

RICO TOWN BOARD MINUTES

July 17, 2019

Work Session with Rico Planning Commission at 6:30 P.M. to review the Rico Land Use Code. Members Present. Jennifer Fox, Benn Vernadakis, Crystal Hibbard and Laura Pick.

Town Manager Kari Distefano submitted various permits and applications that are associated with development activities. And a questionnaire that asks some questions about how the Town wants to proceed in the future. Will be discussing these processes and other zoning issues in an effort to agree on draft revisions to the Rico Land Use Code.

The regular Town Board meeting was called to order at 8:45p.m. by Mayor Zach McManus.

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

Staff Present. Kari Distefano and Linda Yellowman.

Guests Present. Tyler Lapp, Gregg Anderson, Emily Nolan, William Nolan, and Florence Ezell.

Approval of the Agenda. Zach McManus made a motion to approve the agenda as submitted. Seconded by Barbara Betts. Motion passed unanimously.

Approval of the Minutes. The minutes for June 26, 2019 was tabled to the next meeting.

Consent Agenda.

Payment of Bills. The July Bills were submitted. Sophia Kyriakakis made a motion to approve paying of July Bills. Seconded by Nicole Pieterse. Motion passed.

Citizens Communication. Gregg Anderson expressed his opinion regarding BP matters.

Action Items. Special Event Permit and Liquor License for the Rico Trails Alliance Fundraiser. Town Clerk Linda Yellowman recommends approval. Zach McManus made a motion to approve the Special Event Permit and Liquor License for the Rico Trails Alliance. Seconded by Barbara Betts. Motion passed unanimously.

The Appointment of Tyler Lapp as the Land Use Code Enforcing Official. Ty Lapp is currently employed as the Town's building inspector. The Town would like to expand his duties to include the enforcement of the Rico Land Use Code. The Board needs to appoint him as the Land Use Code Enforcing Official and enter into a contractual agreement with him. The funding would come from the law enforcement fund. Conflict of Interest was mentioned and suggestion was made to have a backup plan. Barbara Betts made a motion to appoint Tyler Lapp as the Land Use Code Enforcing Official. Seconded by Genevieve Yellowman. The motion passed unanimously.

2nd Reading of an Ordinance Granting an Electric Power Utility Franchise to San Miguel Power Association. There are no revisions from last month's meeting. Nicole Pieterse made a motion to approve the 2nd Reading of an Ordinance Granting an Electric Power Utility Franchise to San Miguel Power Association. Seconded by Barbara Betts. The motion passed unanimously.

Approval of a Grant Application to the Department of Local Affairs for Funding for the Construction of Sewer in the Commercial Core. The grant application for the funding of central sewer in the commercial core is due August 1, 2019. This application is predicted on the ballot initiative being passed in November. Zach McManus made a motion to approve a Grant Application to the Department of Local Affairs for Funding for the Construction of Sewer in the Commercial Core. Seconded by Barbara Betts. The motion passed unanimously.

1st Reading of an Ordinance Amending the 2011 Rico Land Use Code to Include Regulations Regarding Tiny Homes. The Board of Trustees discussed tiny homes at the last meeting. There have been several proposals by potential developers to construct tiny homes in the Town of Rico. Because tiny homes are treated differently by both the Colorado Department Health and Environment regarding the usage of water and the IBC regarding egress, lofts and stairways among other things, it is important that we define tiny homes. That definition will ultimately end up in the revised land use code but because we may be asked to issue building permits for tiny homes prior to the adoption of the revised land use code, it is important to clearly define tiny homes sooner rather than later. The purpose of this ordinance is to define tiny homes and clearly establish requirements regarding their construction. Town Attorney Carol Viner has offered two options, one being that the Land Use Code be amended to include tiny homes as a use by right in residential areas and one as a use by special use permit. Zach McManus made a motion to approve the 1st Reading of an Ordinance Amending the 2011 Rico Land Use Code to Include Regulations Regarding Tiny Homes siting the 2018 Appendix in the UBC. Nicole Pieterse seconded the motion. The motion passed unanimously.

Resolution Accepting the 2018 Audit. The 2018 Audit was submitted to the Town Board for approval. Barbara Betts made a motion to approve the 2018 Audit as submitted. Sophia Kyriakakis seconded the motion. The motion passed unanimously.

Appointment of Jenn Fox as the Regular Member of the Rico Planning Commission and Appointment of Laura Pick as an Alternate Member of the Rico Planning Commission. Nicole Pieterse made a motion to approve the appointment of Jenn Fox as regular and Laura Pick as an alternate. Seconded by Barbara Betts. The motion passed unanimously.

Executive Session.

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 British Petroleum remediation protocol.

Discussion and Possible Action Items.

November Ballot Initiatives. Town Manager Kari Distefano submitted three proposed ballot initiatives asking the voters for an increase in our mill levy for infrastructure, inclusion in the San Miguel Authority for Regional Transportation Service Area and the option of opting out of SB 152, which would allow the Town of Rico to develop partnerships with providers of broadband. All ballot initiatives are in draft form and the official language and a resolution will be presented for approval at the August meeting in order to meet the September 6th deadline.

Community Prospectus. Rico is in an opportunity zone. The Choose Colorado website define opportunity zones as the following: Opportunity Zones were enacted as part of the 2017 tax reform package (Tax Cuts and Jobs Act) to address uneven economic recovery and persistent lack of growth that have left many communities across the country behind. In the broadest sense, the newly enacted federal Opportunity Zone (OZ) is a federal tax incentive for investors to invest in low-income urban and rural communities through the favorable treatment of reinvested capital gains and forgiveness of tax on new capital gains.

This economic and community development tax incentive program provides a new impetus for private investors to support distressed communities through private equity investments in businesses and real estate ventures. The incentive is deferral, reduction and potential elimination of certain federal capital gain taxes. Mrs. Distefano believes that this zone represents an opportunity for Rico to encourage some modest economic development. The folks at Region 9 have suggested that the town produce a community prospectus. Staff has produced a draft based on examples from Gunnison and the one from Region 9 wrote for Dolores County. Mrs. Distefano would like some direction on this, whether or not the town wants to make this prospectus available to potential investors and if so, what revisions would the town like to see.

Speed Bumps. Staff has had some complaints about speeding and dust again. Do we want to buy some of those movable speed bumps? They cost about \$150. We could put them on the streets that cause the most problems. They would also help keep the dust a little more under control.

City Council and Committee Reports.

Town Clerk. None
Public Works. None
Parks and Rec.

Town Manager's Report.

Update on the Economic Analysis. The business surveys for the economic analysis about the need for central sewer by Gabe Preston of RPI Consulting is complete. The next step will be to analyze the degree to which a central sewer system would be a positive contributing factor to the combination of finance, business support, policy, markets, human capital, infrastructure and cultural factors that encourage a vibrant, sustainable community. Staff expects a draft report by the end of the month and the town will host a community meeting on August 15th just prior to the Trustee's meeting that will consider the resolution to put the central sewer system on the November ballot.

Adjournment.

Barbara Betts made a motion to adjourn the meeting at 10:30 p.m. Genevieve Yellowman seconded the motion. The motion passed unanimously.


Linda Yellowman
Rico Town Clerk


Zach McManus
Mayor