

## RICO TOWN BOARD MEETING MINUTES

Date: April 21, 2021

### Call to order

Mayor Barbara Betts called the meeting to order at 6:32 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 Pat Fallon  
 Trustee Brandy Randall – joined the meeting at 6:48 PM

**Absent:** Trustee 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 Minutes

##### Motion

To approve the March 17<sup>th</sup> meeting minutes as presented.

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

**Vote.** A roll call vote was taken and the motion was approved, 5-0. Mayor Barbara Betts lost her internet.

#### Approval of Bills.

##### Motion

To approve the bills as presented.

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

**Vote.** A roll call vote was taken and the motion was approved, 5-0. Mayor Barbara Betts lost her internet.

#### Approval of the Agenda

##### Motion

To amend the agenda to move consideration of an Ordinance enacting a temporary moratorium on subdivisions within the Town of Rico pending an amendment to the Rico Land Use Code regarding the allocation of water taps to immediately after consideration of the 2<sup>nd</sup> reading of a repeal of an Ordinance 334 of the Board of Trustees of the Town of Rico, Colorado repealing and replacing Ordinance No. 315, including repeal of the temporary development restriction on Minor

Subdivisions and Lot Splits and to add an executive session for a brief update on a VCUP development and to include an executive session for an update on VCUP.

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

**Public Comment.**

Citizen communication regarding items that are not on the agenda.

Mark Eleison requested that the link caption to the letter to the U.S.F.S. posted on the Town of Rico website be restated to read "letter to the Forest Service regarding its proposed sale of 40 acres of public land on Rico's north side to the Atlantic Richfield Company".

**Motion**

To edit the announcement of the website to read "letter to the Forest Service regarding its proposed sale of public land on Rico's north side to the Atlantic Richfield Company".

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

**Vote.** A roll call vote was taken and the motion was approved, 4-0 with Trustee Joe Dillsworth opposing and Mayor Barbara Betts not responding.

Laurie Adams brought the Board's attention to the May BOCC meeting that will be a follow up to the Dolores County Planning Commission's approval of the Lazy Rooster Campground that will take place the 17<sup>th</sup> of May at 10:30 AM at the Rico Town Hall.

**Treasurer's Report**

Town manager Kari Distefano apologized for posting the wrong treasurer's report and reported that sales tax had exceeded expectations by almost \$10,000. She added that other revenues and expenses were tracking as expected.

**Discussion Items**

1. **Discussion of the conceptual plan of the Bedrock Planned Unit Development, located on portions of the Columbia Millsite, the Elliot Lode and Tract 2 of the Atlantic Cable Subdivision, Dave Bulson and Michelle Haynes, applicants.**

Dave Bulson gave a brief overview of the Bedrock P.U.D. which, had gotten conditional approval from the Rico Planning Commission. The applicants requested feedback from the Board. The Board agreed with the Planning Commission's recommendation that there should be two off street parking spaces per single family lot, that access to the lower multi-family lot should be only from Highway 145, not Silver Street and that the multi-family lot be dedicated to deed restricted housing. Trustee Joe Dillsworth requested that the single-family lots not be subdividable. The applicants agreed.

**Public Comment**

Jim Ostrem and Mary Jondrow, residents on Silver Street brought up concerns about dust. The applicants brought up the increase in tax revenues that the subdivision would bring. The applicants offered to put up "No Through Traffic" signs. Paul Ruud also expressed concern about access would prefer that access to the new development especially the multi-family lot be from Highway 145.

2. **Continuation of the water tap allocation proposal discussion.**

As requested by the Board at the March meeting, Kari Distefano reported on the Harris water report that had been updated in July 2016 and existing water use by the Town of Rico. The Board directed staff to ask Marti Whitmore if she had talked to the CWCB regarding their thoughts on changing the points of diversion either to a well on Silver Creek or to use the existing well on Highway 145. The Board also wanted Marti to report on what obligation the Town has with respect to providing taps.

### **3. Continuation of the infrastructure survey discussion.**

Kari Distefano reported that she had received comments about the survey from some of the Board and that she had revised accordingly. The Board directed her to put the information on how to calculate your property tax bill in bold. Trustee Pat Fallon requested that there be paper copies available in addition to the survey on the Town website.

