

## RICO TOWN BOARD MEETING MINUTES

Date: May 19, 2022

### Call to order

Mayor Nicole Pieterse called the meeting to order at 7:04PM.

### Trustees Present:

Mayor Nicole Pieterse  
Trustee Christopher Condon – Zoom  
Trustee Joe Croke  
Trustee Joe Dillsworth – Zoom  
Mayor Pro Tem Patrick Fallon  
Trustee Benn Vernadakis  
Trustee Linda Yellowman

**Staff Present.** Chauncey McCarthy, Anna Wolf

### Approval of the Agenda

#### Motion

To approve the agenda.

**Moved by** Trustee Linda Yellowman, seconded by Trustee Benn Vernadakis.

**Vote.** A roll call vote was taken and the motion was approved, 7-0.

### Approval of Minutes

#### Motion

To approve all minutes.

**Moved by** Trustee Benn Vernadakis, seconded by Trustee Linda Yellowman.

**Vote.** A roll call vote was taken and the motion was approved, 7-0.

### Consent Agenda

#### Payment of Bills

#### Motion

To approve the payment of the bills.

**Moved by** Trustee Linda Yellowman, seconded by Mayor Pro Tem Patrick Fallon.

**Vote.** A roll call vote was taken and the motion was approved, 7-0.

### Public Comment.

Multiple citizens had questions about the fire ban as well as if the Town of Rico or the Rico Fire Protection district has a wildfire protection plan.

Mayor Nicole Pieterse summarized a VCUP update.

### Action Items

Consideration of an application for a road building permit, Block 9 S Commercial Street, Flatt Family LLP, Applicant

Town Manager Chauncey McCarthy gave a summary of the Planning Commission meeting regarding this application.

**Motion**

To continue this matter to our June 15<sup>th</sup> regular Town Board meeting and that we have a site visit immediately prior to that meeting.

**Moved by** Mayor Nicole Pieterse, seconded by Trustee Linda Yellowman.

**Vote.** A roll call vote was taken and the motion was approved, 7-0.

**Discussion Item**

Bob Krug from C-Safe presented on the Investment pool. The board would like a proposed resolution for the June 15<sup>th</sup> regular monthly Board meeting. They also requested staff look into the town's current allocations.

**Action Items**

Consideration of a building permit for the Historic Commercial Zone District, 26 N Glasgow, Craig, and Sarah Lyons, applicants.

Mayor Nicole Pieterse oriented the board regarding the previous meeting. Town Manager Chauncey McCarthy gave a summary of the application.

Applicants Sarah and Craig Lyons presented their application.

Public Comment:

Neighbor Michael Dougherty spoke in favor of the improvements and plan.

The Board proceeded through all of the design regulations. The Applicants need to get an engineer's stamp on the plans upon approval.

**Motion**

To approve, the board finds that they have met the requirements in section 246 of the Land Use Code.

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

**Vote.** A roll call vote was taken and the motion was approved, 7-0.

Consideration of the second reading of Ordinance No. 2022-04 an ordinance of the Town of Rico, Colorado amending ordinance No. 2019-06 to increase the water tap fees for the town of Rico water enterprise fund.

Mayor Nicole Pieterse recused herself due to conflict of interest.

Mayor Pro Tem Patrick Fallon summarized the first reading and the discussion around it.

The Board discussed the volume and analysis that would be needed for tap requests over 1.25".

Public Comment:

Public asked for clarification on the required analysis. The board and staff clarified it.

**Motion**

To approve this variance.

**Moved by** Trustee Joe Croke, seconded by Trustee Benn Vernadakis.

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

Trustee Christopher Condon stepped out of the meeting before the motion.

Consideration of the first reading of Ordinance No. 2022-05 ordinance of the Town of Rico, Colorado establishing a licensing process for short-term rentals and amending the Rico Land Use Code to remove short-term rentals from special use permit review.

Chauncey McCarthy gave a summary of the ordinance. He summarized the Planning Commission recommendations.

The Board discussed the recommendations the Planning Commission recommendations and asked for staff input on the realistic view of enforcing it.

Public Comment:

Laurie Adams expressed her concerns about what the STR's will do to the neighborhoods. She is concerned about the length the special use permit holders will be able to hold on the permit. She would like to know what the difference between a complaint and a violation is. How complaints can be filled with the town.

Gerrish Willis asked the board if there was a way to enforce the same fees on the special use permit holders.

Joely from Karp Neu Hanlon walked the board through the changes that were made to the draft ordinance before this first reading.

