

## RICO TOWN BOARD MINUTES

August 16, 2017

Zach McManus called the regular meeting of the Rico Board of Trustees to order at 7:00 p.m.

**Members Present.** Barbara Betts, Sophia Kyriakakis, Keith Lindauer/7:25, Stephan Roberts and Genevieve Yellowman. Nicole Pieterse was absent.

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

**Guests Present.** Ruth Heffron and James Gregg.

**Approval of the Agenda.** The agenda for August 16, 2017 was presented for approval. Barbara Betts made a motion to approve the agenda as submitted for August 16, 2017 and Genevieve Yellowman seconded it. All voted in favor.

**Approval of the Minutes.** The Rico Town Board minutes for July 19, 2017 were presented for approval. Genevieve Yellowman made a motion to approve the minutes as corrected for July 19, 2017 and Barbara Betts seconded the motion. All voted in favor.

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

**Approval of the Treasurers Report.** Keith Lindauer made a motion to approve the July 2017 Treasurers Report as submitted. Genevieve Yellowman seconded the motion. All voted in favor.

**Public Comment.** None.

**Town Attorney.** Carol Viner would like to do some sunshine law training at one of the Town Board meetings.

**Town Clerk.** Town Clerk Linda Yellowman had nothing to report.

**Town Manager.** Kari Distefano reported that the town should consider allowing Airbnb to operate in Rico since there are no hotels or motels. She would like to encourage motel business. She is still looking for a water truck. The Finance Committee composed of Zach McManus and Genevieve Yellowman will meet soon to work on the 2018 Budget. Erin Neer and Kari Distefano have scheduled a meeting for August 25<sup>th</sup> to begin preliminary work on next year's budget.

**Public Works.** Dennis Swank reported that he found a leak in the water pipe on Silverglance Way. The 8 inch waterline had a hole in the tee. The line is cast iron so Dylan Robertson was able to weld the hole so that water service could be returned to Silverglance Subdivision until parts to fix it came and Dennis could get some help with the repair.

Dennis is working on the loader. The fuel pump was not working so he replaced it. He is looking for parts so that he can fix the brakes on the John Deere. The steering is bad so he is going to repair the front steering cylinder. Hopefully this will fix the problem.

The boiler in the courthouse is still not working. Dennis cleaned up the Town Park and cut the grass at the park and courthouse.

**Water Consultant.** Patrick Drew gave an update on the water system. The water tanks will be inspected next week.

**Parks & Recreation.** Zach McManus reported that Tom Clark is surveying the lots by Silver Creek and evaluating the possibility of turning that area into a park. Mr. McManus would like to have the Parks & Rec program be responsible for maintenance of the town park behind the school. He mentioned that he would like to get rid of the piano and the organ that are in the hall of the courthouse. Both CIRSA and the insurance inspector for the school have indicated that the Town needs to replace the wood chip bedding below the playground equipment in the town park.

**Board of Trustees.** There was a brief discussion on property tax.

**Geothermal Committee.** Barbara Betts reported that the geothermal group will be here the 3<sup>rd</sup> week in September 2017.

**Grant Consultant.** Ruth Heffron gave an update on grants. A suggestion was made that the Town apply for an historic assessment grant with Colorado Historical Society to evaluate the condition of the courthouse and develop a work plan for improvements.

#### **Old Business.**

**New Business.** Item 1. Review of Proposals and Discussion of Snowplow and Boiler: Kari Distefano received proposals for both a new snowplow and a new boiler. According to Par Mechanical, the boiler can go in the basement where the old boiler was. It can be vented above the existing window. If the tubing in the front courthouse steps is still intact, the stairs can be heated. After a lengthy discussion, Keith Lindauer made a motion to approve the replacement of the boiler with the condition that insulation is put in the attic and the boiler be sized accordingly. Barbara Betts seconded the motion. All voted in favor.

The snowplow proposals included both lease and purchase options. Ms. Distefano attached the proposals to the Trustee's report for their review and consideration. The Town Board members were in favor of an equipment lease agreement for a new snowplow.

Item 2. Renewal of Lease Agreement with Dolores County School District for Park and Playground Bedding Options: Both CIRSA and the licensing agency for the school have advised the town staff that the Town needs to upgrade the bedding under the playground equipment. At the very least, the park needs chips that conform to safety standards and a border to hold them in place. To deal with this situation, there are two options. One is to do the work immediately and pay for it with funds from the Conservation Trust Fund, which as of June 30<sup>th</sup> held a balance of \$31,322.98, which does not reflect the \$800.00 paid to the Rico fire department for the sod. The other option is to wait and apply for a Great Outdoors Colorado (GOCO) Mini Grant. That grant application is due November 2, 2017 and the grants are not awarded until the following March.

