

RICO TOWN BOARD MEETING MINUTES

Date: September 18, 2024
Call to Order 7:00PM

Trustees Present: Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Joe Dillsworth
Trustee Benn Vernadakis
Trustee Cristal Hibbard
Trustee Chris Condon

Trustees Absent:

Staff Present. Chauncey McCarthy, Anna Wolf (Zoom), Wilton Anderson (zoom), Tom Bloomfield, Sam Carvello

Approval of the Agenda Motion

To approve the agenda.

Moved by Mayor Nicole Pieterse, seconded by Trustee Benn Vernadakis

Vote. A roll call vote was taken and the motion was approved, 6-0.

Approval of the Minutes

Typo to be corrected in SMART proposal.

Motion

To approve the minutes of August 21.

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

Vote. A roll call vote was taken and the motion was approved, 6-0.

Consent Agenda

Payment of the Bills

Town Clerk clarifies some items from the check register.

Motion

To approve payment of the bills.

Moved by Trustee Cristal Hibbard, seconded by Trustee Benn Vernadakis.

Vote. A roll call vote was taken and the motion was approved, 6-0.

Public Comment:

Chauncey McCarthy gives reminder of the Rico Roundup car show.

Action Items:

Consideration of a special use permit 1 N. Glasgow, Boulder City Mixology dba Enterprise Bar and Grill applicant

Town Manager gives summary.
Applicant gives comment
Board has discussion.

Motion

Move to approve a special use permit 1 N. Glasgow, Boulder City Mixology dba Enterprise Bar and Grill. With the following conditions:

1. The subject RV will be used as an office and or space for temporary stays for employees of the applicant commuting from out of town.
2. The permit shall sunset if the property is sold or Boulder City mixology is no longer the lessee.
3. Any change of the original requested use shall require an amendment of the special use permit to be reviewed pursuant to the RLUC special use permit standards.
4. Annual review/renewal at staff level
5. Staff level suspension of use pending investigation and review
6. Submission of written complaints to the Town with the applicant having the right to repeal via public hearing to the Board of Trustees

Moved by Mayor Nicole Pieterse, seconded by Trustee Cristal Hibbard.

Vote. A roll call vote was taken and the motion was approved, 6-0.

Consideration of liquor license renewal for Rock Laubster LLC, DBA Mountain Top Liquor
Town Manager Chauncey McCarthy gives summary

Motion

Move to liquor license renewal for Rock Laubster LLC, DBA Mountain Top Liquor.

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

Vote. A roll call vote was taken and the motion was approved, 6-0.

Consideration of a letter of support and cash contribution for the Dolores Watershed Collaborative WARP grant application to the Colorado Water Conservation Board
Town Manager Chauncey McCarthy gives summary.

Gerrish Willis gives summary as a technical advisory board member.

Board of Trustees has discussion.

Motion

Move to approve a letter of support and request additional information regarding the grant.

Moved by Trustee Benn Vernadakis, seconded by Trustee Cristal Hibbard.

Vote. A roll call vote was taken and the motion was approved, 6-0.

Consideration of a Resolution 2024-03 a Resolution of the Board of Trustees of the Town of Rico approving the execution of a Voluntary Lead Soils Cleanup Program ("VCUP") Implementation, Funding, and Settlement Agreement with Atlantic Richfield Company and an Intergovernmental Agreement with the Colorado Department of Public Health and Environment ("CDPHE")

Mayor Nicole Pieterse gives summary.

Board of Trustees has discussion. Benn Vernadakis brings up concern with 7.8.3. Chris Condon gives commentary regarding the negotiation process. Mayor Pro Tem Pat Fallon asks questions regarding the road remediation.

Public Comment was taken: Dylan Robertson, Sophia, Brad Fox, Dave Bulson, Teal Stenson-Lee, Gerrish Willis,

Responses were made to the Public comments.

Mike Micelty from Atlantic Richfield gives response to use of Colombia tailings. Agrees to strike last sentence 7.8.7.

Public Comment: Dylan Robertson, Jim Ostrem,
Board Discussion was had.

Conflict of Cristal Hibbard discussed by Board of Trustees. Wilton Anderson gives clarification. Disinterested trustees to vote on whether or not it is a conflict of interest.

Vote on whether it is a conflict of interest: 3-2, Benn Vernadakis and Pat Fallon vote it is a conflict of interest.

Motion

Move to approve Resolution 2024-03 a Resolution of the Board of Trustees of the Town of Rico approving the execution of a Voluntary Lead Soils Cleanup Program ("VCUP") Implementation, Funding, and Settlement Agreement with Atlantic Richfield Company and an Intergovernmental Agreement with the Colorado Department of Public Health and Environment ("CDPHE").
Condition:

Striking from 7.8.7 the phrase "unless the Town expressly consents to the use of the Columbia tailings site for that purpose".

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

Vote. A roll call vote was taken and the motion was approved, 4-1. Mayor Pro tem votes no. Trustee Cristal Hibbard abstains from voting.

First 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

Mayor Nicole Pieterse gives summary.

Sam Carvello gives summary of all changes.

Board of Trustees has discussion.

Public Comment: Dylan Robertson,

Motion

Move to approve First 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).

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

Vote. A roll call vote was taken and the motion was approved, 4-1. Mayor Pro tem votes no. Trustee Cristal Hibbard abstains from voting.

Staff Report

Clerk's report:

Election update.

Manager's report

Rico Center Grant for 2025 discussion.

2025 budget.

Park structure is open. Grand opening September 26 at 5PM

Discussion Items

Stormwater system design

Town manager Chauncey McCarthy gives update.

Town project updates

Town manager Chauncey McCarthy gives update

Project needs assessment grant of \$10,000. Water system.

Fiber project update.

Pavilion concrete work to start soon.

Skate Park / pump track next summer.

Double track trail from existing park to the pavilion and Skate Park.

Town shop update.

Motion

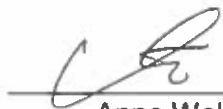
Move to go into executive Session:

Townwide Voluntary Cleanup settlement, implementation, 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.

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 Cristal Hibbard.

Vote. A roll call vote was taken and the motion was approved, 6-0.



Anna Wolf
Rico Town Clerk

Nicole Pieterse
Mayor