

## RICO TOWN BOARD MINUTES

Minutes from the Rico Board of Trustee's Meeting December 14, 2020

Date: December 24, 2020

Call to order

Mayor Betts called the meeting to order at 6:40 PM and requested that Mayor Pro Tem Nicole Pieterse moderate.

**Trustees Present:** Mayor Barbara Betts  
 Mayor Pro Tem Nicole Pieterse  
 Trustee Joe Croke  
 Trustee Joe Dillsworth  
 Trustee Patrick Fallon  
 Trustee Brandy Randall

**Trustees Absent:** Stephen Roberts

**Staff Present.** Kari Distefano  
 Linda Yellowman

### Meeting Information

This meeting was held virtually due to the COVID-19 virus

### Consent Calendar

#### Approval of the Agenda

#### Motion

To approve the agenda as presented.

**Moved by** Trustee Joe Dillsworth, seconded by Trustee Pat Fallon

#### Motion

To amend the agenda to consolidate the discussion regarding the Atlantic Richfield small tract purchase from the U.S. Forest Service and the consideration of a proposal to enter into a Memorandum of Agreement between the United States Forest Service and the Colorado State Historic Preservation Officer regarding adverse effects to Site 5DL487.19 resulting from the Atlantic Richfield Small Tracts Act Case No. 2020 Project, Dolores County, Colorado.

**Moved by** Mayor Pro Tem Nicole Pieterse, seconded by Trustee Pat Fallon

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

### Approval of the Minutes

#### Motion

To approve the minutes as presented.

**Moved by** Trustee Pat Fallon, seconded by Trustee Joe Dillsworth

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

### **Payment of Bills.**

#### **Motion**

To approve the bills as presented.

**Moved by** Mayor Barbara Betts, seconded by Trustee Brandy Randall

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

### **Citizens Communication**

Citizen communication regarding items that are not on the agenda.

None

### **Public Hearing**

Consideration of a proposal to enter into a Memorandum of Agreement between the United States Forest Service and the Colorado State Historic Preservation Officer regarding adverse effects to Site 5DL487.19 resulting from the Atlantic Richfield Small Tracts Act Case No. 2020, Project, Dolores County, Colorado.

Mayor Pro Tem Nicole Pieterse opened the public hearing.

Manager Kari Distefano presented an overview of the proposed Memorandum of Agreement. Todd Robertson from Western Lands Group speaking on behalf of Atlantic Richfield indicated that they were supportive of the proposed mitigation and responded to questions. Brian Johnson of BP/AR stated that they would be willing to work with the Town on establishing trail easements through the proposed sale parcel in appropriate places, however they do not want to invite people to the remediation work area. Derek Padilla, U.S.F.S. District Ranger for the San Juan National Forest Service, John Chmelir, Dolores District Archeologist and Michelle Stevens, also of the U.S. F.S. responded to questions from Trustee Pat Fallon regarding a previous archeological survey. Todd Robertson and Derek Padilla responded to questions from Trustee Joe Croke and Brandy Randall about the need for AR to acquire the parcel.

Trustee Nicole Pieterse requested that for the January 20<sup>th</sup> meeting, BP bring to the Board a map showing a buffer area around their remediation operations that should not be accessible to the public to help with potential trail planning.

Michelle Stevens explained the difference between a concurring party and an invited signatory. An invited signatory has an obligation under the MOA. A concurring party is a way to express agreement with the contents of the MOA and is accepting of the outcome.

### **Public Comment**

Mark Rudolph of the Colorado Department of Public Health and Environment said that the small fragments of land owned by the USFS located between mineral claims become a problem for the USFS. He also said that the repository for contaminated soil and sludge treatment is up along the hill and he recommended to the Trustees that they keep the trail farther up the slope. He responded to questions from Trustee Brandy Randall about the location of the repository.

### **Motion**

To approve the Town's status as a concurring party to the Memorandum of Agreement between the United States Forest Service and the Colorado State Historic Preservation Officer regarding adverse effects to Site 5DL487.19 resulting from the Atlantic Richfield Small Tracts Act Case No. 2020, Project, Dolores County, Colorado.

