Section 800.3(f) and Section 106 of the National Historic Preservation Act, consultation was conducted with 25 federally recognized Native American tribes. Formal letters initiating consultation for the project were mailed to all federally recognized tribes on February 25, 2020.

A Memorandum of Agreement (MOA) between the San Juan National Forest (SJNF) and the Colorado State Historic Preservation Officer (SHPO) was signed in June 2021 to mitigate adverse effects of the proposed Rio Grande Southern Trail to historic properties. MOA Stipulation IA requires Level II Documentation at three historic properties. MOA Stipulation IB requires interpretative material development be implemented within 4 years, including signage at the north and south trailheads for three historic properties and a web-based storyboard on the history of the Rio Grande Southern Railroad. Additionally, MOA IB requires one appropriate regulatory or trail etiquette sign be placed between the north and south trailheads. The MOA requires all mitigations be reviewed by the SHPO. MOA Stipulation IA must be satisfied prior to creation of the trail, and Stipulation IB must be completed prior to expiration of the MOA.

Decision

I have reviewed the EA and the information contained in the project file. I have also reviewed and considered the public comment submitted on this project. I have determined that there is adequate information to make a reasoned choice among alternatives. It is my decision to select and implement the new designated Rio Grande Southern Trail component as described in Alternative 3 - Proposed Action of the Final EA. This decision incorporates the stipulations of the 2021 MOA between the SJNF and SHPO to mitigate adverse effects to historic properties.

Specifics of the Decision

This decision designates one new 4.3 mile non-motorized trail with a new approximately 0.1 mile bridge route. The following is a summary of the general location and proposed use of the trail.

Rio Grande Southern Trail - the proposed Rio Grande Southern Trail would be designated for non-motorized use and would provide connection from the Town of Rico (from NFSR #422) to the existing Scotch Creek trailhead, and Salt Creek/Ryman trailhead. The proposed trail would generally follow the alignment of the former Rio Grande Southern rail line, parallel to, and west of, the Dolores River. A bridge crossing is proposed to provide access to Scotch Creek trailhead. The existing Montelores Bridge would provide access to the Salt Creek/Ryman trailhead. The proposed non-motorized trail would be approximately 4.3 miles in length, and the proposed new bridge route would be approximately 0.1 miles.

Design Elements

Cultural

1. 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.

2. 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

Hydrology and Soils

1. Select stream/ditch crossings that are hardened by gravel, cobble, or bedrock. If none exist or in the case of swales or ephemeral drainage crossings, use local material to manually harden trail crossings.
2. Establish crossings at right angles to streams/ditches, where the stream/ditch is relatively straight and shallow, and where stream/ditch banks do not exceed a 30% slope.
3. Use hand tools to construct trail inside riparian areas.
4. Refer to and follow all applicable best management practices (BMPs) for motorized and non-motorized trails (pages 91-93) outlined in FS-990a, *National Best Management Practices for Water Quality Management on National Forest System Lands*. These BMPs are critical to address erosion potential that would otherwise be high, as well as other concerns.
5. Route or reroute trail alignments to avoid wetland features. The recommended minimum buffer distance is equal to 2 times the maximum diameter of the wetland up to a maximum of 100 feet.
6. Avoid the wetland during proposed bridge construction at the Scotch Creek trail head.
7. Design trail to protect against slope failure.
8. Minimize potential for head-cutting and channel incision by ensuring application of BMPs in locations where trail alignments cross intermittent drainages.

Rangelands and Rare Plants

1. Ground disturbance activities associated with trail constructions should be limited to the footprint necessary for trail establishment. This generally occurs in a linear feature. Weed prevention and suppression efforts will continue to occur throughout the project area.
2. Continue to install trail cattleguards or turnstiles at all fence crossings to minimize the need for trail users to open and close gates. In instances where a cattleguard is not feasible, a swing gate may be installed.
3. Equipment shall be washed before entering a new area of project implementation.

Recreation

1. 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.

2. Trails would be built with an eye towards sustainability, site specific resource protection and low-cost maintenance vs. steep, unsustainable trails that require frequent maintenance. In addition, sustainable trails can also be maintained by volunteers who are able to complete light maintenance activities with limited FS oversight.
3. This FS would continue partnership programs with local motorized, horse, hiking, and bike organizations to include trail maintenance, weed control and visitor education.
4. Monitor dispersed camping impacts while maintaining camping within 100 yards of a Forest System Road.
5. If funding is available, interpretive trail etiquette signs will be added that address all users including hikers, motorized users, horseback riders and mountain bike riders.
6. Install single track cattle guards and pedestrian gates where any trails cross fence lines.
7. Post "Please close gates" at locations where any trails cross fence lines.

Threatened, Endangered, Sensitive, and Species of Local Concern

1. 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. The Region 2 sensitive species most likely to be present are Northern goshawk and Largeflower triteleia.

Vegetation and Fuels

1. If future vegetation management projects (timber or prescribed fire) occur within the proposed project area coordination between the SJNF Recreation, Fire, and Timber programs will occur prior to implementations. Temporary roads will be allowed to cross trails.

Wildlife

1. Survey for active raptor nests should be undertaken before constructing new sections of trails. If a raptor moves into an area near an existing 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.
2. The proposed trail use and management would conform with the Rico West Dolores Project Record of Decision, including the identified adaptive management options.

Rationale

Factors I considered in making my decision included the need for the action, analysis of impacts by Forest Service staff specialists, consequences of implementing the proposed action, consequences of *not* implementing the proposed action, best available science in the analysis and issues and public comments.

The proposed action builds on and continues the important collaboration between local interest groups, local government, and the Dolores Ranger District. These collaborations provide opportunity for community members to participate in trails management and gain appreciation of the hard work needed to maintain and improve trails. In addition, the proposed action utilizes existing travel corridors and trails, minimizing new impacts. The proposed action was also designed to utilize route alignments that reduce impacts to natural resources. The proposed action also fulfills the commitment identified in the Rico/West Dolores Travel Management Planning effort to consider these options at a later date in a separate analysis.

The proposed trails provide connectivity and loop opportunities which improve the recreation experience for all user groups. The proposed trails are relatively short segments that create larger loops that can be accessed from different locations which will spread out users and provide more opportunity for access to trail opportunities.

I closely considered comments that were received from the public. Some of the comments were incorporated into the preferred alternative, other comments were outside the scope of this analysis, but were provided to appropriate specialists for consideration during future project activities.

Finding of No Significant Impact

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the alternatives considered for the Rico Trails Project would not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

Context

For Alternative 2 and Alternative 3 (action alternatives) and the no action alternative, the context of the environmental effects is based on the analysis in this EA. Disclosure of effects in the EA may differ by the resource being analyzed and the scale of the analysis. The project is a site-specific action that does not have an international, national, region-wide, or state-wide importance. The discussion of significance criteria that follows is within the context of local importance in the Rico Trails Project analysis area.

This discussion of the project's context provides meaning to the intensity of effects described below to support the rationale for a finding of no significant impact related to each factor.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The Forest Service has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

Both beneficial and adverse effects of the proposed action have been disclosed and considered. The effects analysis in the EA (pages 7-17) state that some indirect, direct, and cumulative effects are expected in the context of the analysis area. Design features have been agreed upon by the ID Team to ensure that effects to resources would not be significant

2. The degree to which the proposed action affects public health or safety.

Any potential for increases in recreation conflicts would be mitigated through implementation of Design Elements described above, such as trail design, education, and interpretation (EA pages 5-6). Implementation of these measures would reduce or eliminate potential effects on public health and safety.