#### **Motion**

To approve this on the first reading changing section 452.3 from a period of twelve months to six months and the contact being within one hour opposed to 30 minutes

**Moved by** Trustee Benn Vernadakis, seconded by Trustee Joe Dillsworth.

**Vote.** A roll call vote was taken and the motion was approved by a majority, 4-2.

Consideration of the first reading of Ordinance No. 2022-06 ordinance of the Town of Rico, Colorado amending the Rico Land Use Code fee schedule and review process for subdivision applications.

Chauncey McCarthy introduced the ordinance with a summary. This amendment was staff initiated. This amendment was recommended by the planning commission for approval.

The Board discussed the ordinance. The board recommended adding an extension fee of \$300 when an applicant applies for an extension.

#### **Motion**

To approve Ordinance No. 2022-06 ordinance amending the Rico Land Use code fee schedule and review process for subdivision applications with the modification of a \$300 extension fee.

**Moved by** Mayor Pro Tem Patrick Fallon, seconded by Trustee Linda Yellowman.

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

Consideration of the first reading of Ordinance No. 2022-07 an ordinance of the Town of Rico, Colorado amending Ordinance 2022-02 to adjust the collection schedule and required documentation for lodging tax returns.

Chauncey McCarthy introduced the amendment with a summary of the changes.

The board requested that the documentation be submitted as report from the renting platform. Joely advised that this information and the lodging tax is confidential and would not be displayed to the public.

#### **Motion**

To approve this ordinance Number 2022-07 amending ordinance 2022-02 to adjust the collection schedule, require documentation for lodging tax returns correction to include language for documentation to be submitted with each return and to some license and permit revocation language for failure to pay taxes.

**Moved by** Trustee Benn Vernadakis, seconded by Trustee Linda Yellowman.

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

Consideration of the first reading of Ordinance No. 2022-08 an Emergency Ordinance of the Town of Rico, Colorado enacting a fire ban in the town, to effective from May 18 to November 1.  
Mayor Nicole Pieterse summarized the ordinance.

Legal confirmed that there is no standing fire ban ordinance. If this were to be approved it would be a standing ordinance.

The Board requested Todd Jones Rico Fire Department Chief's opinion. Todd Jones recommended that the town follow the San Juan National Forrest bans. He advised that the county follows their bans as well.

The board would like staff to put bans as they occur on the website.

Concerns were noted that the Fire department receives a lot of revenue during the 4<sup>th</sup> of July celebration. They should be exempt for fireworks from this fire ban.

#### **Motion**

To adopt Ordinance No. 2022-08 an Emergency Ordinance of the Town of Rico, Colorado enacting a fire ban effective when the San Juan National Forest District Fire ban goes into effect and discontinued when the fire ban goes out of effect modifying the proposed draft ordinance to state that and also adding a roman numeral IV in section 2 allowing the fireworks displayed by the Rico Volunteer Fire Department will not be subject to the ordinance.

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

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

#### **Staff Reports**

##### Clerk's Report.

The Clerk alerted the board of the upcoming raise in propane prices from Fraley's.

##### Manager Report.

The planning commission would like joint work sessions with the Board of Trustees from 6-7PM before the regular Board of Trustee monthly meetings.

Nixel is now available to the Town Manager. He can text all parties registered to this zip code in Nixel.

Storm drain repair will be underway shortly on Kane St. The town is working with CDOT.

Water filtration: ARPA funded County did get the funding: Worked with Mary Randolf. Reallocating their funds. Awarded \$10,200 for water filtration system.

Request for their Colorado trust fund money. Lawn tractor long in the teeth bought in 1996. Requested a new lawn mower.

Rico river corridor tract plat. All signatures have been collected. Once recorded must be monumented within a year. The project cost for doing this has increased from \$10,000. Looking at the budget use the \$5000 and use funds from the general funds for the extra cost.

### **Discussion Items**

#### **No Parking Signs, CDOT MOU**

The Board discussed their concerns about the already limited parking on Glasgow. The requester frequently parks on the sidewalk in front of the property and on Glasgow. This may be frowned upon by residence and other business owners. The Board does not want to set a precedence. Some of the Board members recommended putting up do not block driveway signs.

The board wants to make sure there is a contract in place for the repayment of all expenses and upkeep expenses by the property owner for these signs.

### **Motion**

To approve this with requirement of full reimbursement from the applicant and the continued maintenance of the signs

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

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

### **Motion**

To adjourn Board of trustee meeting and go into Executive session.

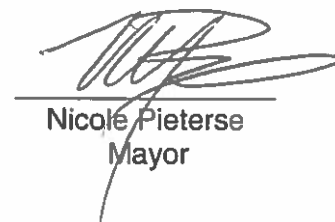
**Moved by** Mayor Nicole Pieterse, seconded by Trustee Benn Vernadakis.

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

The meeting adjourned at 10:26 pm.



Anna Wolf  
Rico Town Clerk



Nicole Pieterse  
Mayor