**Moved by** Mayor Barbara Betts, seconded by Mayor Pro Tem Nicole Pieterse

Public Comment

None

**Vote.** A roll call vote was taken and the motion was approved, 4-1.

Trustee Joe Croke dissenting.

Trustee Pat Fallon was unable to hear the discussion.

### **Public Hearing**

Consideration of the 2<sup>nd</sup> reading on the 2021 Budget, appropriating sums of money and setting and certifying Town mill levies.

Mayor Pro Tem Nicole Pieterse opened the public hearing.

Manager Kari Distefano presented an overview of revisions to the proposed budget that occurred after the 1<sup>st</sup> Reading. Trustee Nicole Pieterse suggested that the marshal's schedule be reduced to one day per week during the winter. Trustee Randall requested that a line item be included for Holiday lighting next year.

Public comment

None

### **Motion**

To approve on 2<sup>nd</sup> reading on the 2021 Budget, appropriating sums of money and setting and certifying Town mill levies with an amendment to reduce the marshal's line item from \$34,000 to \$30,000 and to add \$3,000 for holiday lighting.

**Moved by** Mayor Barbara Betts, seconded by Mayor Pro Tem Nicole Pieterse

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

### **Public Hearing**

Consideration of the 1<sup>st</sup> reading of an ordinance of the Town of Rico Colorado amending Rico Budget Ordinance 2019-7 to reflect additional expenditures.

Mayor Pro Tem Nicole Pieterse opened the public hearing.

Manager Kari Distefano presented an overview of additional expenditures.

Public Comment  
None

**Motion**

To approve on 1<sup>st</sup> reading of an ordinance of the Town of Rico Colorado amending Rico Budget Ordinance 2019-7 to reflect additional expenditures.

**Moved by** Mayor Barbara Betts, seconded by Trustee Joe Dillsworth.

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

**Public Hearing**

Consideration of the 1<sup>st</sup> reading of an Ordinance of the Town of Rico, Colorado Amending Ordinance No. 2008-1 to increase water user's fees for the Town of Rico Water Enterprise Fund.

Manager Kari Distefano presented an overview of the fee increases.

Public Comment  
None

**Motion**

To approve on 1<sup>st</sup> reading an Ordinance of the Town of Rico, Colorado Amending Ordinance No. 2008-1 to increase water user's fees for the Town of Rico Water Enterprise Fund.

**Moved by** Trustee Joe Dillsworth, seconded by Mayor Barbara Betts

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

Trustee Pat Fallon lost his computer connection.

**Motion**

To adjourn as the Rico Board of Trustees and to reconvene as the Board of Adjustments.

**Moved by** Mayor Pro Tem Nicole Pieterse, seconded by Trustee Joe Dillsworth

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

**Call to order**

Mayor Pro Tem Nicole Pieterse called the meeting to order at 8:03 PM.

**Present:**  
Mayor Barbara Betts  
Mayor Pro Tem Nicole Pieterse  
Trustee Joe Croke

Trustee Joe Dillsworth  
Trustee Patrick Fallon  
Trustee Brandy Randall

**Absent:** Stephen Roberts

**Staff Present:** Kari Distefano  
Linda Yellowman

### **Public Hearing**

Consideration of an application for a height variance for a cell phone tower at 119 S. Glasgow (Rico Fire Department Building), SAC Wireless on behalf of AT&T, applicant.

Manager Kari Distefano presented an overview of the application. Jeremy Boone and Joseph Levie answered questions from the Board on behalf of the applicants.

Public Comment  
None

Stating a finding of special circumstances existing on the property, the property being the location of the Rico Fire Department, and that the tower will not unduly impact any other Town functions and would not be detrimental to the public welfare, the following motion was put forth:

**Motion** to approve an application for a height variance for a cell phone tower at 119 S. Glasgow (Rico Fire Department Building), SAC Wireless on behalf of AT&T, applicant with the condition that it be painted dark green.