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

No actions would occur within or affect prime farmlands, wilderness areas, or wild and scenic rivers. The proposed project is consistent with the Colorado Roadless Rule because no road construction or tree cutting is proposed within designated roadless areas. Design elements have been included for hydrology and soil resources (EA pages 4-5). See below for a discussion of historical and cultural resources.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Note: The term “controversial” in this context refers to cases where substantial scientific dispute exists as to the size, nature, or effects of a major Federal action on some human environmental factor, rather than to public opposition of a proposed action or alternative.

These types of trails have been constructed throughout the National Forest system for decades and their associated effects have been documented in the existing body of scientific literature. There is no evidence of any substantial scientific dispute regarding the size or nature of the effects.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The project is not unique on the San Juan National Forest. When professional experience is paired with the substantial body of literature on the subject, there is little uncertainty regarding effects.

6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This is a stand-alone project and its associated actions would not set a precedent or make a decision in principle about future actions or considerations. Any new proposals for trails, similar to or entirely different from the proposed action, will be subject to further site specific evaluation and analysis as required under the National Environmental Policy Act.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

The effects of one project must overlap in time and space with the effects of other projects in order to produce a cumulative effect. The spatial and temporal scales considered for cumulative effects varied depending on the resource analyzed. No significant cumulative effects associated with the proposed action were identified for any resources, and when viewed together, no major effects are considered likely (EA pages 7-17).

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

A cultural resources inventory of the proposed project's Area of Potential Effects was performed prior to project approval. Three historic properties were located along the proposed Rio Grande Southern Trail. After applying the criteria of adverse effect (36 CFR § 800.5(a)), the Dolores Ranger District determined that the construction, maintenance, and use of the Rio Grande Southern Trail, including anticipated increased visitation, may adversely affect all three historic properties and result in the physical destruction of all or part of each property (36 CFR § 800.5(a)(2)(i)). As a result, the DRD recommended a finding of adverse effect for the proposed activities along the Rio Grande Southern Trail in accordance with 36 CFR § 800.5(d)(2). Concurrence with this finding was received on May 19, 2020.

The MOA between SJNF and SHPO as described above will mitigate adverse effects of the proposed Rio Grande Southern Trail to historic properties. MOA stipulations will be implemented.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Suitable habitat and individual Canada Lynx (federally threatened) species are present within the proposed project area. A Programmatic consultation concurrence was conducted with U.S. Fish and Wildlife Service (USFWS) for travel management authorizations on and a concurrence letter was issued from USFWS on 09/27/17 for proposed activities and the proposed project was determined to "not likely to adversely affect" Canada Lynx. (TAILS # 06E24100-2017-I-0070). In addition, for the project analysis, a Southern Rockies Lynx Amendment-Canada Lynx Decision Screen was conducted for the construction of trails and a Not Likely to Adversely Affect determination was made based on Screen # 6 (See Biological Assessment Appendix A).

There are no other federally listed wildlife species that have habitat or known occurrences within the analysis area. Since there are no federally listed threatened or endangered plant species known or suspected to occur in the project area, and there is no habitat for these species in the

project area, a determination of “**no effect**” was reached for federally listed species, besides Canada Lynx. Based on the no effect and not likely to adversely affect determination, consultation with the U.S. Fish and Wildlife Service was not required for this project.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This action complies with Federal laws imposed for the protection of the environment. Local County and Town of Rico officials were consulted and no conflict with local land use plans was identified.

Implementation

No objections were received during the objection resolution period. Implementation may begin after Stipulation IA of the MOA between the SJNF and SHPO is satisfied.

Responsible Official

The District Ranger of the Dolores Ranger District of the San Juan National Forest is the official responsible for the final decision for the Rico Trails Project.

OWNERS' CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS:
That:

The Town of Rico, Colorado, a home rule municipality being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 58** and **Tract 59** as evidenced in the document recorded on November 13, 2008 in Book 376, page 158, in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Dispossession Properties, LLC, an Arizona limited liability company being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 9** as evidenced in the document recorded on November 13, 2014 in Recession Number 164742 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Rico River Valley, LLC being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 2** as evidenced in the document recorded on February 21, 1997 in Book 279, page 143 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Linda Burnette and Kevin O'Grady being the owners of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 3** as evidenced in the document recorded on August 31, 2001 in Book 307, page 414 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Dispossession Properties, LLC, an Arizona limited liability company being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 9** as evidenced in the document recorded on November 13, 2014 in Recession Number 164742 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

The Town of Rico, Colorado, a home rule municipality being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 50** as evidenced in the document recorded on September 21, 2007 in Book 366, pages 41, 47, and 51 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

The Town of Rico, Colorado, a home rule municipality being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 5** as evidenced in the document recorded on September 21, 2007 in Book 366, pages 41, 47, and 51 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Dispossession Properties, LLC, an Arizona limited liability company being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 9** as evidenced in the document recorded on November 13, 2014 in Recession Number 164742 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Are collectively the sole owners ("owners") of real property located within the following described parcel of land:

A portion of Tract A, Townsite of Rico according to the United States Patent for the Townsite of Rico recorded December 1891 in Book 17 at page 394 with the Dolores County Clerk and Recorder, Dolores County, State of Colorado, further described as follows:

