

RICO TOWN BOARD MINUTES

May 16, 2018

The Regular Town Board meeting was called to order at 7:00 p.m. by Mayor Zach McManus.

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

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

Guests Present. Keith Keesling.

Approval of the Agenda. The agenda for May 16, 2018 was presented for approval. Town Clerk Linda Yellowman mentioned Lana Hancock will not make the meeting. Genevieve Yellowman made a motion to approve the agenda for May 16, 2018 as amended and seconded by Zach McManus. The motion passed unanimously.

Consent Agenda:

Approval of the Minutes. The Rico Town Board minutes for April 24, 2018 were presented for approval. Nicole Pieterse made a motion to approve the minutes as presented for April 24, 2018 and seconded by Genevieve Yellowman. The motion passed unanimously.

Approval of the Monthly Bills. The Monthly bills for May 2018 were submitted for approval. Genevieve Yellowman made a motion to approve paying the Monthly Bills for May 2018 as presented. Barbara Betts seconded the motion. The motion passed unanimously.

Approval of the Treasurer's Report.

Citizens Communication. Keith Keesling submitted an Elected Official's Policy Guide for Disasters and Emergencies. Mr. Keesling reviewed the policy guide with the Town Board. The policy includes key Senior and Elected Officials who establishes community goals, make strategic policy decisions and set priorities while considering the economic, legal, political and social implications of the incident and maintaining the public trust. This guide was developed by the Colorado Division of Emergency Management to ensure that elected and key officials have the tools they need to effectively protect their citizens. This guide is relevant to the Counties, Tribes, Municipalities and Special Districts.

Town Clerk. The Town's accountant Lyman Hamblin will be here the week of May 15, 2018 to do the 2017 Audit.

The Dolores County Commissioners will have their regular meeting at the courthouse in Rico on June 4, 2018 starting at 10:00 AM.

The Dolores County School Board will have their regular School Board meeting in Rico at the courthouse on June 6, 2018 at 7:00.

Jill Carver will use the courthouse for painting class from June 18 through June 22, 2018.

Public Works. No report.

Water Consultant. No report.

Parks & Recreation. Zach McManus reports the Town Cleanup is set for June 16, 2018. More pictures will be put up at the courthouse.

Town Board Reports. On May 31, 2018, there will be a Rico School Celebration at the school.

Other discussion was to possibly lower the water tap and raise the monthly fee.

Geothermal Committee. Barbara Betts mentioned the geothermal group will be here June 10th at the courthouse.

Grant Writer.

Town Manager's Report. Requests for Proposals for the Engineering Reports for water and sewer. On April 30th, we had fifteen engineers from eleven firms attend the mandatory site visit for companies interested in bidding on the preliminary engineering reports for water system upgrades and a central sewer system in the commercial core. That amount of interest should ensure a competitive proposal. Most of the attendees were from the Four Corners area. The proposals are due on Monday May 21st. When the town gets them, staff will arrange a meeting with the committee to evaluate the proposals. From there the town will interview the top firms. Kari Distefano still is not sure when the town will have a signed agreement from DOLA, but as soon as we get that paperwork, the town can sign a contract with the chosen firm and proceed with the engineering reports and the feasibility analyses. Ms. Distefano would like to have the work done by mid-August at the latest so that we can have a community meeting to discuss the possibility of a mill levy increase prior to deadline for the November election.

Report on the DOLA sponsored priority based budgeting workshop. On Wednesday May 9th, Kari Distefano attended a priority based budget workshop sponsored by the Department of Local Affairs. The implementation of priority based budgeting is grounded on a process by which communities first compile an inventory of programs provided by the local government and then evaluate the cost of each program. Following the compilation of the program inventory and the cost analysis, the community leaders, in Rico's case the Board of Trustees, would determine how closely each program is aligned with community priorities. Programs would be scored based on this analysis. The following portion of the process would be a lot more appropriate in larger organizations, but after the program are scored, department heads look at where the employees of an organization spent their time. This analysis is percentage based. For example, Mrs. Distefano likely spend 15% - 20% of her time on planning and building issues, 15% - 20% of my time on water issues and the rest on various portions of the work plan depending which is ready for another nudge in a positive direction or which has an upcoming deadline. In a larger operation, asking employees to make a list of how they spend their time can help a manager determine whether or not they are under-utilized or have too much on their plate. While a lot of the information included in the presentation would be more appropriate in a larger community, it does not hurt to think about whether or not the programs on which we are spending the most money are aligning with the community priorities. Perhaps the most interesting discussion in the workshop was about how entities can share resources. One of the exercises they suggested was to sit down with neighboring entities, in the town's case, Dolores County, San Miguel County and

school districts from both counties and determine whether or not there are any redundancies that could be combined. An example that occurred was transportation. Mike Gass, the Telluride School District Superintendent and the town have already discussed this. There may be other opportunities with respect to housing and economic development. A couple of handouts from the workshop is included in your packet. They are easy to read and it is worth taking a look at them.