A couple of quotes from regional suppliers suggest that chips would cost about \$2000.00 and the price of a border would be about \$2500.00 using play-safe, easy to install, plastic borders. A mini grant would allow the Town to make more improvements such as replacing the fence and repairing or replacing the skateboard half pipe.

In the course of figuring out to whom the responsibility of maintaining the playground belonged, Ms. Distefano discovered that the lease agreement with the Dolores County School District that allowed the use of the park by the Town of Rico expired in January of 2006, and had never been renewed. GOCO requires proof of either ownership or long-term access to the property on which improvements are to take place. Prior to spending any money at all, the lease agreement with the Dolores County School District has to be renewed. This issue has been placed on the September 5<sup>th</sup> school board agenda and Mrs. Distefano is recommending approval by the Board of Trustees of an extension of the lease. Zach McManus made a motion to approve renewing the lease agreement with Dolores County School District. Keith Lindauer seconded the motion. All voted in favor.

Item 3. Erickson Variance for Covered Deck and House Corner into 7 foot Side Yard Setback (20 minutes). Torger and Peggy Erickson submitted an application on June 27, 2017 for a variance that would address several issues at 462 Silverglance. There is a propane tank that encroaches onto a 20-foot wide subsurface utility easement. There is a driveway that encroaches on the same easement. A covered deck and a corner of the house encroach onto the 7-foot side yard setback.

Initially, Ms. Distefano suggested that a temporary license agreement would be the best way to deal with the propane tank and the driveway. It is important to maintain the right to the easement in the event that the Town should ever need it. The Rico Land Use Code has no provision for the issuance of a temporary license agreements so the Town attorney suggested that Distefano write a letter to the Ericksons advising them that the Town had no provisions for temporary encroachments, but the Town had no immediate plans to utilize the easement. A copy of the letter is included in the Trustee's packet.

Based on the fact that the encroachment into the 7-foot setback is minimal, the Rico Planning Commission approved the request for a variance. Mrs. Distefano recommended that the Board of Trustees do the same. A copy of the variance application is attached to the packet. Keith Lindauer made a motion to approve the request for a variance for Torger and Peggy Erickson. Sophia Kyriakakis seconded the motion. All voted in favor.

Item 4. Adoption of the Dolores County Hazard Mitigation Plan (20 minutes). Dolores County, with the help of Tetra Tech Solutions, generated a Hazard Mitigation Plan that they would like the Town of Rico to adopt. The plan includes risk assessments and mitigation and plan maintenance strategy. This plan is a prerequisite for some funding that is available under the Robert T. Stafford Act. The adoption of this plan would require a schedule for monitoring progress and revising the plan every five years.

The recommended Mitigation Actions table that addresses Dolores County in its entirety has few suggestions that would impact Rico directly although the construction and maintenance website would be beneficial. The implementation of an Integrated Public Alert and Warning System called Nixle is underway and this system would be of benefit to Rico.

GIS mapping of hazard prone areas is one of the suggestions. The revisions to the Rico Land Use Code in which the Rico Planning Commission is currently engaged involves digitizing hazard maps.

Chapter 20 of this plan discusses mitigation actions and implementation and includes mitigation action worksheets. The worksheets are a tool with which to apply for grants. Tables included in this portion of the plan show Rico's priorities as 1. – to construct a sanitary sewer facility, 2. –to develop a backup potable water system, 3.- to purchase backup generators for town building, 4.- to create incentives for defensible property, 5.- to install remote water flow meters and adopt mitigation actions of the Dolores County Community Wildlife Protection Plan, (no 6), 7.- to educate homeowners about hazard mitigation, 8.-to conduct an avalanche awareness campaign, 9.- to purchase and install surge protectors, 10.- to update the Rico Land Use Code and 11- to built living fences. Mitigation Action worksheets for the Town of Rico have been partially filled out by the previous Dolores emergency manager. They are incomplete and somewhat inaccurate. They should be redone.

The Robert T. Stafford Act does appear to appropriate money for grants to implement mitigation actions as determined by the Dolores County Hazard Mitigation Plan. Upgrading the Silver Creek water system might be eligible for funding. All in all, the plan is sensible and does not appear to commit the town to projects that the Town can't reasonably achieve. Ms. Distefano recommended that the Town adopt the Dolores County Hazard Mitigation Plan. Keith Lindauer made a motion to approve the Dolores County Hazard Mitigation Plan and Barbara Betts seconded the motion. All voted in favor.

Item 5. Discussion of Revisions to the 2005 Personnel Manual Including Standard Operating Procedures for the Town Marshall, Safety Policies for Public Works and Updating the Personnel Handbook to Include Harassment (20 minutes). This item was tabled and moved to next month's regular Town Board meeting.

Barbara Betts made a motion to adjourn the meeting at 8:40 p.m. and Zach McManus seconded the motion. All voted in favor.

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Linda Yellowman  
Rico Town Clerk

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Zach McManus  
Mayor