

RICO TOWN BOARD MINUTES

September 20th, 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, Stephan Roberts, Genevieve Yellowman, Zach McManus and Nicole Pieterse.

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

Guests Present: Ruth Heffron, James Gregg, Allyn Svoboda, Larry Carter, Florence Ezell, and Susie Meyer.

Approval of the Agenda: The agenda for September 20th, 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. The motion passed unanimously.

Approval of the Minutes: The Rico Town Board minutes for August 16th, 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. The motion passed unanimously.

Public Comment. Ruth Heffron said that the Artists of Rico were in the process of organizing a meeting with the associations that serve Rico to create an event calendar and discuss the possibility of joint marketing.

Keith Lindauer took the opportunity offered in the public comment period to express his concern about the investigation into the disappearance Matt Johnson.

Nicole Pieterse reported that she and Distefano had attended a land and water use planning seminar September 11th through the 13th hosted by the Sonoran Institute. Pieterse, Eric Heil and Distefano were members of one of six teams invited to the seminar. There was a water consultant assigned to the Rico group. The five other communities represented were Archuleta County and Pagosa Springs, Westminster, Fort Collins and the North Front Range Metropolitan Planning Organization.

Town Clerk. Town Clerk Linda Yellowman wrote that Sophia Kyriakakis and Stephen Roberts would be required to obtain a nominating petition and gather 15 signatures to finish the term to which they were appointed as dictated by the Rico Home Rule Charter. Genevieve Yellowman's term will be up in November. Nominating petitions will be available at the Rico Town Hall at 2 Commercial St. on September 19th, 2017

Jill Carver requested the use of the Rico Town Hall for art classes from October 2nd through Oct. 6th, 2017. Pieterse thought it was good that the space was being used but she had a question about the need for insurance. Distefano thought that was unnecessary because it is a public space but she agreed to check with the Town Attorney. Pieterse asked about the fees. Larry Carver, Jill's husband, said that Jill was being charged \$250.00. Pieterse said that she didn't think that there should be a fee, but there should be a deposit. Zach McManus suggested fees

collected should go toward building maintenance. There was discussion amongst the Trustee's about which user groups should be charged and what they should be charged. Distefano agreed to propose a fee structure and bring it before the Trustee's next month.

Public Works. Dennis Swank reported that the front brakes on the John Deere loader are not working. He has been getting estimates on replacement parts. John Deere gave an estimate of \$4851. This would be the amount it would cost if they don't find anything else wrong with it. Keith Lindauer wondered, given the high number of hours on the machine, if it really made sense to continue to put money into it. Distefano said that to replace it with another used loader would likely be twice that amount, assuming that one can be found. She said that CDOT is supposed to have an equipment auction sometime in October and added that Rico may be interested in a water truck as well as a backup loader.

Swank reported that the water plant was doing well and that water use was way down. Lindauer asked about the upcoming tank inspections. Distefano reported that they are supposed to take place in early October.

Zach McManus had proposed that the ice rink be moved from the park to an area near the Town Shop. The area that would have worked the best is not on Town property so the ice rink will stay where it is this season.

Water Consultant. Patrick Drew reported that the Town is getting all three tanks inspected rather than just one. He also reported that there was one more water line leak on a Commercial Avenue service line but it was repaired quickly.

Drew reported that he is using a different type of disinfectant. It comes from a larger supplier and should be less expensive.

Zach McManus asked if the water pressure in Silverglance Subdivision could be restored. It has been low since the leak at the tee was fixed last month. Swank said that the pressure should be normal. His testing after the repair indicated that pressure had been restored. He suggested that perhaps the problem was with filter systems inside the houses. Pat Drew said that the hydrant near the leak had a pressure of 110 pounds per square inch, which is normal. Pressure reducing valves (PRV) at service lines bring the pressure down to 40 to 60 psi for household use. He said that while one PRV could be malfunctioning, it was unlikely that they all would be. Swank said that he would do some investigating.

Parks & Recreation. Zach McManus said that due to the cost increase of the dumpster, there would be no fall town clean up. He said there would be a forty cubic yard dumpster at the summer clean up and that the size of the metal dumpster could be reduced.

McManus brought up the idea of a pocket park at the Town owned lots that straddle Silver Creek. He will apply for a Great Outdoors Colorado Mini-Grant for funding for improvements.

The Rico Fire Department replaced the basketball hoops they had taken down for the Tri-State activities. Since Dolores County School District approved the new lease agreement that allows the Town to use the park area, the chips under the playground equipment can be replaced. Distefano will find out from Rebecca Pugh exactly what kind of chips are approved for school use and the chips will be replaced. A border will be built around them to keep them in place.

