

## RICO TOWN BOARD MINUTES

April 24, 2018

The Regular Town Board meeting was called to order at 6:30 p.m. by Mayor Zach McManus.

**Members Present.** Zach McManus, Keith Lindauer, Nicole Pieterse and Stephan Roberts. Absent was Barbara Betts, Sophia Kyriakakis and Genevieve Yellowman.

**Staff Present.** Kari Distefano and Linda Yellowman. Absent was Patrick Drew and Dennis Swank.

**Guests Present.** Sam Light/CIRSA representative, Allyn Svoboda and Cristal Hibbard.

**Approval of the Agenda.** The agenda for April 24, 2018 was presented for approval. Nicole Pieterse made a motion to approve the agenda for April 24, 2018 and seconded by Zach McManus. The motion passed unanimously.

### **Consent Agenda:**

**Approval of the Minutes.** The Rico Town Board minutes for March 21, 2018 were presented for approval. Keith Lindauer made a motion to approve the minutes as presented for March 21, 2018 and seconded by Stephen Roberts. The motion passed unanimously.

**Approval of the Monthly Bills.** Town Clerk Linda Yellowman stated the Monthly bills for April 2018 have been paid.

### **Approval of the Treasurer's Report.**

**Citizens Communication.** Sam Light gave a presentative regarding the suggestions for Success (and Avoiding the Risk of Liability) in Elected Office.

Town Manager Kari Distefano addressed a letter from Joe Croke that he plans to build 7 homes north of Mountaintop Fuel and Market. The property(s) might be in avalanche area. Mr. Croke will need to apply for a variance application and work with CPHE for septic tanks. The Town Attorney is working with the town manager on this issue. After a brief discussion, the consensus of the Board was to have Mr. Croke apply for a variance application.

**Town Clerk.** No report.

**Public Works.** Public Works report was submitted. Repaired a water leak on Argentine Alley by putting in a new water meter. The town shop is doing okay. No thievery and have no report from Dolores County Sheriff. The water plant is doing great and the water flow is down. The water is running at 8 gpm to 10 gpm. A backup water meter on the well pump was put in so we can clean the other one. When reading the water meters, we found some meters not working right and we are repairing them and having a hard time finding parts. Working on grading roads and fixing pot holes. The backhoe tires on the front one was leaking so two new tires were put on and made one of the old tire, a spare tire. I do have doctor's appointment on April 18 and April 26.

**Water Consultant.** No report.



**Parks & Recreation.** Zach McManus reports the ice rink has been broken down and put away. The town cleanup will be scheduled the 2<sup>nd</sup> week in June 2018. A new trailer will be purchase for the snowmobiles and put away in the towns shed for the summer.

### **Town Board Reports.**

#### **Geothermal Committee.**

#### **Grant Writer.**

**Town Manager's Report. Opportunity Zones.** Laura Lewis Marchino of Region 9 notified the town that the U.S. Treasury has certified the Town of Rico along with the rest of Dolores County as an Opportunity Zone. This program was part of the 2017 tax reform bill and is intended to promote economic activity in areas that are struggling. This designation "provide a tax incentive for investors to reinvest capital gains" into areas like Rico. Investing in areas certified as Opportunity Zones will allow investors to defer, reduce or under certain circumstances eliminate certain federal gains taxes. There is more information about this program at <https://choosecolorado.com/oz>. It is possible that this could add inventive for people to invest in businesses or workforce housing in Rico.

**Committee to Review Engineering Proposals for Preliminary Engineering Reports for Sewer and Water.** I have written a request for proposals for preliminary engineering reports for a central sewer system that would serve the commercial core as well as a report that could tell us what it would take to reactivate the Silver Creek water system. Both Patrick Rondinelli from the Department of Local Affairs (DOLA) and Duane Dale from the U.S. Department of Agriculture (USDA) have reviewed the RFP and it meets with their approval. I am currently sending it out to various engineering firms. There are state regulations governing the advertisement of jobs that are expected to exceed \$50,000 so the RFP will also be published in Durango, Cortez as well as our paper of record, the Telluride Daily Planet. I would like to award the bid as soon as possible in order to insure that the work be complete by early August and available for another community meeting but when we can award is contingent on a response for DOLA. A mandatory site visit for all interested parties will take place on April 30<sup>th</sup>. I would like to have a committee to help evaluate the proposals. Any of the Trustees that are interested please let me know. I would also like to get some input from selected members of the public.

#### **Action Items:**

**Nomination of Cristal Hibbard for Rico Planning Commission.** The Rico Planning Commission has been short one member ever since I started as manager. I have included in this packet a letter from Cristal Hibbard expressing interest in this position. I am recommending that we appoint Cristal Hibbard to the Rico Planning Commission. Nicole Pieterse made a motion to appoint Cristal Hibbard to Rico Planning Commission. Seconded by Keith Lindauer. Motion passed unanimously.

**Approval of Grant Agreement with DOLA for professional engineering report.** A Grant Agreement with the Department of Local Affairs for the funding for the professional engineering report was presented. We need to sign this and send it back to them. We cannot enter into any agreement with an engineering firm until DOLA has approved this agreement. I am recommending the Board authorize our Mayor to sign the agreement. Nicole Pieterse made a motion to approve the Grant

Agreement with DOLA for professional engineering. Seconded by Stephan Roberts. The motion passed unanimously.

Approval of Grant Agreement with CWCB for professional engineering report. A Grant Agreement with the Colorado Conservancy District for the funding for the professional engineering report and again, we need to sign this and send it back to them. I am recommending the Board authorize our Mayor to sign the agreement. Nicole Pieterse made a motion to approve the Grant Agreement with CWCB for professional engineering. Seconded by Zach McManus. The motion passed unanimously.

Approval of Grant Agreement with SWCB for professional engineering report. This agreement with the Southwest Water Conservancy Board also requires a signature and I am recommending that this agreement be signed also. Nicole Pieterse made a motion to approve the Grant Agreement with SWCB for professional engineering. Seconded by Zach McManus. The motion passed unanimously.

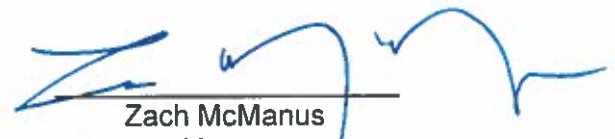
Responses to RFP for lease on S. Glasgow Street (Highway 145). So far, we have not received any response to the request for proposals for the lease on Glasgow. I talked to Justin Bain and he told me that his friend Adrian Heimbach was preparing a proposal but I haven't seen it yet. Mr. Bain may still be in Mexico.

**Discussion Items.** Hay and Mine Shaft building zoning violations. I have had phone conversations with both Jonathan Hay, the owner of 2 N. Glasgow and the owner of Mine Shaft building. Jonathan Hay is actively trying to sell his building to a commercial operation. He may even be willing to lease it for a visitor center/art display area while he tries to sell it. From our phone conversation, I could not get a sense of how the owner of the Mine Shaft intends to rectify his violation. At this point, I think we should decide how to deal with this situation going forward. One option would be requiring that they submit a written statement that tells us how they are planning to come into compliance with the zoning code and include a timeline for their plan to take effect. The other option is to fine them according to Section 740 of the Rico Land Use Code.

Executive Session: Pursuant to C.R.S. 24-6-402 (4) (e) regarding School Negotiations. Zach McManus made a motion to go into executive session and seconded by Nicole Pieterse. The motion passed unanimously.

**Adjournment.** Meeting adjourned.

  
Linda Yellowman  
Rico Town Clerk

  
Zach McManus  
Mayor