Beginning at a point on the southern boundary of said Tract A from which Corner 30 of said Tract A bears N 80° W, 372.33 feet;
thence N121°07'10"W, a distance of 100.48 feet;
thence N03°44'10"W, a distance of 76.27 feet;
thence N13°23'37"E, a distance of 109.01 feet;
thence N31°46'18"E, a distance of 380.16 feet;
thence N13°25'10"E, a distance of 171.15 feet;
thence N07°56'50"E, a distance of 133.16 feet;
thence N07°03'58"W, a distance of 130.58 feet;
thence N17°49'37"W, a distance of 166.66 feet;
thence N41°18'56"W, a distance of 37.53 feet;
thence N53°36'42"W, a distance of 216.03 feet;
thence N02°29'27"W, a distance of 236.09 feet;
thence N16°42'25"E, a distance of 182.23 feet;
thence N42°23'15"E, a distance of 190.76 feet;
thence N36°05'39"E, a distance of 181.53 feet to corner 4 of the Burdard Lode, Mineral Survey Number 8070, United States Patent Number 27326 located in the Pioneer Mining District, Dolores County, Colorado;
thence N18°40'00"W, a distance of 325.60 along the extension of the line between corner 4 and corner 1 of said Burdard Lode to the intersection with the line between corner 3 and corner 4 of the Santa Cruz Lode, Mineral Survey Number 6132, United States Patent Number 25594 located in the Pioneer Mining District, Dolores County, Colorado;
thence N57°39'00"E, a distance of 100.00 feet to corner 4 of said Santa Cruz Lode;
thence N32°12'00"E, a distance of 300.00 feet to corner 1 of said Santa Cruz Lode, said corner being identical to corner 1 of the Iron Clad Lode, Mineral Survey Number 865, United States Patent Number 7807 located in the Pioneer Mining District, Dolores County, Colorado;
thence N27°00'00"W, a distance of 78.52 feet along the line between corner 1 and corner 4 of said Iron Clad Lode to the intersection with the western boundary of said Tract A, Townsite of Rico;
thence N10°00'00"W, a distance of 1888.53 feet along the western boundary of said Tract A, Townsite of Rico to the intersection with the westerly extension of the southern boundary of Block 12, Town of Rico according to the Plot recorded August 16th, 1893 at reception number 11727, Dolores County State of Colorado to the southwest corner of Block 2, Town of Rico;
thence S 87°54'00" E, 627.45 feet along said westerly extension to the southwest corner of Lot 20 of said Block 12, Town of Rico;
thence S 02°06'00" E, 1140.00 feet along the western boundary of Block 28 and Block 27, Town of Rico according to the Plot recorded August 16th, 1893 at reception number 11727, Dolores County State of Colorado to the southwest corner of said Block 27;
thence N 87°54'00" E, 160.00 feet to the southwest corner of Block 2, Town of Rico according to the Plot recorded August 16th, 1893 at reception number 11727, Dolores County State of Colorado;
thence S 02°06'00" E, 1010.00 feet, 848.74 feet to the western boundary of the Colorado State Highway 145 right-of-way according to the Colorado State Highway PROJECT OR 58-0145-05;
thence along said western boundary of the Colorado State Highway 145 right-of-way the following 38 courses:
1)Thence southeasterly, along the arc of a 7,589.47 feet radius curve to the right, through a central angle of 0°00'15", a distance of 4.27 feet, the chord of which bears S30°38'32"W, a chord distance of 4.27 feet to a point of non-tangent curvature;
2)Thence southeasterly, along the arc of a 34,327.60 feet radius curve to the right, through a central angle of 0°02'00", an arc length of 19.97 feet, the chord of which bears S30°41'00"W, a chord distance of 19.97 feet;
3)Thence southeasterly, along the arc of a 16.00 feet radius curve to the right, through a central angle of 0°00'15", a distance of 16.00 feet;
4)Thence southeasterly, along the arc of a 411.67 feet radius curve to the right, through a central angle of 0°00'15", a distance of 411.67 feet;
5)Thence southeasterly, along the arc of a 24.00 feet radius curve to the right, through a central angle of 0°00'15", a distance of 24.00 feet;
6)Thence southeasterly, along the arc of a 160.01 feet radius curve to the right, through a central angle of 0°00'15", a distance of 160.01 feet to a point of compound curvature;
7)Thence southeasterly, along the arc of a 34,467.60 feet radius curve to the left, through a central angle of 0°00'15", an arc length of 15.18 feet, the chord of which bears S30°36'46"W, a chord distance of 15.18 feet to a point of compound curvature;
8)Thence southeasterly, along the arc of a 7,729.47 feet radius curve to the left, through a central angle of 0°00'45", an arc length of 15.18 feet, the chord of which bears S30°36'46"W, a chord distance of 15.18 feet to a point of compound curvature;
9)Thence southeasterly, along the arc of a 4,673.68 feet radius curve to the left, through a central angle of 0°01'15", an arc length of 15.29 feet to a point of compound curvature;
10)Thence southeasterly, along the arc of a 3,364.06 feet radius curve to the left, through a central angle of 0°01'45", an arc length of 15.41 feet to a point of compound curvature;
11)Thence southeasterly, along the arc of a 2,636.49 feet radius curve to the left, through a central angle of 0°02'01", an arc length of 15.53 feet to a point of compound curvature;
12)Thence southeasterly, along the arc of a 2,173.49 feet radius curve to the left, through a central angle of 0°02'45", an arc length of 15.65 feet to a point of compound curvature;
13)Thence southeasterly, along the arc of a 1,852.95 feet radius curve to the left, through a central angle of 0°02'29", an arc length of 15.77 feet to a point of compound curvature;

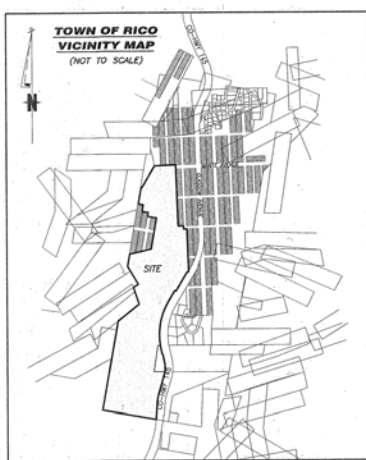
OWNERS' CERTIFICATE (cont.):

14)Thence southeasterly, along the arc of a 1,817.89 feet radius curve to the left, through a central angle of 0°03'35", an arc length of 15.88 feet to a point of compound curvature;
15)Thence southeasterly, along the arc of a 1,438.14 feet radius curve to the left, through a central angle of 0°03'38", an arc length of 15.99 feet to a point of non-tangent curvature;
16)Thence southeasterly, along the arc of a 1,275.43 feet radius curve to the left, through a central angle of 0°04'29", an arc length of 16.13 feet, the chord of which bears S27°18'46"W, a chord distance of 16.13 feet to a point of compound curvature;
17)Thence southerly, along the arc of a 1,235.92 feet radius curve to the left, through a central angle of 0°30'00", an arc length of 287.54 feet to a point of compound curvature;
18)Thence southerly, along the arc of a 1,275.43 feet radius curve to the left, through a central angle of 0°04'29", an arc length of 16.13 feet to a point of non-tangent curvature;
19)Thence southerly, along the arc of a 1,438.14 feet radius curve to the left, through a central angle of 0°03'38", an arc length of 15.99 feet to a point of non-tangent curvature;
20)Thence southerly, along the arc of a 1,817.89 feet radius curve to the left, through a central angle of 0°03'35", an arc length of 15.88 feet to a point of compound curvature;
21)Thence southerly, along the arc of a 1,852.95 feet radius curve to the left, through a central angle of 0°02'29", an arc length of 15.77 feet to a point of compound curvature;
22)Thence southerly, along the arc of a 2,173.49 feet radius curve to the left, through a central angle of 0°02'45", an arc length of 15.65 feet to a point of compound curvature;
23)Thence southerly, along the arc of a 2,636.49 feet radius curve to the left, through a central angle of 0°02'01", an arc length of 15.53 feet to a point of compound curvature;
24)Thence southerly, along the arc of a 3,364.06 feet radius curve to the left, through a central angle of 0°01'45", an arc length of 15.41 feet to a point of compound curvature;
25)Thence southerly, along the arc of a 4,673.68 feet radius curve to the left, through a central angle of 0°01'15", an arc length of 15.29 feet to a point of compound curvature;
26)Thence southerly, along the arc of a 7,729.47 feet radius curve to the left, through a central angle of 0°00'45", an arc length of 15.18 feet to a point of non-tangent curvature;
27)Thence southerly, along the arc of a 34,467.60 feet radius curve to the left, through a central angle of 0°00'15", an arc length of 15.04 feet, the chord of which bears S13°17'13"E, a chord distance of 15.04 feet;
thence N76°42'27"E, a distance of 10.00 feet;
thence S17°17'37"E, a distance of 30.00 feet;
thence S17°21'34"E, a distance of 141.45 feet to a point of non-tangent curvature;
28)Thence southerly, along the arc of a 636.20 feet radius curve to the right, through a central angle of 1°25'00", an arc length of 304.48 feet, the chord of which bears S01°54'30"W, a chord distance of 304.62 feet; Thence S15°10'34"W, a distance of 141.55 feet;
thence S17°07'00"W, a distance of 121.84 feet;
thence S15°35'12"W, a distance of 156.24 feet to a point of non-tangent curvature;
29)Thence southerly, along the arc of a 1,034.93 feet radius curve to the left, through a central angle of 0°25'00", an arc length of 97.64 feet, the chord of which bears S09°54'30"W, a chord distance of 97.80 feet;
thence S04°07'54"W, a distance of 168.98 feet;
thence S03°44'10"W, a distance of 174.88 feet to the southern boundary of Tract A, Townsite of Rico according to the United States Patent for the Townsite of Rico recorded December 1891 in Book 17 at page 394 with the Dolores County Clerk and Recorder, Dolores County, State of Colorado;
Thence N 80° W, 638.76 feet along said southern boundary to the point of beginning.