#### **Public Comment**

#### **4. Short Term Rental Policy.**

Staff was directed to produce a draft short-term policy for the Trustee's review at a work session.

#### **Public Comment**

Helen Matzick did not want to limit the number of days that an owner could short-term rent their house. Katie Stokes asked that she be involved in the short-term rental work session.

### **5. Options for Financing Central Sewer.**

Manager Kari Distefano presented an overview of option for sewer financing. Joe Croke suggested a survey of owners in the commercial core to evaluate interest in a special use district. Staff was directed to get more advice on special districts and Tax Increment Financing.

#### **Public Comment**

Paul Ruud said that ORENCO systems could function well if they are installed well.

#### **Public Hearing**

- 1. 2<sup>nd</sup> Reading of a repeal of an Ordinance 334 of the Board of Trustees of the Town of Rico, Colorado repealing and replacing Ordinance No. 315, including repeal of the temporary development restriction on Minor Subdivision and Lot Splits.**

Mayor Pro Tem Nicole Pieterse opened the public hearing.

Manager Kari Distefano presented an overview of the proposed repeal of Ordinance 334, which included a temporary restriction on subdivisions linked to the construction of sewer.

#### **Public Comment**

None.

#### **Motion**

To approve on second reading the repeal of Ordinance 334 of the Board of Trustees of the Town of Rico, Colorado repealing and replacing Ordinance No. 315, including repeal of the temporary development restrictions on Minor Subdivisions and Lots Splits.

**Move 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.

**2. Consideration of an Ordinance enacting a temporary moratorium on subdivisions within the Town of Rico pending an amendment to the Rico Land Use Code regarding the allocation of water taps.**

Manager Kari Distefano presented an overview of the Ordinance.

**Motion**

To enact a temporary moratorium on subdivisions within the Town of Rico pending an amendment to the Rico Land Use Code regarding the allocation of water taps.

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

**Vote.** A roll call vote was taken and the motion was approved, 4-2. With Trustee Pat Fallon and Mayor Barbara Betts dissenting.

**3. 2<sup>nd</sup> Reading of an Ordinance to allow the consumption of alcohol in public areas.**

**Motion**

To approve the 2<sup>nd</sup> Reading of an Ordinance to allow the consumption of alcohol in public areas.

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

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

**4. Consideration of an application of the River Corridor Tract Map, a boundary line agreement, Section 35 and 36, T.40 N.R.11 W., Section 1 and 2, T.39N.R.11W., Dolores County, Colorado, Town of Rico applicant.**

Kari Distefano presented an overview of the applicaton.

**Motion**

To approve the River Corridor Tract Map, a boundary line agreement, Section 35 and 36, T.40 N. R. 11 W., Section 1 and 2, T.39N. R. 11W., Dolores County, Colorado, Town of Rico applicant and where ever feasible circulate separate consents to the owners to sign in lieu of the actual mylar.

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

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

**5. Consideration of an application by Rebecca Adams to be an alternate member of the Rico Planning Commission.**

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

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

6. **Consideration of a Letter of support for Montezuma County's grant request to the Department of Local Affairs to fund a Regional Community Team to aid in efforts to recover from the COVID 19 pandemic.**

**Motion**

To approve the letter of support for Montezuma County's grant request to the Department of Local Affairs to fund a Regional Community Team to aid in efforts to recover from the COVID 19 pandemic.

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

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

**Manager's Report.**

Kari Distefano reported on her internet upgrade progress.

**Motion**

To go into executive session pursuant to C.R.S. 24-6-402(4)(e), to discuss and determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding VCUP.

**Moved by Mayor Barbara Betts, seconded by Joe Croke**

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

**Motion**

To come out of executive session pursuant to C.R.S. 24-6-402(4)(e), to discuss and determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding VCUP.

**Moved by Mayor Barbara Betts, seconded by Joe Croke**

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

**Motion**

To adjourn the April 21<sup>st</sup> meeting of the Board of Trustees.

**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

The meeting adjourned at 9:30.

  
Linda Yellowman  
Rico Town Clerk

  
Barbara Betts  
Mayor

