

RICO TOWN BOARD MEETING MINUTES

Date: July 19, 2023

Call to Order 6:04

Trustees Present: Mayor Nicole Pieterse
 Mayor Pro Tem Patrick Fallon
 Trustee Joe Dillsworth (zoom)
 Trustee Benn Vernadakis
 Trustee Jordan Carr
 Trustee Joe Croke
 Trustee Chris Condon (6:07)

Trustees Absent:

Staff Present. Chauncey McCarthy, Anna Wolf (zoom) (8:00PM), Wilton Anderson (8:00PM)

Environmental Attorney:

Tom Bloomfield, Sam Caravello, Brandon Rattiner

Approval of the Agenda

Motion

To approve the agenda.

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

Vote. A roll call vote was taken and the motion was approved, 6-0. Chris Condon not present at vote.

Motion

To move into executive session: Town wide Voluntary Cleanup financial assurance and funding agreement. Determination of positions relative to matters that may be subject to negotiations, Development of strategy for negotiations and instruction of negotiators § 24-6 402(4)(e) C.R.S

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

Vote. A roll call vote was taken and the motion was approved, 6-0. Chris Condon not present at vote.

Motion

To adjourn executive session and convene in regular session.

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

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

Approval of Minutes

With clerical corrections to be provided by Mayor Nicole Pieterse

Motion

To approve the March 15, April 19, June 21, 2023 minutes with correction.

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

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

**Consent Agenda
Payment of the Bills**

Motion

To approve the payment of the bills.

Moved by Trustee Benn Vernadakis, seconded by Trustee Chris Condon.

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

Public Comment:

Michael Contillo: encourages the Town Board to let folks know that the LUC will be enforced once the new LUC is adopted. These need to be enforced

Letter from Skip Zeller: Use the newsletter to let people know that the Town intends to enforce what is on the books in the LUC.

Nicole Pieterse: Bedrock is having an open house tomorrow. She encourages people to go.

Kathy McJoynt: Made a complaint about Trustee Jordan Carr regarding what he said at the Garden Bar.

Joe Croke: commented that we all represent the Board, these complaints reflect on all of the Board.

Discussion Items:

Voluntary Lead Soil Clean up ("VCUP") update

Mayor Nicole Pieterse gave update. The executive session was regarding the financial setting of the project and other funding agreements that are in session. The Town should get comments back from AR in 2 weeks.

Tom Bloomfield: this was a productive conversation with AR. The goal is to get this done so the work can start this year.

Discussion of the business tactics of ARCO subcontractor Enact and potential implications to the Board of Trustee's position on the VCUP negotiations

Trustee Chris Condon gives summary. Enact asked the Mine Shaft to hold rooms, but did not end up using them with a last minute notice to the establishment. This was a financial loss for the business. Chris reached out to the CEO. In the end the right thing was done. Enact was taking advantage from the negotiation tactics. This is worth noting,

Andrew Romanyshyn owner of Mine Shaft Inn: satisfied with the outcome. Enact was initially not going to compensate. All ended on good terms.

Revised contract and legal document policy

Mayor Nicole Pieterse gave summary.

Mayor Pro Tem Pat Fallon reiterates that anything that is agreed upon needs to be signed as is. If there are changes it needs to go back to the board for more discussion.

A redline and the original document should be presented to the person signing, they can make the decision to bring it back to the Board if more was changed than was agreed upon.

Quarter 2 Finances

Town Manager Chauncey McCarthy gives summary. There will be a special meeting August 2nd for a budget amendment.

Mayor Pro Tem asked questions regarding Town attorney, dog tags, and street fund insurance. Chauncey McCarthy addressed the questions.

Action Items

Review and execution, as concurring party, of Amendment 2 to the Memorandum of Agreement between the United States Forest Service (San Juan National Forest), and the Colorado State Historic Preservation Officer, regarding adverse effects to site 5dl.478.19 resulting from the Atlantic Richfield Company small tracts act case no. 2020 project, Dolores County, Colorado
Mayor Nicole Pieterse gave summary.

Motion

To approve Review and execution, as concurring party, of Amendment 2 to the Memorandum of Agreement between the United States Forest Service (San Juan National Forest), and the Colorado State Historic Preservation Officer, regarding adverse effects to site 5dl.478.19 resulting from the Atlantic Richfield Company small tracts act case no. 2020 project, Dolores County, Colorado

Moved by Trustee Joe Croke, seconded by Trustee Jordan Carr.

Vote. A roll call vote was taken and the motion was approved, 6-0 Trustee Benn Vernadakis did not vote.

Consideration of Resolution 2023-05 a resolution of the Board of Trustees of the Town of Rico authorizing an extraterritorial residential water tap for Lot 3 Homestake Little Cora.

Nicole is scripter in this transaction and is happy to recuse herself. Wilton Anderson gives the digression to Nicole. Nicole will stay in the conversation.

Chauncey McCarthy gives summary. This is not precedence setting as the Town does not have an easement through the property. This would approve a residential tap for the lot in exchange for easement for the Town.

Trustee Joe Croke: it should not be approved unless this closes with Chauncey not any other buyer.

Nicole: add the requirement that conditioned upon closing with the purchasers and will go into effect if and when they close.

Wilton to write up new language. Come back to this topic later.

Consideration of a proposal from GovRates for a water impact fee study

Chauncey McCarthy gives summary.

Motion

To approve proposal from GovRates for a water impact fee study

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

Vote. A roll call vote was taken and the motion was approved, 6-0 Trustee Joe Croke not present to vote.

Consideration of a proposal from Goff Engineering and Surveying for waterline location services

Chauncey McCarthy gives summary.

Motion

To approve proposal from Goff Engineering and Surveying for waterline location services

Moved by Trustee Benn Vernadakis, seconded by Trustee Jordan Carr.

Vote. A roll call vote was taken and the motion was approved, 6-0 Trustee Joe Croke not present to vote.

Consideration of Resolution 2023-05 a resolution of the Board of Trustees of the Town of Rico authorizing an extraterritorial residential water tap for Lot 3 Homestake Little Cora.

Wilton: add condition upon the Town Manager and Devon Petersen closing on the purchase of Lot 3 as described herein, the conveyance of the ¾ inch water tap to Lot 3.

Recital to incorporate all of the whereas clauses.

Pat: Add and payment of the tap. Change conveyance to sale in the whereas clause.

Motion

To approve with those changes.

Moved by Trustee Benn Vernadakis, seconded by Trustee Chris Condon.

Vote. A roll call vote was taken and the motion was approved, 6-0 Trustee Joe Croke not present to vote.

Staff Report

Manager's Report

July 4th was a success.

The Community engagement surveys are still available to fill out at the Court House.

The Town manager has a conflict with the February meeting. To be moved to February 28th.

Chauncey will not be in the office next week.

The meeting adjourned 9:19PM



Anna Wolf
Rico Town Clerk



Nicole Pieterse
Mayor