TOGETHER WITH:

A portion of Tract A, Townsite of Rico according to the United States Patent for the Townsite of Rico recorded December 1891 in Book 17 at page 394 with the Dolores County Clerk and Recorder, Dolores County, State of Colorado, further described as follows:

Beginning at a point on the southern boundary of said Tract A from which Corner 30 of said Tract A bears N 80° W, 372.33 feet;
thence N121°07'10"W, a distance of 100.48 feet;
thence N03°44'10"W, a distance of 76.27 feet;
thence N13°23'37"E, a distance of 109.01 feet;
thence N31°46'18"E, a distance of 380.16 feet;
thence N13°25'10"E, a distance of 171.15 feet;
thence N07°56'50"E, a distance of 133.16 feet;
thence N07°03'58"W, a distance of 130.58 feet;
thence N17°49'37"W, a distance of 166.66 feet;
thence N41°18'56"W, a distance of 37.53 feet;
thence N53°36'42"W, a distance of 216.03 feet;
thence N02°29'27"W, a distance of 236.09 feet;
thence N16°42'25"E, a distance of 182.23 feet;
thence N42°23'15"E, a distance of 190.76 feet;
thence N36°05'39"E, a distance of 181.53 feet to Corner 4 of the Burdard Lode, Mineral Survey Number 8070, United States Patent Number 27326 located in the Pioneer Mining District, Dolores County, Colorado;
thence S17°20'00"W along the line between corner 4 to corner 3 of said Burdard Lode to Corner 31 of said Tract A, Townsite of Rico;
thence S 10° W along said Tract A, Townsite of Rico to Corner 30 of said Tract A, Townsite of Rico;
Thence S 80° E, 372.33 feet along the southern boundary of said Tract A, Townsite of Rico to the point of beginning



SHEET LEGEND

- SHEET 1 - OWNERS' CERTIFICATE AND VICINITY MAP
SHEET 2 - OWNERS' ACKNOWLEDGMENTS AND OTHER CERTIFICATES
SHEET 3 - PROPERTY DIMENSIONS AND EASEMENTS
SHEET 4 - SURVEY MONUMENTATION AND OTHER RELATED FEATURES

OWNERS' CERTIFICATE (cont.):

TOGETHER WITH:

Those lands granted to Linda Burnette and Kevin O'Grady by Grady Leavelle and Helen Leavelle and described in the Warranty Deed recorded 08-31-2001, Book 307, page 414-415 at reception number 143537, with the Dolores County Clerk and Recorder.

and, as Owners, do hereby agree upon the boundary lines as set forth hereon and do further grant, sell and convey to the other owners such of their real property as may lie on the other parties' side of the boundary lines set forth on this plot, and do hereby agree that the boundary lines shown on this plot are the boundary lines by agreement of adjoining parties pursuant to Colorado Revised Statutes sec. 38-44-112.

The Owners do collectively agree to release and abandon the easement rights having previously been in the fee interest. The control of said released and abandoned easements are being shown on Sheet 4 of this Boundary Line Agreement:

- Right-of-Way Easement recorded October 22, 1992 in Book 256, at page 245, Dolores County Clerk and Recorder.
- Grantor Reserved Easement rights as described in Quit Claim Deed recorded in Book 264, at pages 380-381, Dolores County Clerk and Recorder.
- Grant of Easement to the Town of Rico for Sewer and Water Pipelines recorded March 13th, 2007 in Book 352 at page 244, Dolores County Clerk and Recorder.
- Any and All Easement Rights granted by the Property Description recorded in Book 366 at pages 45-46, Dolores County Clerk and Recorder.
- Easement Rights reserved within Items 13 and 14, Schedule 6 of the Exception as to the Mining Deed recorded September 2, 1980 in Book 193 at pages 324-347, Dolores County Clerk and Recorder.

The Owners do collectively affirm and agree to the following notes. Each further dedicates the following easements as necessary for the indicated use of the individual parties cited below:

1. Tract 7 received a No Action Determination Approval on December 10, 1999, from the Colorado Department of Public Health and Environment, pursuant to the State of Colorado VCDUP Program. Future development of the tract is subject to the approval by the State of Colorado in accordance with those terms set forth in the No Action Determination Approval cited above.

2. There exists a perpetual non-exclusive access and utility easement along an existing dirt road for the benefit of Tract 3 as specifically set forth in the easement agreement recorded on April 4, 2017 in the Office of the Clerk and Recorder of Dolores County at Reception No. 166636.

3. A perpetual, non-exclusive 30' Access and Utility Easement (River Corridor) for the following purposes and activities, by the indicated users:

- non-motorized, pedestrian, equestrian, skier and other recreational access for the benefit of the public, provided that such usage is subordinate to the easement rights granted in 3(b) below as determined by the Town of Rico, which may include the right for the town to temporarily suspend access during times of utility work;
- an access, trail maintenance, and utility easement for the benefit of the Town of Rico and other public utility service providers, provided that motorized access for the purpose of mail maintenance, utility installation and maintenance shall be exercised at the discretion of the Town of Rico;
- temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the utilities. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the utilities. The center of the utility shall have the obligation to return the ground to its pre-construction condition once work is complete.

4. Intentionally Deleted

5. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 6 - Segment 1) for the following purposes and activities, by the indicated users:

- A perpetual, 30' wide access and utility easement for the benefit of the Town of Rico, Tract 4, Tract 50, and Tract 3.
- temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.
- The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 60' wide utility easement along this section of existing dirt/gravel road together with the right to build a bridge across the Dolores River. Access easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plot.

6. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 6 - Segment 2) for the following purposes and activities, by the indicated users:

- A perpetual, 30' wide access and utility easement for the benefit of the Tract 50 and Tract 4.
- temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.
- The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 60' wide utility easement along this section of existing dirt/gravel road together with the right to build a bridge across the Dolores River. Access easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plot.

7. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 6 - Segment 3) for the following purposes and activities, by the indicated users:

- A perpetual, 30' wide access and utility easement for the benefit of the Tract 3 and Tract 4.
- temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.
- The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 60' wide utility easement along this section of existing dirt/gravel road. All easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plot.

8. A perpetual, non-exclusive Access and Utility Easement (Tract 3) for the following purposes and activities, by the indicated users:

9. A perpetual, non-exclusive access and utility easement for the benefit of the Tract 3.

9. A perpetual, exclusive 30' Access and Utility Easement (Tract 50) for the following purposes and activities, by the indicated users:

- A perpetual, 30' wide access and utility easement for the benefit of the Tract 4. The easement area as indicated hereon is approximate and the final location can vary within the Tract 4 Easement Area at the sole discretion of the Tract 4 Owner.
- temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.