Report on River Corridor Progress. Kari Distefano had a conference call regarding the easement agreement that Disposition Properties had requested over Town property along the old road south of the terminus of Eder Street. We had discussed this before but a map is included in the packet as a reminder. The attorney wanted a legal description that was specific to the Town Property and had included paying for that legal descriptions as a requirement of Disposition Properties for the Town's signature on the easement agreement. Predictably, the representatives of Disposition Properties did not want to pay for it. The town had a conversation with Oli Swanky, owner and representative of Disposition Properties and indicated that the Town may be willing to pay for the legal if Disposition Properties would grant us a recreational easement over the hot springs property so that we could start advertising it as a local amenity. Mr. Swanky agreed to consider it. In the meantime, following a conference call with Dave Bulson and Marti Whitmore, who wrote the agreement with Burnette and O'Grady, Mr. Bulson found a legal that included ties to the Town Property corners so there will be no need to pay for another legal. The town is still hoping for an easement agreement over the hot springs property. There is some liability to Disposition Properties associated with the use that is occurring now and a recreational easement granted to the Town could help mitigate that.

Report on Gates Fellowship. Town Manager Kari Distefano has been awarded a Gates Family Foundation Public Leadership Fellowship to attend the Senior Executives in State and Local Government Program at the John F. Kennedy School of Executive Education at Harvard. This is a great honor and Mrs. Distefano believes that she will learn a great deal that will be of benefit to the Town. The curriculum will be leadership, negotiations, public/private partnerships, cooperative governance and behavioral decision-making. The program takes place in Boston from July 9th through 27th.

Lease Agreement with Justin Bain and Adrian Heinbach. There is a copy of the proposed lease agreement with Justin Bain and Adrian Heinbach in your packet. The town is waiting for them to review and sign the agreement.

Action Items:

First Reading of Water Conservation Ordinance. Given what appears to be the onset of severe drought conditions in the area, Mrs. Distefano thought that it would be appropriate to institute a mechanism that would allow the Board of Trustees or the Town Manger to declare a drought situation and implement water conservation measures. The proposed ordinance is included in this packet. Mrs. Distefano recommends that the Board of Trustees pass it. With no further discussion, Nicole Pieterse made a motion to approve the 1st Reading of Water Conservation Ordinance. Zach McManus seconded the motion. The motion passed unanimously.

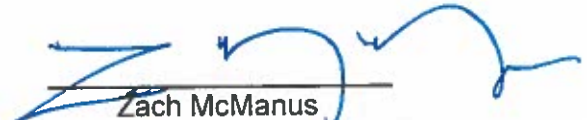
First Reading of an Ordinance to Allow the Sale of Marijuana within 300 feet of Rico Elementary School. Given the size of Rico's commercial district and the proximity to the school, Mrs. Distefano has asked Town Attorney Carol Viner to draft a resolution restricting the sale of marijuana within 300 feet of a school rather than 1000 feet. This ordinance also includes licensing provisions for both retail sales and grow operations. Grow operations, however, would be required to demonstrate adequate water supply, which would likely be prohibitive within the Town.

Nevertheless, the town manager ask the town attorney to include it in the ordinance. That way, should it become an issue in the future, the town won't need to revisit the ordinance. A copy of this ordinance is included in this packet as well as a copy of the Town of Telluride's marijuana licensing application for reference. The Town Board should discuss what we want to charge as a license fee. The Town of Telluride charges \$1000 for a license and Ouray County charges \$2500. Zach McManus made a motion to approve the 1st Reading of an Ordinance to Allow the Sale of Marijuana within 300 feet of Rico Elementary School. Seconded by Barbara Betts. The motion passed unanimously.

Discussion Items. Purchase of Disposition Mining Claims by Outlook Resources, Inc. It came to the towns attention earlier this month that a number of mining claims above and around the Town of Rico have been purchased by Outlook Resources Inc. As some of you probably know, this is a molybdenum mining company. Mark Levin is the president. The town email him and requested that he tell the Town what he intends to do with these properties. He has not responded but I think this warrants some discussion by the Board. A map of the properties Mr. Levin bought was submitted. Town Manager Kari Distefano mentioned that the Town might have the Trust for Land Restoration assist the Town.

Adjournment. Zach McManus made a motion to adjourn the meeting and seconded by Nicole Pieterse. The motion passed unanimously.


Linda Yellowman
Rico Town Clerk


Zach McManus
Mayor