

RICO TOWN BOARD MEETING MINUTES

Date: July 20, 2022

Call to order

Mayor Nicole Pieterse called the meeting to order at 7:03PM.

Trustees Present: Mayor Nicole Pieterse
Mayor Pro Tem Patrick Fallon
Trustee Christopher Condon
Trustee Joe Croke
Trustee Joe Dillsworth
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, 6-0. Trustee Joe Croke left the room for the vote.

Approval of Minutes

Motion

To approve all minutes with the correction of Mayor Nicole Pieterse was not present at the June 15, 2022 meeting.

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

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

Payment of Bills

Discussion was had on the Water Attorney payment. A summary was given by the Town Manager.

Motion

To approve the payment of the bills.

Moved by Mayor Nicole Pieterse, seconded by Trustee Joe Croke.

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

Public Comment.

Skip Zeller asked for the Board of Trustees blessing on having the Rico Frequency "elevating community through music" event.. The concept is for local musicians to play for 2-3 hours in the park. The organizers are aware of the sanitation needs as well as a special alcohol permit if they serve alcohol. Skip believes it will be less than 50 people in the audience.

Mayor Nicole: If the organizers want to be on the safe side they should apply for a special use permit through the town.

Linda Yellowman: Asked why the lights outside the courthouse aren't working.
The Town Manager will have someone look at it.

Florence Ezell would like to bring to the Town Boards attention that the town shed was a historical power plant.

Mayor Nicole Pieterse: Gave an update from the Rico Trails Alliance about the bridge proposed for Town's the RAS River Trail to be located by the Coke ovens.

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 summary of the application and previous meetings

Greg Anderson, engineer expressed that the first 50' are the only problem area with the higher grade than what is allowed. He expressed that there are higher grade streets in the Town already that are maintained by the Town.

Mr Flatt applicant apologized for not being present previously. He is here to answer questions. Would like to get this approved so more houses can be built in Rico.

Board discussion:

Town Manager expressed that the bend in the road in conjunction with the bend is what will cause the stress.

Greg expressed that 14' is wide enough.

The Town Manager is concerned that the maintenance vehicles we currently have could not do summer maintenance on this road.

Trustees raised are concerns about the private property between the potential new road and the lots.

Public Comment:

Skip Zeller referenced some non-conforming streets in Town.

Board Discussion:

The board asked the Town attorney (present via Zoom) several questions..

Mayor Nicole Pieterse would like the snow storage to be addressed in the agreement.

Motion

Linda Yellowman approved to the application for a road building permit, Block 9 S Commercial Street, Flatt Family LLP, applicant with the conditions that 1, the applicant enters into a license and maintenance agreement for the use of the right of way and maintenance of the road 2, that the license and maintenance agreement be recorded for each lot and that the obligation pass to subsequent land owners. Seconded by Benn Vernadakis.

Amendment offered by Nicole Pieterse directing that the license and maintenance agreement address snow storage, address a mechanism whereby the town could require drainage repairs if the drainage was negatively affecting town property and for staff to be able to finalize the license and maintenance agreement. The amendment was accepted by Linda Yellowman and Benn Vernadakis.

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

Consideration of an extension of the Dolores River Trail subdivision submittal timeline for preliminary plat

Trustee Benn Vernadakis recuses himself due to conflict of interest.

Town Manager Chauncey McCarthy gave summary of the application. Staff gave the applicant direction which requires engineering. The request is for a 30 day extension.

Motion

To approve the request for the extension Consideration of an extension of the Dolores River Trail subdivision submittal timeline for preliminary plat to date certain August 8, 2022

Moved by Trustee Joe Dillsworth, seconded by Trustee Linda Yellowman.

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

Consideration of a liquor license renewal application, metropole llc, applicant

Discussion on the license.

Motion

To approve the liquor license renewal application, metropole llc, applicant

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

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

Consideration of letter of intent to participate in the coordinated election with Dolores County on November 8, 2022

Town Clerk gave a summary of this letter.

Town Manager expressed that there are discrepancies between the timelines and our Home Rule Charter and the State Statutes the County works under. Staff needs to work more with legal to ensure we can stay compliant to the Home Rule Charter. This is to ensure if we can join the coordinated election that we have submitted the letter of intent within the deadline.

Board Discussion:

If we cannot join the coordinated election we need to amend the charter to allow it moving forward.

Motion

To approve the letter of intent to participate in the coordinated election with Dolores County on November 8, 2022.

Moved by Trustee Joe Dillsworth, seconded by Trustee Christopher Condon.

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

Earmark August 8th as a potential special meeting.

Staff ReportsClerk's Report.