10. Intentionally Deleted

11. Access to Tract 2 shall be provided either as follows: (a) though the adjoining lands located westerly of the Tract 2 boundary which are currently owned by the United States of America and are designated as San Juan National Forest ("USFS Access"); or (b), if the USFS Access is not granted on reasonable terms and conditions upon such time as development is proposed on Tract 2, the owner of Tract 50 agrees to grant and convey a perpetual, non-exclusive 30' access and utility easement for the use and benefit of the Owner of Tract 2, which will be located within the portion of Tract 50 designated as the "Alternative Tract 2 Access Corridor" and as mutually agreed upon by the owners of Tract 50 and Tract 2.

12. Any and all rights associated with the existing 12' wide dirt and gravel road located on Tract 6 at the location shown hereon are hereby vacated and released by all signatories to this plot.

13. The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 20' wide utility easement at the location shown hereon. All easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plot.

14. Those areas depicted hereon as access and utility easements benefiting more than one lot shall be subject to a future joint maintenance agreement between all benefited properties. The Town shall not authorize any development on the individually benefited Lots without evidence of an executed and publicly recorded joint maintenance agreement.

LINE	LENGTH	BEARING
L1	240.00	S04°45'10"E
L2	237.27	S04°45'10"E
L3	84.88	S19°35'14"E
L4	84.88	S19°35'14"E
L5	196.08	N06°35'24"W
L6	222.72	N06°35'24"W
L7	75.25	S72°18'51"E
L8	107.60	S16°17'04"W
L9	129.30	N28°43'40"E
L10	108.94	N28°43'40"E
L11	107.60	S16°17'04"W
L12	129.66	S72°18'51"E
L13	411.67	N07°12'39"W
L14	16.00	N22°44'21"E
L15	24.00	N22°44'21"E
L16	160.01	S07°15'39"E
L17	140.55	S07°15'39"E
L18	121.84	N07°50'39"W
L19	122.66	N08°10'15"E
L20	168.08	N08°10'15"E
L21	168.08	N08°10'15"E
L22	156.24	S02°22'27"E
L23	52.65	S07°57'39"W
L24	19.29	S05°14'57"E
L25	53.48	S02°44'19"E
L26	54.16	S02°44'19"E
L27	51.32	S02°44'19"E
L28	52.27	S08°22'47"E
L29	55.39	S02°39'00"E
L30	62.60	S08°14'32"E
L31	23.33	S10°44'17"W
L32	54.07	S07°57'39"W
L33	18.24	S09°14'57"E
L34	53.32	S11°57'24"W
L35	58.01	S05°49'51"E
L36	54.52	S02°44'19"E
L37	52.25	S08°22'47"E
L38	51.56	S02°39'00"E
L39	59.09	S08°14'32"E
L40	80.77	S10°44'17"W
L41	68.17	S09°44'04"E
L42	72.95	S07°12'47"W
L43	83.35	S07°12'47"W
L44	170.70	S02°19'12"E
L45	122.68	S08°50'17"W
L46	10.23	S08°50'17"W
L47	434.82	S04°12'30"W
L48	1416.49	S08°28'00"W
L49	287.41	S14°27'16"W
L50	364.75	S02°22'28"E
L51	125.63	S08°13'09"E
L52	1412.60	S08°28'00"W
L53	72.13	N20°41'11"W
L54	159.78	N78°45'37"W
L55	103.96	N71°08'55"W
L56	83.06	S75°31'34"W
L57	40.17	N32°14'13"E
L58	126.02	N02°41'11"W
L59	145.28	N78°45'37"W
L60	96.45	N71°08'55"W
L61	77.91	S75°31'34"W

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	132.71	166.27	85°43'47"	129.21	N02°56'37"E
C2	191.60	120.00	129°04'	171.89	S01°56'35"W
C3	48.10	220.00	12°31'37"	48.00	N22°27'52"E
C4	61.22	280.00	12°31'37"	61.10	N22°27'52"E
C5	95.80	60.00	91°29'04"	85.64	S01°56'35"W
C6	162.78	226.27	41°13'10"	159.29	N07°04'32"E
C7	63.52	280.00	12°39'50"	63.38	N13°05'19"W
C8	49.91	220.00	12°39'50"	49.80	N13°05'19"W
C9	57.15	220.00	14°53'04"	56.99	S12°08'42"E
C10	72.74	280.00	14°53'04"	72.54	S12°08'42"E
C11	770.68	1235.92	35°43'40"	758.25	S09°04'21"W
C12	36.80	636.20	63°18'52"	36.80	S08°30'05"E
C13	97.84	1034.93	25°20'00"	97.80	S08°30'05"E

SPR	LENGTH	RADIUS	A	THETA	K
SP1	200.00	-1145.92	478.73	5°00'00"	99.97
SP2	150.00	-1145.92	414.59	3°45'00"	74.99
SP3	150.00	-1145.92	414.59	3°45'00"	74.99
SP4	150.00	-1145.92	414.59	3°45'00"	74.99

HILLSIDE NO. 2 MS 7904
RCD HIGH ALTITUDE INVESTMENTS

HILLSIDE MS 7904
RCD HIGH ALTITUDE INVESTMENTS

HOME MS 0031
RCD HIGH ALTITUDE INVESTMENTS

SAN PACH SUBDIVISION
DONNA KYLE

SAN JUAN NATIONAL FOREST

IRON CLAD MS 005
JOHN A. L.

SANTA CRUZ MS 6132
RCD PROPERTIES LLC

HARDSCRABBLE MS 0070
RCD PROPERTIES LLC

BURCHARD MS 0070
RCD PROPERTIES LLC

SAN JUAN NATIONAL FOREST

LITTLE MAGGIE MS 0070
RCD PROPERTIES LLC

SAN JUAN NATIONAL FOREST

TRACT 2
4.54 ACRES
ACCESS PROVISION
SEE NOTE 11
OWNER'S CERT.
SHEET 1

TRACT 3
4.03 ACRES

TRACT 4
7.02 ACRES
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TRACT 5C
22.71 ACRES

