

RICO TOWN BOARD MEETING MINUTES

Date: January 23, 2023

Trustees Present: Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Joe Dillsworth
Trustee Christopher Condon (6:08 arrival)
Trustee Benn Vernadakis
Trustee Jordan Carr (Sworn in 8:10PM)

Trustees Absent:
Trustee Joe Croke

Staff Present. Chauncey McCarthy, Anna Wolf

Work Session

Town Manager gives summary of the purpose of this work session.

Goals and objectives of Board Members:

Pat:

- Water – finding a sustainable solution for the water needs of the Town
- Town shop including staff and equipment.
- Slowing down and learning from other communities' success and downfalls. Keeping things simple.
- Save money
- Storm drains and how to fund them
- Home rule charter and master plan and what changes are needed there
- School
- Consideration for everything we do keeping things affordable.

Benn:

- Fire department, limited on resources. Try to see if some attention can be focused on that. Public safety is important.
- Seeing subdivisions that require extra water taps. A fee structure for future water supply. Developers taking on the expenses. Significant increase in fees for reopening of silver creek. The future of water is silver creek
- Increase fees for the road department. Not unreasonable to ask developer to share the responsibility.
- People are not happy about property taxes going into a sewer fund. Look into a special district. Special districts take on the burden. Water is more important. Sewer money to be used towards water.
- Help the businesses with multi-unit inn. To bring people into this town for more than daytime activities. Incentivize lodging.

Joe D:

- Once through LUC look into the Master plan. Home rule charter is messy, needs cleaning up.
- Revisit recycling program. Maybe with the new shop. Coordinated trash pickup at shop.
- Water conservation discussion. Measures that will promote it. Banning sod, brainstorming to promote water conservation.

Chris C:

- Citizen communication and engagement. Responsibility to the community. Over communicating.
- Planning for development. Water, access, conservation
- PUD
- Sewer and drainage to the VCUP
- Town shop. The sale of town assets.
- School district initiative. Redistricting of Rico. Having an active hand in it
- Close out the VCUP

Nicole

- VCUP
- Infrastructure
- Open space and recreation

Board Discussion and Prioritization:

Infrastructure:

- 1) Water is the most pressing. Conservation milestone. Impact fees connected to the moratorium. Framework for an ordinance. Updating the water rules and regulations. Grants for reactivating Silver creek. Putting nest egg into a CSAFE like fund. Use as grant match to reactivate Silver creek.
- 2) Town Shop and street fund. Taxes are very low. A mil levy increase for the Street fund. This fund runs at a deficit. Chauncey: grant cycle, may be awarded in June. Site work end of summer through fall finish in summer 2024. Also tear down the old building. Looking into a street levy, modest may gain approval from the voters. Chris: Coordinate to offset non-competing ballots such as the Fire Department.
- 3) Communication: talk potential solutions. High level summary of the meetings the Monday after the meetings. Being as transparent as we can. Link in newsletter for minutes. More education needed to be done. Quarterly Town update. Post a survey on what the public would like to see. Imperative we have a form to get community involvement.

Public Comment:

Teal: extending deep gratitude for being here and being engaged and really caring for the community. The first meeting of the New Year. In agreement with a lot that was outlined in the work session. Looking forward to the community stepping forward. We all have a lot in common. Our relationship with place and how to move forward with the community. Grateful for the fact of slowing down, doing things right the first time. Being in charge of the change we want to see.

Eamonn: Questioned why there isn't a link on the Town website to all of the businesses in town as there used to be. The Board explained that the Town moved to a new platform 4-5 years ago

and this section was never made to match the old website. Chauncey explained that he tried to get a Chamber of Commerce together but there was no interest from local business owners.

Town Managers report on relevant topics to the Work Session:

Storm water management: ARCO will pay for engineering. Met with the firm. They have strong scope of the work. Hopefully we are moving through that process. ARCO will pay for sections that are being remediated. Their contribution will cover the matching funds for grants.

RFP out for sewer: using Big Direct. 32 engineering firms have downloaded the bid. This platform is making the town more visible. The Town Manager for sees strong RFPs coming to the Town. Having a proposed option and a backup. A firm that is able to find funding is important. Larger national firms have been interested. Will have this at the February meeting. This is regarding the engineering portion of the project. This step is necessary to release funding. There is a lot of money available. Need to engage a firm that has a lot of connection. There is a chance if the funding mechanisms available to have a 1 phase rollout. Goal is to have a town wide system. Looking at 70-80% forgiveness. Would like to see it in a manner that is the citizens can afford it.

