

## RICO TOWN BOARD MINUTES

June 29, 2017

The Regular Town Board meeting was called to order at 7:08 p.m. by Zach McManus.

**Members Present.** Barbara Betts, Sophia Kyriakakis, Keith Lindauer, Zach McManus, Nicole Pieterse, Stephen Roberts and Genevieve Yellowman.

**Staff Present.** Kari Distefano, Patrick Drew, Dennis Swank and Linda Yellowman.

**Guests Present.** Jim Gregg, Allyn Svoboda, Scott Livesay, Derek Padilla/Forest Service, Heather Knox, Florence Ezell and David Kunz.

**Approval of the Agenda.** The agenda for June 29, 2017 was presented for approval. Town Clerk Linda Yellowman asked to add 2 temporary permit (90 days) for The Enterprise and Mountaintop Liquor Store while their liquor application is still being reviewed by the State. Nicole Pieterse would like to add Southwest Colorado Council of Government appointment. Also add Growing Water Smart. Genevieve Yellowman made a motion to approve the agenda as amended for June 29, 2017 and seconded by Barbara Betts. All voted in favor.

**Approval of the Minutes.** The Rico Town Board minutes for May 17, 2017 were presented for approval. Barbara Betts made a motion to approve the minutes as submitted for May 17, 2017 and seconded by Genevieve Yellowman. All voted in favor.

**Approval of the Monthly Bills.** The Monthly Bills for June 2017 were submitted for approval. Barbara Betts made a motion to approve the Monthly Bills for May 2017 as submitted. Seconded by Stephen Roberts. All voted in favor.

**Approval of the Treasurers Report.** Keith Lindauer made a motion to approve the May 2017 Treasurers Report as submitted. Seconded by Nicole Pieterse. All voted in favor.

**Public Comment.** Derek Padilla from the Forest Service gave an update on the Travel Management Plan Watershed. The 2015 comments has not changed and no additional comments. The deadline for additional comments is July 7, 2017.

Heather Knox briefly talked about green lights (led bulbs). Ms. Knox would like the Town of Rico to participate in the program. Nicole Pieterse recalls that the Board decided not to participate at one of their meetings.

**Town Attorney.** None.

**Town Clerk.** Town Clerk Linda Yellowman stated she has nothing to report.

**Town Manager.** Kari Distefano reports that the Town Marshal's vehicle is broken down. Will contact San Miguel and see if they might have a vehicle also Dolores County has been contacted. Mrs. Distefano stated her report is all under New Business.

**Public Works.** Dennis Swank reports that he is working on water meters, some are not working right. We had to turn off the main water line and dig it up to fix a valve on one of the water meters and flush out the main line. The water plant ran a very low water usage this month but summer is here and no rain so the usage is coming up very fast.

Working on the town park, we cut the grass and the fence was pulled down from the winter snow and it was hard to get it back up. We are watering the new grass that the fire department put down.

We have 10 lead and copper samples going to be tested this month. Worked with the Enterprise Bar repairing their septic problem. Working on the Mill Road, putting some gravel down in bad places and digging up some rocks. Will also check out Piedmont Street.

My family are doing okay for now, thanks for the time off. I'm going to take a vacation July 1 through 9, working for the Fire Department and family.

**Water Consultant.** Patrick Drew gave an update on the water system.

**Parks & Recreation.** Zach gave s brief report about the sheds on Silver Street that the Town owns and the winter equipment are stored there. The Town Cleanup went well and next year we will get a bigger dumpster.

**Board of Trustees.** Sophia Kyriakakis questioned the unregistered vehicles in town. Other issues that were brought up were junk being left at the old Galloping Goose building and the trails operation for this winter.

Keith Lindauer would like the town to move forward about getting a grant from Colorado Historical Society for the courthouse. The town shop building needs a lot of work also and would like to keep that on the agenda.

**Geothermal Committee.** Barbara Betts reports the geothermal group cancelled their trip to Rico in June 2017 and will reschedule later this summer.