TRACT 6A
6.26 ACRES

TRACT 6B
3.99 ACRES

TRACT 7
6.21 ACRES
RESTRICTION
SEE NOTE 1
OWNER'S CERT.
SHEET 1

TRACT 8
8.49 ACRES

TRACT 8B
4.93 ACRES

TRACT 8C
1.01 ACRES

TRACT 9
2.56 ACRES

TRACT 10
1.01 ACRES

TRACT 11
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TRACT 12
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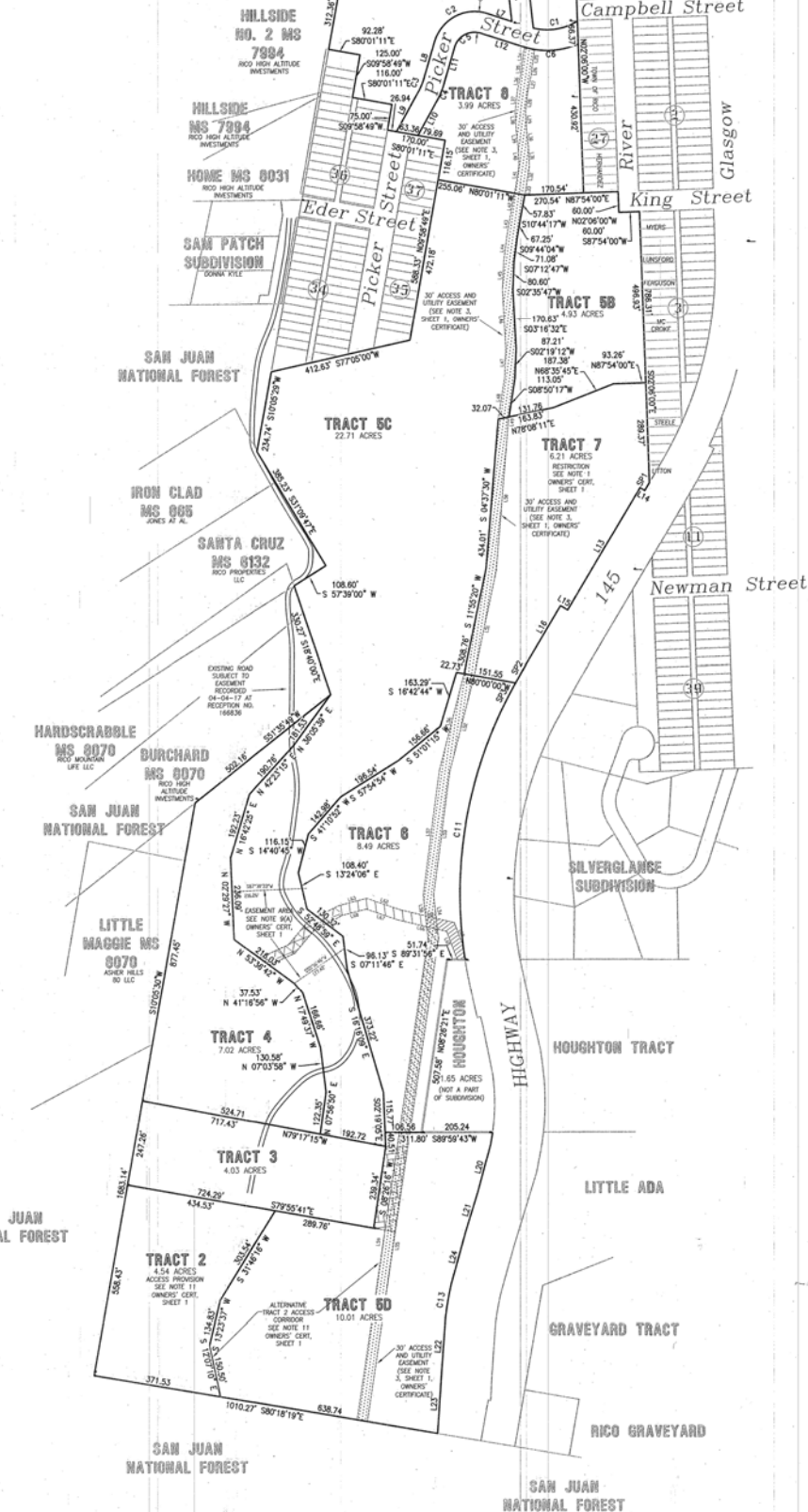
TRACT 96
1.01 ACRES

TRACT 97
1.01 ACRES

TRACT 98
1.01 ACRES

TRACT 99
1.01 ACRES

TRACT 100
1.01 ACRES



- 30' ACCESS AND UTILITY EASEMENT - TRACT 1 - (SEE NOTE 3, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 2 - (SEE NOTE 4, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 3 - (SEE NOTE 5, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 4 - (SEE NOTE 6, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 5 - (SEE NOTE 7, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 6 - (SEE NOTE 8, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 7 - (SEE NOTE 9, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 8 - (SEE NOTE 10, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 9 - (SEE NOTE 11, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 10 - (SEE NOTE 12, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 11 - (SEE NOTE 13, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 12 - (SEE NOTE 14, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 13 - (SEE NOTE 15, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 14 - (SEE NOTE 16, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 15 - (SEE NOTE 17, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 16 - (SEE NOTE 18, SHEET 1, OWNER'S CERTIFICATE)
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- 30' ACCESS AND UTILITY EASEMENT - TRACT 20 - (SEE NOTE 22, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 21 - (SEE NOTE 23, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 22 - (SEE NOTE 24, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 23 - (SEE NOTE 25, SHEET 1, OWNER'S CERTIFICATE)
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- 30' ACCESS AND UTILITY EASEMENT - TRACT 29 - (SEE NOTE 31, SHEET 1, OWNER'S CERTIFICATE)
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- 30' ACCESS AND UTILITY EASEMENT - TRACT 39 - (SEE NOTE 41, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 40 - (SEE NOTE 42, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 41 - (SEE NOTE 43, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 42 - (SEE NOTE 44, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 43 - (SEE NOTE 45, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 44 - (SEE NOTE 46, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 45 - (SEE NOTE 47, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 46 - (SEE NOTE 48, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 47 - (SEE NOTE 49, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 48 - (SEE NOTE 50, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 49 - (SEE NOTE 51, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 50 - (SEE NOTE 52, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 51 - (SEE NOTE 53, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 52 - (SEE NOTE 54, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 53 - (SEE NOTE 55, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 54 - (SEE NOTE 56, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 55 - (SEE NOTE 57, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 56 - (SEE NOTE 58, SHEET 1, OWNER'S CERTIFICATE)
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- 30' ACCESS AND UTILITY EASEMENT - TRACT 58 - (SEE NOTE 60, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 59 - (SEE NOTE 61, SHEET 1, OWNER'S CERTIFICATE)
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- 30' ACCESS AND UTILITY EASEMENT - TRACT 61 - (SEE NOTE 63, SHEET 1, OWNER'S CERTIFICATE)
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- 30' ACCESS AND UTILITY EASEMENT - TRACT 98 - (SEE NOTE 100, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 99 - (SEE NOTE 101, SHEET 1, OWNER'S CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 100 - (SEE NOTE 102, SHEET 1, OWNER'S CERTIFICATE)



RICO RIVER CORRIDOR TRACT MAP A BOUNDARY LINE AGREEMENT LOCATED WITHIN A PORTION OF TRACT A, RICO TOWNSITE SECTIONS 35 AND 36 T40N, R1W, SECTIONS 1 AND 2, T30N, R1W, N.M.P. COLORES COUNTY, COLORADO

Project Map: 08
Technician: 08
Checked by: 08
Start date: 08/28/12

FOLEY ASSOCIATES, INC.
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435
Drawing path: c:\p\river Corrid. Map\2012\FINAL PLAT-04282022.dwg
Sheet 3 of 4
Project #: 07079