The Town Clerk is working on the Election with Legal.

Manager Report.

The water system is tighter than ever with very little water loss. ¾ less usage than in July 2021. Currently doing a system wide flush. The New ARPA filter is also being installed.

The Town was awarded 3 bear proof trash cans. Two will be in the park and one in front of the courthouse. We will cancel the Park Waste Management subscription once these are in place.

Bats are back in the court house attic. This was discovered by Clay Hall while prepping windows for painting. Chauncey will look into the company who recently mitigated the bat issue to see if they will warranty it.

The court house windows are being painted. This is the first time in 30 years. The Town needs to

get back on a more regular schedule for maintenance. Clay is fixing a lot of dry and wet rot on windows on all sides of the court house.

The plat for the River Corridor has been recorded in Dolores County's real property records.

Discussion Items

Voluntary lead soils clean up ("VCUP") agreement status

There was a very productive meeting in person with ARCO on the 13th of July. The funding agreement was not discussed. There will be another meeting in early August. AR agreed to street lead levels match the residential levels. They also agree to address drainages while they remediate the streets to ensure the protective cap doesn't wash away.

Evaluation of residential water usage rate

Chauncey summarized the DOLA study of similar community's usage rates.

The Board Discussed an elevated rate structure to help limit outdoor watering. Potentially adding a small base rate bump as well. Some Board members reminded the board that most likely the town will be going for a Mill Levy soon so they don't want to overwhelm the voters.

Staff will draft an ordinance for next month's meeting for a first reading.

Quarterly financial review

All fund balances are above where they were at the beginning of the year:

Park: growth due to sales tax. \$5000 allocated to Park administrator. We would like to reallocate the funds that will be mentioned later in the meeting

Conservation Fund. Has not changed.

Sanitation. Continues gain. The only withdraw is a small portion of the Town Manager's salary.

Water Fund: Trending slightly over on repair and maintenance. All of those funds will be reimbursed. Once 5 home sites in Bedrock are built and taps are paid for there will be enough matching funds for the tank replacement. Dennis is confident that it could go 5-10 more years in the meantime.

Street fund: DOLA grant the account was entered wrong that is why there was a large withdraw early in the year. We will notice the payroll transfer will be higher than anticipated due to Esteban and the pay raise.

General fund: Part Time maintenance is higher. Sales tax is high which is great. Development application was \$20000 which is too large and will not be met. Town cleanup is done under budget. Marshal has been more present. Will be on the website. Already generated \$7000 which is over half of what he was budgeted to bring in. One more marshal sworn in earlier this month and will start shortly. This will enable all of the days we need be covered. The board suggested 8 shifts a month and 4 in the slow times. We will need to replace the vehicle. May be able to work with Cortez or Montezuma County for a new vehicle as they are replacing theirs soon. Legal: Dolores River Trail are remitting payments back into this fund. We will have certain items we improve and other we go over on. Sales tax has been very strong.

Town Shop Update

DOLA is interested in helping the Town fund construction. The grants usually require a 33-50% match. SMART would allocate \$200,000-\$300,000 to use one bay for the SMART bus. The Town Manager is engaging with EAIF on grant applications they provide a \$25,000 grant match, Town Manager would like to use the Marshal Vehicle replacement \$25,000 for this match.

Showing DOLA the project is shovel ready will earn the grant application more points.

Rico School Building Lease

The Dolores County R-1 School District has offered to the town using the school building in Rico rent free just paying for utilities and minor repairs. If major repairs are necessary the School District would take care of them. Some Board members caution that this is a major undertaking. The School may want to find someone to manage it. With a 60 day eviction notice it could be hard to convince businesses to commit. The Board did not vote on the School District's proposed lease.

Rico Town Park Planning update

This collective entity serves higher need communities. The concept is for it to be a conception to the cradle structure. Next month there will be a contract submitted to the Town. The school would match the funds for this project. There is a small retainer of \$2000-\$4000. This is just to plant a seed for next month's meeting where there will be more information.

Motion

To adjourn Board of trustee meeting and go in to Executive Session: Town owned fire station parcel §24-6-402(4)(e), C.R.S. Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations and instruction of negotiators.

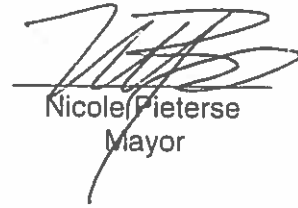
Moved by Trustee Joe Croke, seconded by Trustee Benn Vernadakis.

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

The meeting came out of executive session then adjourned at 10:16pm.



Anna Wolf
Rico Town Clerk



Nicole Pieterse
Mayor