**Grant Consultant.** None.

**Old Business.**

**New Business.** Item 1. Temporary 90 days permit from the Town for The Enterprise. Town Clerk Linda Yellowman stated that the State is very behind and asked that the Town issue a 90 day temporary permit for selling of liquor. Barbara Betts made a motion to approve a 90 day temporary permit for The Enterprise. Seconded by Keith Lindauer. All voted in favor.

Item 2. Temporary 90 days permit from the Town for Mountaintop Liquor Store. Town Clerk Linda Yellowman also suggested a 90 day temporary permit for Mountaintop Liquor Store. Keith Lindauer made a motion to approve a 90 days temporary permit for Mountaintop Liquor Store. Seconded by Nicole Pieterse. All voted in favor.

Item 3. Southwest Colorado Council of Government Appointment. Nicole Pieterse made a motion to appoint Kari Distefano to serve on behalf of Rico on Southwest Colorado Council of Government and seconded by Keith Lindauer. All voted in favor.

Item 3. Growing Water Smart. Nicole Pieterse would like to have Kari Distefano attend the Growing Water Smart seminar in September 2017. Suggestion was made to research first and go from there. Zach McManus made a motion to authorize Mrs. Distefano to apply for the seminar and seconded by Keith Lindauer. All voted in favor.

Item 4. Rico Town Park Sod Approval. Town Manager Kari Distefano reports the Rico Fire Protection District bought sod for the town park and would like to be reimbursed. Discussion was held regarding the half pipe that was damaged. Comment was made to reimburse the Rico Fire Protection District with the condition that the Fire Department supply volunteers to help repair the half pipe skateboard structure that was damaged. The half pipe skateboard structure was funded by a grant from the Rico Center. Keith Lindauer made a motion to reimburse the RFPD for sod from the Conservation Trust Fund with the conditions as mentioned. Barbara Betts seconded the motion. All voted in favor.

Item 5. Update on Website Progress. Town Manager Kari Distefano stated that Ben Steele has set up emails so that they use the .gov extension. Mr. Steele also set the site up so that we can add information and pages. Mrs. Distefano says as soon as she gets a chance, she will start adding information.

Item 6. Discussion of New Boiler for the courthouse. Town Manager Kari Distefano reported that the boiler in the courthouse is failing and she understands from Sparks Plumbing, the company that has been working on it, that it has been problematic for a while. In an effort to avoid a crisis when we really need the heat, she would like to replace it this summer. She has requested bids from a couple of companies including Sparks Plumbing. She would like to get three bids but it seems as though the heating and plumbing companies are busy and she may not be able to get three. Funding for the replacement will have to come from our reserve. We have reserve money beyond what is required by law and she does not see any reason to put this off. Mrs. Distefano is requesting approval from the Board of Trustees to use reserve funds to replace the courthouse boiler.

Item 7. Discussion of Propane Tanks. Fraley propane has in their user's agreement, a requirement that propane tanks be marked with PVC supplied by Fraley and cleared of snow and anything else that might accumulate around a tank making it unsafe or inaccessible. The problem is that people think that the PVC is ugly and they remove it. Further, not everyone is conscientious about keeping their tanks clear of snow in the winter. Mrs. Distefano recommends that we discuss enacting an ordinance that would require homeowners that have operational propane tanks to keep them marked and free of snow and other debris. If they fail to do so, the town will mark and shovel or remove other debris at the owner's expense. Owners that can prove that their propane tanks are off during the winter would be exempt from the shoveling requirements.

Item 8. Discussion of Requests for Proposals for water and sewer. Water---Town Manager Kari Distefano says she has spent a great deal of time since our last meeting reviewing existing documents and considering the best way to approach the requests for proposals for the Town of Rico water and sewer issues. Having read and evaluated these documents to the best of my ability. I have come up with the following analysis and recommendations.