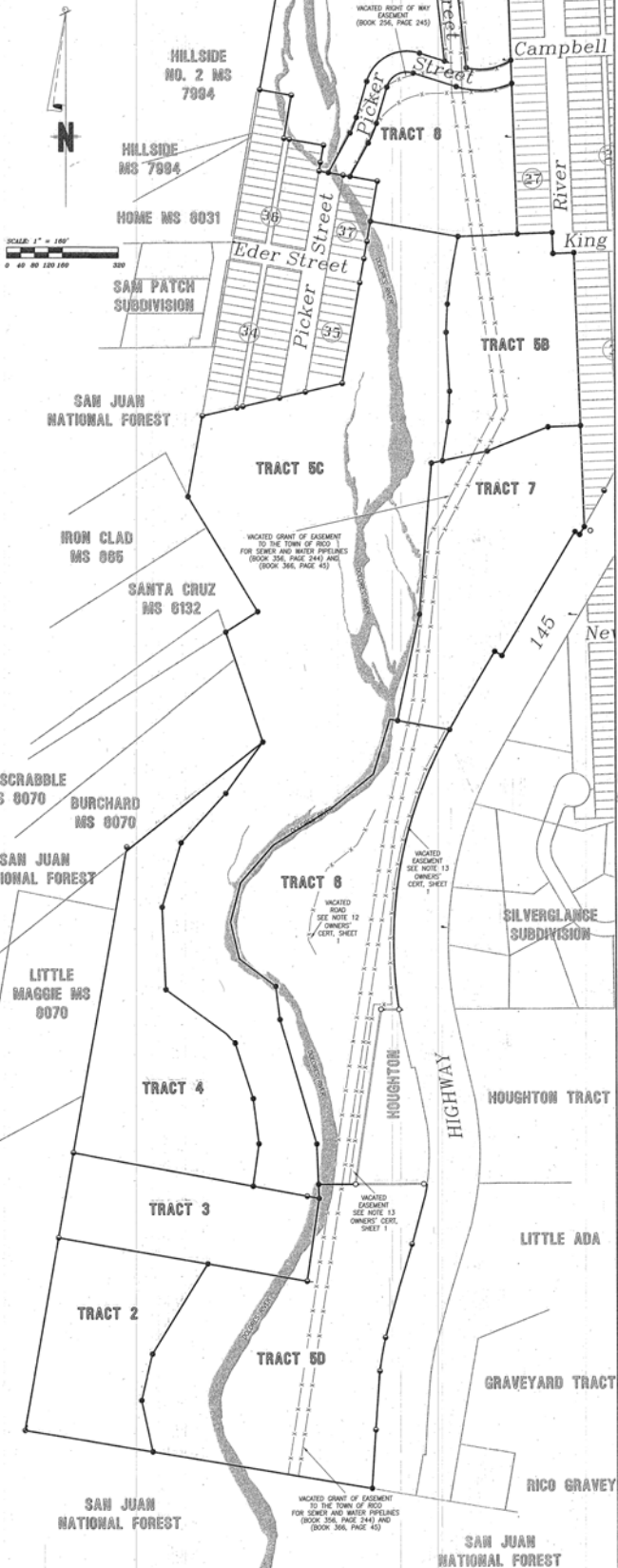
970-728-6153 970-728-6050 Fax
P.O. BOX 13485
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435
7/19/24 07-26-2022 Page 3 of 4

SURVEY MONUMENTATION VACATED EASEMENTS

MONUMENT LEGEND

- FOUND 1 1/2" ALUMINUM CAP 15 37662 ON #5 REBAR
- SET 1 1/2" ALUMINUM CAP 15 37662 ON 18" LONG #5 REBAR
- FOUND 1" ALUMINUM CAP 15 29771 ON #5 REBAR
- FOUND 1 1/2" PLASTIC CAP 15 6728 ON #5 REBAR
- FOUND 4"x4" STEEL PLATE WELDED ON 3" STEEL PIPE STAMPED 405 CORNER

VACATED EASEMENT
ACCORDING TO THE TERMS CITED HEREIN

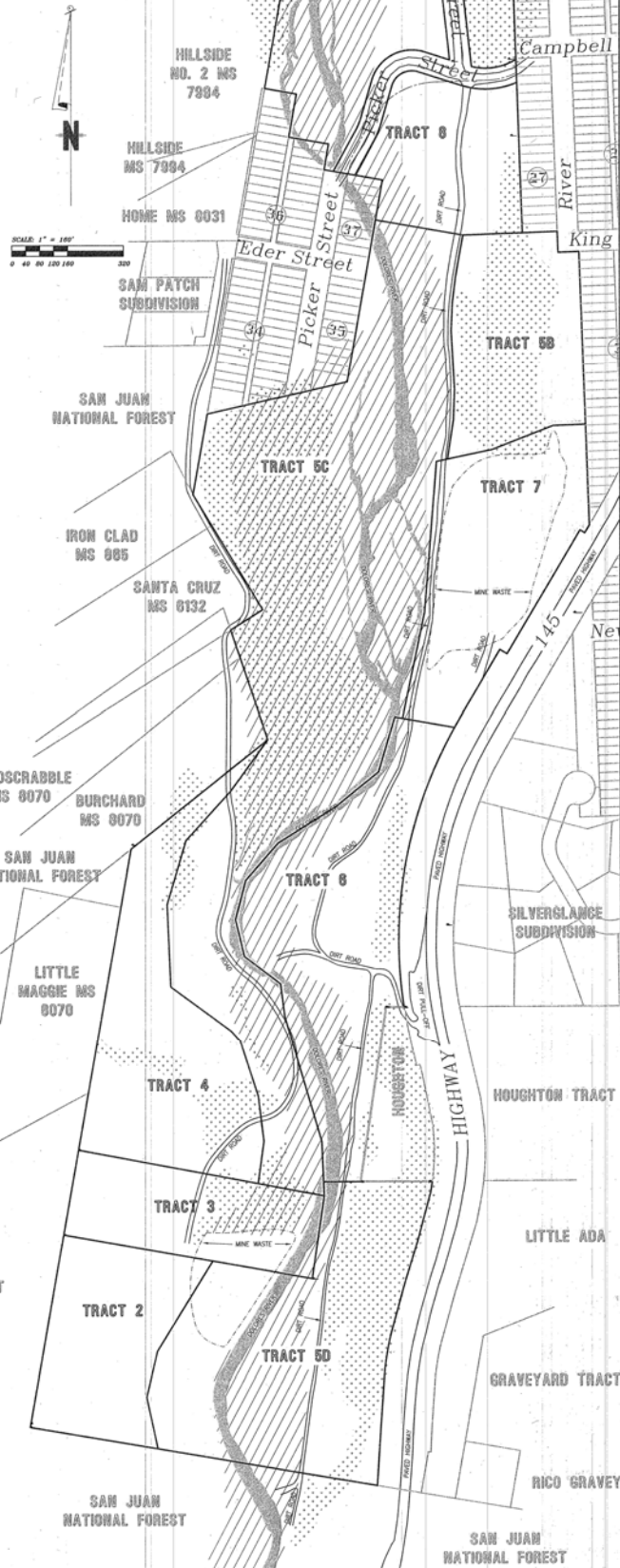


PHYSICAL SITE CONDITIONS

LEGEND

- MINE WASTE
- WETLAND AS Delineated BY
FAT CREW 2005
- 100 YEAR FLOOD PLAIN
CHRS JULIUS 1994

THE WETLANDS AND FLOOD PLAIN DELINEATIONS
SHOWN HEREON ARE INTENDED TO GIVE NOTICE
REGARDING POTENTIAL SITE CONSTRAINTS ASSOCIATED
WITH EACH TRACT. FUTURE DEVELOPMENT OF THESE
INDIVIDUAL TRACTS SHALL BE GOVERNED BY
APPLICABLE TOWN OF RICO LAND USE CODE
REQUIREMENTS WHICH MAY OR MAY NOT RELATE TO
THESE WETLAND OR FLOOD PLAIN DETERMINATIONS.