Call to Order 7:04

Approval of the Agenda

Motion

To approve the agenda.

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

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

Approval of the Minutes

Motion

To approve the minutes.

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

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

Consent Agenda

Payment of the Bills

Motion

To approve the payment of the bills.

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

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

Public Comment:

Laurie Adams: Glad to see the emergency moratorium, it is important to give it time. Artists of Rico would like to add art on the open space of the east side of the hallway.

Skip Zeller: The last revision of the master plan was updated 20 years ago. It needs to be updated. Opportunity for the community to get involved. Suggest the potential to get a group of people to formulate as the community see it. Ask that the town entertain the idea.

Teal: Gratitude to the town board. Be kind to each other, we may not agree on everything. Look for commonalities. It will make the community stronger.

Nicole: seen complaints about dogs attacking people. Dogs need to be licensed.
Chauncey: it is a priority of the Marshall, there will be consequences.

Nicole: Should consider putting avalanche danger signs out where people enter the back country.

Kiplynn Smith would like to do a presentation on mitigation for fire for the Town's residence as well as the Town. Money may be available for the town to have a fire mitigation plan.

Presentations

San Miguel Power Association

Terry Schuyler and Wiley Freeman gave a presentation.

Nicole: finding the land to put the project on will be the crux of this project.

Teal: Would like to coordinate and work with San Miguel Power regarding geothermal energy.

Skip Zeller: asked clarifying questions about the system.

Detachment and annexation of Rico from the Dolores School District

John Pandolfo from the Telluride R-1 school district gave a presentation.

John expressed that this is a tight timeline but doable. The communities need to work together.

Nicole: The measure did not pass in the past in Dove Creek. We need to make sure the Dolores School Board supports the measure this time. Need to get the County Commissioners to support the measure as well.

Action Items

Appointing of Board of Trustee Seat

Mayor Nicole Pieterse gives summary on Jordan Carr's letter of interest

Public Comment:

Skip Zeller: Jordan would be a great addition to the Board. He has been active in the community since they moved here. He believes in what the Community believes in.

Motion

To appoint Jordan Carr the vacant seat on the Board of Trustees.

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

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

Jordan Carr was sworn in at 8:10PM by Town Clerk Anna Wolf.

Appointing of Planning Commission seats

Town Manager Chauncey McCarthy gives summary of the 4 letters of interest that were received. There are 2 full seats available, 1 full term alternate seat as well as 1 short term alternate seat to fill.

Michael Contillo and Cristal Hibbard to receive the full seat appointments. Brad Fox to receive the full term alternate seat, and Kiplynn Smith to receive the short term alternate seat.

Motion

To appoint Mike Contillo chair of the planning commission, Cristal Hibbard to a full term seat. Brad Fox as the alternate full term seat and Kiplynn as the one year alternate

Moved by Mayor Pro Tem Patrick Fallon, 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 for the Rico Fire Protection District application for an enterprise zone designation.

Town Manager gave a summary.

David Kunz summarizes the incentive for the Fire District.

Nicole requested some verbiage changes in the letter of support.

Motion

To approve this letter of support with the verbiage change

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

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

Consideration of an agreement between the United States Forest Service and the Town of Rico regarding Forest Service Road 422 and Burnett Creek Bridge

Town Manager gives summary of the hit list of repairs that will be necessary in the future. Legal was consulted. Most repairs can happen in-house. The version in the packet is the redline version that was agreed upon by the board, out legal and the Forrest Service.

Motion

To approve the agreement between the United States Forest Service and the Town of Rico regarding Forest Service Road 422 and the Burnett Creek Bridge.

Moved by Mayor Pro Tem Patrick Fallon, seconded by Trustee Chris Condon.

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

Consideration of second reading of Ordinance No 2022-12 an Ordinance of the Town of Rico, amending the Rico Land Use Code Fee Schedule, and adopting the UBC 97 table no. 1-a-building permit fees

Town Manager Chauncey McCarthy gave a summary of the ordinance and the First reading. Nothing has changed between readings.

