

RICO TOWN BOARD MEETING MINUTES

Date: March 16, 2022

Call to order

Mayor Nicole Pieterse called the meeting to order at 7:00PM.

Trustees Present:

Mayor Nicole Pieterse
Trustee Christopher Condon
Trustee Joe Croke
Trustee Joe Dillsworth
Mayor Pro Tem Patrick Fallon
Trustee Benn Vernadakis

Absent:

Staff Present. Chauncey McCarthy and Anna Wolf

Approval of the Agenda

Motion

To approve the agenda as stated.

Moved by Trustee Joe Dillsworth seconded by Trustee Benn Vernadakis

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

Action Items

Approval of the minutes

Motion

To approve the minutes from February 9, 2022 Joint meeting

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

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

Motion

To approve the minutes from February 16, 2022, monthly Board of Trustee meeting with the addition of "due to conflict of interest regarding Mayor Nicole Pieterse."

Moved by Mayor Nicole Pieterse seconded by Trustee Joe Croke.

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

Motion

To approve the minutes from March 2nd, 2022 VCUP Work Session.

Moved by Trustee Joe Croke seconded by Trustee Benn Vernadakis.

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

Motion

To approve the minutes from March 7, 2022, Short Term Rental Work Session

Moved by Trustee Joe Dillsworth seconded by Trustee Benn Vernadakis.

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

Minutes from the VCUP presentation to be approved on the work session on Monday March 21, 2022.

Consent Agenda

Payment of Bills

The fund for plowing is looking good due to lack of snow. AR still has an outstanding balance.

Motion

To approve the bills as presented.

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

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

Public Comment.

Joely Denkinger from Karp Neu Hanlon joined via zoom to introduce herself to the board of trustees.

Brandy Randall sent a letter of resignation to all board of Trustee members. Vacancy will be noticed March 17, 2022, for 30 days. A qualified person shall be appointed by the board at the April Board of Trustee Meeting.

Joe Croke discussed potentially writing a lease agreement for the library. This lease would be to cover their use of utilities. Look into writing a lease for the Museum as well.

Public commented on the inefficiency of the Courthouse. Urged the Board to look into ways of making the building more economical.

Action Items

Consideration of an application for a special use permit for the purpose of a short-term rental, 1 N Commercial, Justin and Christie Miller, applicants.

To use their house as a short-term rental. The application is complete and compliant. The Planning Commission approved with the following conditions:

“To recommend that we recommend to the Town Board of Trustees to approve the application of this open-ended application with the following conditions a limit of two persons per bedroom, a health and safety

inspection to make sure the facility is safe place for renters to live and that a review of the septic system be conducted by a licensed civil to ensure capacity for two people per room. Addition of property delineation to prevent trespassing onto neighbor's lots. Snow removal to meet off-street parking. All of the outdoor lighting is dark sky compliant. Meet all town codes requirements. The neighbors should be given the contact persons information."

Board members question if this is asking more than previous short term rental approvals. The board does have the right to put conditions on the approval.

Board discussion on items to include in the conditional approval.

Public Comment:

Public voices concern of the lack of back yard as well as the septic capacity.

Motion

Motion to approve a special use permit for short term rental for 1 N. Commercial application by Justin and Christie Miller. It is one special use permit so they need to specify which dwelling unit it will apply to. And approval is conditioned upon duration of the special use permit will be subject to the ordinance for short term rentals as amended or repealed or reenacted. Including the application requirements for any such ordinance. The conditions will be a property line delineation and proper signage and communication to the guests that they may not utilize the back yard or the North yard on the property for anything other than parking in designated areas. All parking shall occur on site in designated areas and driveways. They shall provide a local contact. They shall provide written confirmation that their smoke and CO2 detectors are operational. They shall keep snow removed from the parking areas when guests are expected. They need to not direct any exterior lighting towards the residence towards the north.

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

Vote. A roll call vote was taken, and the motion was approved, 5-1.

Consideration of liquor License renewal, Garden Bar LLC, applicant.

Motion

To approve the liquor license renewal application.

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

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

Greg Perkins Water Tap Public Hearing.