RICO RIVER CORRIDOR TRACT MAP
A BOUNDARY LINE AGREEMENT LOCATED WITHIN A PORTION OF TRACT A, RICO TOWNSITE
SECTIONS 35 AND 36 T40N R1W, SECTIONS 1 AND 2, T39N R1W, NMPM DOLORES COUNTY, COLORADO

Project Mgr: 09
Technician: 09
Checked by: 09
Start date: 08/26/12

Sheet: 1 of 4
Project #: 01079

FOLEY
ASSOCIATES, INC.
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435

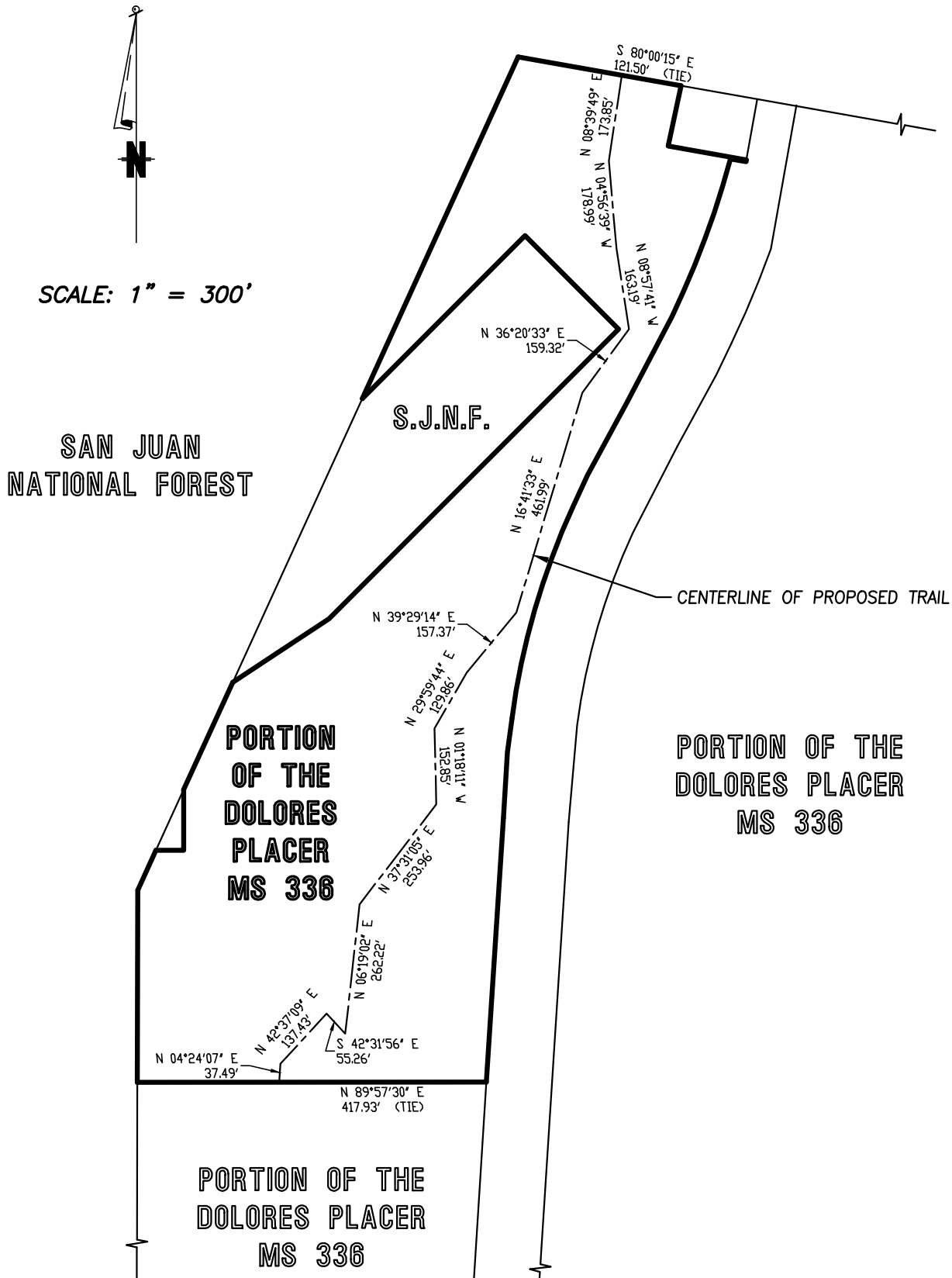
970-728-6153 970-728-6050 fax
P.O. BOX 1355
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435

EXHIBIT "A"

A tract of land in Section 2, Township 39 North, Range 11 West, N.M.P.M., which is all that part of the Dolores Placer Claim, U.S. Mineral Survey #336, located in the Pioneer Mining District, lying West of Colorado Highway 145, being more particularly described as follows:

Beginning at a point in said Section 2, which is Corner No. 5, Dolores Placer Claim, U.S. Mineral Survey #336, from which point the Northeast Corner of said Section 2 bears North 61°51'04" East a distance of 961.68 feet and from which point U.S.L.M. #3 bears South 77°28'58" East a distance of 923.03; thence South 80°33'36" East a distance of 334.30 feet along the North line of the Dolores Placer Claim, U.S. Mineral Survey #336, to a point on a fenceline; thence South 12°25'51" West a distance of 126.82 feet along a fenceline; thence South 79°47'45" East a distance of 139.65 feet along a fenceline to the West right of way of Colorado Highway 145; thence 337.45 feet along the arc of a curve to the right with a radius of 1843.86 feet, the long chord of which bears South 22°28'03" West a distance of 336.98 feet along the right of way of Colorado State Highway 145; thence South 27°43'30" West a distance of 196.50 feet along the West right of way of Colorado State Highway 145; thence South 28°43'30" West a distance of 165.50 feet along the West right of way of Colorado State Highway 145; thence South 24°43'30" West a distance of 69.00 feet along the West right of way of Colorado State Highway 145; thence 444.58 feet along the arc of a curve to the left with a radius of 1498.39 feet, the long chord of which bears South 16°13'28" West a distance of 442.95 feet along the West right of way of Colorado State Highway 145; thence South 07°43'30" West a distance of 69.00 feet along the West right of way of Colorado State Highway 145; thence South 03°43'30" West a distance of 675.41 feet on the West right of way of Colorado State Highway 145; thence West a distance of 704.83 feet to the West line of the Dolores Placer Claim, U.S. Mineral Survey #336; thence North 0°10'45" East a distance of 387.00 feet along the West line of the Dolores Placer Claim, U.S. Mineral Survey #336, to Corner No. 4 of the Dolores Placer Claim, U.S. Mineral Survey #336; thence North 24°38'13" East a distance of 1845.25 feet along the West line of the Dolores Placer Claim, U.S. Mineral Survey #336, to Corner No. 5, Dolores Placer Claim, U.S. Mineral Survey #336, the point of beginning,
County of Dolores, State of Colorado.

LESS AND EXCEPT that portion of the above named mining claim, if any, within overlapping mining claims.



REV	DESCRIPTION	DATE	BY

FOLEY ASSOCIATES, INC.
 ENGINEERING • PLANNING • SURVEYING
 PO Box 1285 123 W. Pacific Ave. Suite B1
 Telluride, Colorado, 81415
 phone 970/261-0333 fax 970/261-0000
 email to info@foleyassoc.com

EXHIBIT		Project Mgr: DB
		Drawn by: FD
Client:	Contact:	Checked by:
		Start date:
Dwg path:		Sheet No. 1
		Project #: 05056