Request was made to update the second reading date to January 23rd, 2023.

Motion

To approve the second reading of Ordinance No. 2022-12.

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

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

Consideration of first reading of Ordinance 2023-01 an Ordinance of the Town of Rico, Colorado approving the sale of town owned property located at 13 South Glasgow Avenue

Town Manager gave a summary of the Ordinance.

The process started in April 2022 when it was recommended to the Board to consider selling the commercial space to use as a match for the Town Shop project. As it is the commercial space is at a \$400 a month rent rate. There is no place for a business to move from this space and the rent does not offset the maintenance that is needed to maintain the building.

The Town got a brokers opinion on the value of the commercial space and it was assessed at \$200,000.

An offer was extended to the current tenants this led to a \$195,000 cash in hand offer from the current tenants. There is no commission for a realtor, no additional costs to the Town.

The purpose of selling this commercial space is to fund the Town Shop project. The funding needs to be in hand by June 2023 to be able to secure other funding for the Town Shop.

The Home Rule Charter requires that this go through 2 readings. If approved on the second reading there is a 30 day effective period. A referendum would require a petition of 15% of elector's signature.

Nicole: If this is approved tonight and on second reading on February 15th the effective date will be March 16, 2023.

Public Comment:

Skip Zeller: Is this a presidency setting situation? If so the Town Board should think it through.

Laurie Adams: Was surprised to learn about this recently through the Rico Bulletin Board. There needs to be better community communication. This should have gone out to public bidding. She has heard there were other offers on the table. Concerned about the communication and transparency. The people should have the opportunity to participate. We all need to be better tuned in.

Skip Zeller: this was not as public as it could have been. There is a certain amount of trust the people need to put into the Town Board to be able to do their jobs. Perhaps not everyone can know everything.

Nicole: while not everything is in the agenda and some items come up in the Managers report. The Board meetings are broadcasted 3 different ways.

Laurie Adams: Social Media goes both ways. People don't want to attend the meetings because it is tedious.

Nicole: there is a process called a referendum. It is in the Home Rule Charter.

Motion

To approve Ordinance 2023-01 on the first reading.

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 liquor license renewal, Garden Bar, applicant
Town Clerk Anna Wolf confirms all is in order with this application.

Motion

To approve the liquor license renewal for the Garden Bar.

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

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

Consideration of a liquor license renewal, Prospector Bar and Grill, applicant
Town Clerk Anna Wolf confirms all is in order with this application however it did expire 1/19/23.

Motion

To approve the liquor license renewal for the Prospector Bar and Grill.

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

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

Staff Report

Clerk's Report

The Town Clerk reported on closing out the year.

Manager's Report

Dark Skies Community discussion: Seeing if there is interest in pursuing the process. If the town decides to move forward there is a small financial burden for the Town. The ultimate benefit is tourism. There are already things in the Land Use Code that support this.

Sewer RFP: The new platform allows the town to be compliant with grant guidelines.

New Polaris side by side: a small portion of the Park supplies was allocated to this purchase. 25 hours of run time is necessary before the machine can groom. Access will be better. This also allows for easier access to the water tanks without plowing.

Working on a Parks Engagement Team. This would be a point person for communicating with the people.

Library Board will join the meeting in February once they replace Linda's seat.

2022 Audit has begun. This year should be smoother as we are working with the same firm.

Bond Council has been selected. Requires \$400,000 funding over 30 years. A big component of the Bon Council is to make sure everything is right.

Marty filed in water court to dismiss our case. Motion was approved without prejudice. Our current Legal team is taking over water law for the Town.

Discussion Items

VCUP Status Update

Mayor Nicole Pieterse gave a detailed summary. Comments have not come back yet. There is a draft funding agreement from AR this still needs to be negotiated. The State will determine what a public facility lead action level will be. The planning commission is working on the IUC amendment for the VCUP to protect the clean-up.

2022 year-end financial review (Q4)

Town Manager Chauncey McCarty gives summary

Sales Taxes ended much higher than anticipated. All stayed within the amendment.

Motion

To adjourn Board of trustee and enter 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 Trustee Benn Vernadakis, seconded by Trustee Chris Condon.

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

The meeting adjourned.



Anna Wolf
Rico Town Clerk



Nicole Pieterse
Mayor