Historically in 2018 ordinance 07 section 4c speaks to someone defaulting on a water tap and the town having the ability to revoke the tap after 24 months of no payment. This account has been past due for 24 months. There has been a change to the ordinance 2019 – 06 are the current

regulations. Section 5.6 states the town and board of trustees can revoke a tap that is past due for 60 days. 5.8 speaks to the 10-day noticing requirement, this notice was sent on February 2, 2022 certified, and we have not received the confirmation that it was picked up. It is still in the right of the Board of Trustees to revoke this water tap.

Board discussion on removing the infrastructure. Discussion on future delinquent taps, to put a lien on the property at the end of the year, this lien amount would be added to the delinquent properties' taxes.

Motion

We find that this account is delinquent more than 24 months they were provided more than 60 days of written notice and the fact that their tap will be revoked and pursuant to Ordinance 2019-06 I move to revoke the tap for the property located at 26 N River Street and that the tap infrastructure be removed in the spring.

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

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

Staff Report

Clerks Report

The clerk has ordered a mailbox for trustees to be able to pick up packets after hours. It will be secured to the back railing of the courthouse. IT will have a combination lock on it for easy access.

Manager's Report

FMLIA State of Colorado. This program offers a lot for the employees of the town. The town does not have a family leave policy. The cost will be 0.045% of employees' wages from the town and 0.045% of employees' wages from the employee. This will cost the town less than \$1000/year.

Board of Trustees does not want to opt out.

Chauncey McCarthy received the CML scholarship including all paid events, lodging and stipend.

President Biden signed the congressional direct spending bill appropriating \$2.5 million Town of Rico central sewer system. The Town Manager is inquiring if the Town can get an extension on the funds as they are meant to be used in 2022. The town has \$200,000 in the sewer fund that could be used to seek additional help on the project in relation to special districts, bond funding, grant sourcing, and legal guidance. This is a massive undertaking. Town manager looking for Board guidance on how to proceed.

The town Audit is almost completed. The missing document is from PERA, This GASB is only published in June, the town may need to file for an extension.

CDOT is still looking for a location for their bustang bus-stop. This would have to be easy to maintain. There should be a maintenance budget from CDOT. The board agrees that if this were to happen in front of the school would be the best location.

Painting of the Court House was delayed due to Covid-19 but needs to be completed this summer. The town has gotten one bid from Clay. Board advises Town Manager to post a notice for bid that closes on April 8th, 2022. Town Manager will choose the contractor.

Discussion Items

Point of Diversion

Legal counsel, Marti Whitmore, provided a memo with updates on the point of diversion filling. The board reviewed and requested that Marti must file before April 1 or the town may consider engaging with Karp Neu Hanlon

Project List and Time Estimate for Karp Neu Hanlon

The Firm suggested to use MuniCode. All surrounding municipalities use it. There is an associated codification fee as well as a subscription fee. Priorities new Land Use Code before codification of MuniCode. All Board members agree to move to MuniCode after new Land Use Code is in place.

Discussion on the priority of the projects given to the law firm.

VCUP application review

Lots of special meeting to discuss the review.

Short Term Rental Moratorium Recommendation from the Planning Commission

From the Planning Commission:

“To recommend to the town board to enact an ordinance that would put a moratorium on Short Term rentals for a period of at least six months or a clause of upon issuance of a new ordinance.”

Discussion on the timeline of a Moratorium. Board agrees to have the law firm draft a moratorium for a potential first reading at the April monthly Board meeting. This must be noticed 10 days prior.

Town Shop and Facility Update.

The town needs a new shop. The current shop is a designated Brownfields site. This makes the town eligible for grant money for a clean-up that does not need to be matched by the municipality. Do the clean-up and site prep work at the same time to save money. Ideal timeline would be to remediate the site by the end of summer and break ground on the new site in 2023.

Board approves the moving of the plat lines to accommodate the shop. To move the plat lines by 10-20 feet to the West and South.

Short Term Rental Work Session Review

Draft ordinance will be available next month.

Water Tap fee Schedule

Board agreed to increase the water tap fee. Standard tap being \$10,000 with incremental increase based on the size of the tap. No determination on 4-inch tap fee.

Van Winkle Headframe

Waiting on Historical Society who could not make it to this meeting.

Motion

To adjourn.

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

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

The meeting adjourned at 10:23 pm.



Anna Wolf
Rico Town Clerk



Nicole Pieterse
Mayor