**Moved by** Trustee Joe Dillsworth, seconded by Mayor Barbara Betts

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

### **Motion**

To adjourn as the Rico Board of Adjustments and to reconvene as the Board of Trustees.

**Moved by** Mayor Pro Tem Nicole Pieterse, seconded by Trustee Joe Croke

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

### **Call to order**

Mayor Pro Tem Nicole Pieterse called the meeting to order

**Present:** Mayor Barbara Betts  
Mayor Pro Tem Nicole Pieterse  
Trustee Joe Croke  
Trustee Joe Dillsworth

Trustee Patrick Fallon  
Trustee Brandy Randall

**Absent:** Stephen Roberts

**Staff Present:** Kari Distefano  
Linda Yellowman

**Discussion Items:**

1. Marti Whitmore answered questions about changing the point of diversion from Silver Creek to the Rico well site. Direction from the Board was to have Marti talk to Rico's regional representative of the CWCB to see if changing the diversion point would be something that they could contemplate. Staff was also directed to talk to the division engineer and a water engineer.

**Motion**

To adjourn as the Rico Board of Trustees and to reconvene as the Board of Health.

**Move by** Mayor Barbara Betts, seconded by Trustee Brandy Randall

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

**Call to order**

Mayor Pro Tem Nicole Pieterse call the meeting to order.

**Present:** Mayor Barbara Betts  
Mayor Pro Tem Nicole Pieterse  
Trustee Joe Croke  
Trustee Joe Dillsworth  
Trustee Patrick Fallon  
Trustee Brandy Randall

**Absent:** Stephen Roberts

**Staff Present:** Kari Distefano  
Linda Yellowman

**Public Hearing**

Consideration of an Ordinance to increase septic permit fees as per Colorado Department of Public Health and Environment Regulation 43, Section 43.4.B.a 25-10-107, C.R.S. from \$3.00 to \$150.00.

Manager Kari Distefano presented an overview of the fee increases and answered questions from the Board.

**Public Comment**  
None

**Motion to approve an Ordinance to increase septic permit fees as per Colorado Department of Public Health and Environment Regulation 43, Section 43.4.B.a 25-10-107, C.R.S. from \$3.00 to \$150.00**

**Moved by Mayor Nicole Pieterse, seconded by Joe Dillsworth**

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

**Motion**

To adjourn as the Board of Health and to reconvene as the Board of Trustees.

**Moved by Trustee Joe Dillsworth, seconded by Trustee Joe Croke**

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

**Call to order**

Mayor Pro Tem Nicole Pieterse called the meeting to order

**Present:**

- Mayor Barbara Betts
- Mayor Pro Tem Nicole Pieterse
- Trustee Joe Croke
- Trustee Joe Dillsworth
- Trustee Patrick Fallon
- Trustee Brandy Randall

**Absent:** Stephen Roberts

**Staff Present:**

- Kari Distefano
- Linda Yellowman

**Administrative reports:**

Manager's report: Kari Distefano gave an update on the Corona Virus Relief Funding.

Clerk's report: Linda Yellowman had nothing to report.

**Discussion items:**

1. Kari Distefano presented a possibility of fabricating a trailer to carry recycling to Cortez. She was directed to investigate the interest in recycling in Rico and to evaluate whether or not there would be enough interest by residents to cover the additional cost to the Town.
2. Kari Distefano and Joe Dillsworth presented a possibility of a route change to Rico shuttle through the Ski Ranches on the way to and from Rico. The Board was unenthusiastic. Sharing new a public works facility with SMART was discussed.

**Motion**

To adjourn the December 14<sup>th</sup> meeting of the Board of Trustees.

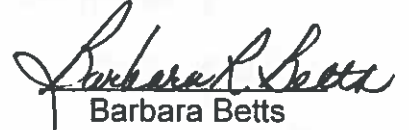
**Moved by Trustee Joe Dillsworth, seconded by Mayor Barbara Betts**

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

The meeting adjourned at 9:20.



Linda Yellowman  
Rico Town Clerk



Barbara Betts  
Mayor