The North Rico Well Field is the system that is currently being used to supply the town with water. This well, based on the settlement between Rico and the Dolores Water Conservancy District, has rights to .178 cfs, which equated to 80 gallons per minute or 3.5 million gallons per month for uses including "municipal and industrial, including domestic, commercial, irrigation

and recreational uses. The decree for the Silver Creek diversion point allows the Town of Rico 0.28 cfs (cubic feet per second) with an additional 2.72 cfs being conditional. This water right looks good on paper, however, unfortunately it does not always perform at that rate particularly during drought years. Also this system is currently offline. Due to changes in the Colorado Department of Health and Environmental regulations regarding filtration of surface water, this system is no longer in compliance and is being used only as a backup should the well fail. Given this set of circumstances, I believe that with respect to water the best course for the town to take would be to issue a request for proposals for an engineering firm to supply the town with a plan and cost estimate for upgrading the Silver Creek System. Based on the estimate, we could begin exploring funding possibilities.

Sewer. Town Manager Kari Distefano reports in December of 1999, Rothberg, Tamburini and Winsor produced a 201 wastewater facilities plan for the Town of Rico. This document was comprised of an existing conditions analysis with hazard and constraint mapping by Chris Wilbur, an estimation of future conditions that reflected the goals and objectives of the 1996 Rico Regional Master Plan, a description of wastewater collection and treatment and an assessment of treatment alternatives provided by Goff Engineering and Surveying. In 2006, the Town of Rico commissioned another wastewater facility analysis. Souder, Miller and Associates based in Cortez produced another document. Essentially it covered the same ground but this analysis was more comprehensive.

It has become increasingly apparent to me over the course of the last several weeks that the lack of a central sewer system is inhibiting our ability to thrive as a community. Aside from the increased level of Colorado Department of Health and Environment's scrutiny of on-site waste systems. Having a central sewer system at least for the main street commercial center is discouraging investment at a time when most of Colorado has been booming.

On June 14, 2017, Distefano met with Duane Dale, the USDA representative for our area to discuss possibilities for the funding of a central sewer system. If we want to pursue this possibility, we will need a revised Preliminary Engineering Report that meets their requirements. Based on that report, the USDA will consider some combination of grants and loans. The Town does have a Sewer Fund set up for sewer and the fund currently holds \$203,580. The USDA seems to discourage the phasing of systems. There may however be some more creative approaches. If we create a metro district around the central core instead of using the Sewer Fund, we may be able to phase the project by gradually extending the metro district beyond that central core. Funding would still be difficult but it is worth exploring various possibilities. While we have two Preliminary Engineering Reports, both are out of date and the USDA requires that they be not more than six months old. Mrs. Distefano is recommending that we issue requests for proposals for an updated PER that meets the USDA requirements. It was decided to move forward with it.

Item 9. Planning Commission Alternate Appointment: Mary Hagan. Zach McManus made a motion to appoint Mary Hagan as the alternate for Planning Commission. Seconded by Keith Lindauer. All voted in favor.

Item 10. Approval of the 2016 Audit. Nicole Pieterse made a motion to approve the 2016 Audit for the Town of Rico. Seconded by Barbara Betts. All voted in favor.

Item 11. Executive Session: Pursuant to C.R.S. 24-6-402 (4) for the Purpose of Discussion Regarding Personnel Matters. Nicole Pieterse made a motion to go into executive session at

9:15 p.m. and seconded by Keith Lindauer. All voted in favor. Out of executive session at 10:00, the meeting was called back to order and no action was taken.

Item 12. Discussion of Contracts and Approval: Ben Steele-Web Site Development, Ruth Heffron-Grant Writing, Tyler Lapp-Building Inspector and Patrick Drew-Water System Manager. With no discussion, Zach McManus made a motion to approve the Contracts for Ben Steele-Web Site Development, Ruth Heffron-Grant Writing, Tyler Lapp-Building Inspector and Patrick Drew-Water System Manager. Barbara Betts seconded the motion. All voted in favor.

Zach McManus made a motion to adjourn the meeting at 10:00 p.m. and seconded by Genevieve Yellowman. All voted in favor.

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Linda Yellowman  
Rico Town Clerk

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Zach McManus  
Board of Trustee