McManus got two bids to redo the Town Hall floor. Lindauer asked from which fund the money for the floor resurfacing would come. McManus said that it would come from the general fund but there has been no money appropriated in 2017 for those improvements so it will have to come from the reserves. Pieterse asked if the State Historic Fund might help but they have indicated an unwillingness to give Rico any more money since they have already invested over a half million dollars in Town Hall repairs. Lindauer made a motion to approve funding for the resurfacing of the wood floors. Pieterse seconded the motion. The motion passed unanimously.

McManus said that he had gotten some pictures from a local photographer to put in the hallway of the Town Hall and that he had been talking to several other local artists that might be interested in showing their work in the Town Hall. Lindauer like the idea but was concerned about liability to the Town. Distefano will check with the Town Attorney to see if the artists should sign a waiver releasing the Town from liability should their work be stolen or damaged.

McManus brought up the plaster that needs to be repaired in the office he shares with Pat Drew. He also talked about getting Justin Bain to wash the windows in exchange for the rent that Justin owes on the Glasgow Avenue shop building, which belongs to the Town. There was some discussion about Justin Bain's lease on the building and whether or not Bain's use of the building satisfied the intent, which was to use the building as an incubator for a small business. Barbara Betts suggested that perhaps Bain's lease should be revisited when it expires in 2018. Pieterse made a motion to approve the window washing as long as the cost of the window washing does not exceed the price of Bain's rent. Lindauer seconded the motion and it was approved unanimously.

There were two applicants for the winter grooming position, Mike O'Conner and Scott Poston. Stephen Roberts also expressed interest. Distefano said that she, McManus and Roberts need to spend some time evaluating the budget before any final decisions are made. She also reminded the Board that hiring a groomer was predicated on receiving funding from the Rico Center. The three of them will get together and discuss the position. McManus said that he had written two proposals to the Rico Center. One requested funding for just winter programs and the other requested funding to maintain the park in the summer too. Barbara Betts suggested that perhaps there should be a broader view with respect to requesting funding from the Rico Center. She suggested that the Town might need things from them that extended beyond just parks and recreation. Distefano stated that she thought that the Town should take care of its own needs and that the winter trails program was of great community value. Pieterse thought that McManus should ask for funding for both the winter programs and the park.

Geothermal Committee. Barbara Betts reported that Professor Nakagawa and two of his graduate students came to Rico on September 13th, 14th, and 15th for magnetotelluric testing. They had difficulties with both the weather and finding a favorable site. They did arrange some meetings with people who were interested in geothermal.

Grant Consultant. Ruth Heffron reported that she and Distefano had spent time trying to figure out what work had been done on the Town Hall in the past. She reported that she and Distefano were still pursuing an historic assessment grant for the Town Hall. They would like to bring Mike Owen from the State Historic Society to Rico to look at the Town Hall. Heffron is going to work on a request for proposals for a consultant that does historic assessments. She will also investigate the possibility of getting funding from DOLA for a broadband planning grant. Distefano said that if Rico were to generate a broadband plan, the community would be more likely to get funding for solid infrastructure.

Lindauer suggested that Distefano talk to San Miguel Power Association about a rebate for the new boiler.

Town Manager. Kari Distefano reported that the bats are being relocated starting Sunday, September 17th. Servepro will begin by smoking them out and then fogging the attic with ozone so that they don't return. Sealing the attic and cleaning up will take the rest of the week. Distefano's husband Joe has offered to build a bat house, and there may be some Town property near the river on which to erect it. Parr will finish installing the boiler on Monday, September 18th or Tuesday, the 19th. They pressure tested the tubing in the courthouse steps and it is holding pressure which means that the snowmelt system should be functional this winter. Accurate Insulation will install insulation in the attic during the week of September 25th through 29th.

John Deere sent the Town a lease agreement for the new loader with a snowplowing implement. Rico's attorney, Carol Viner, is reviewing the lease agreement. As soon as she is done, Staff will order it so that we are prepared for the upcoming winter season.

There has been no progress on the River Corridor plat. Distefano said that she would continue to prod Alpine Title.

The Dolores Country School District approved the renewed lease agreement for the Town's use of the park next to the school.

Consent Agenda:

Approval of the Monthly Bills: The Monthly bills for September 2017 were not included in the packet. There was some discussion about whether or not the bills had already been paid, and if so, why were the Trustees approving them? Genevieve Yellowman clarified that while the checks were written, they did not get sent out until the Trustees approved them.

Approval of the Treasurers Report: Nicole Pieterse and expressed a desire to see an executive summary of the treasurer's report rather than a full print out every month. The rest of the Trustees thought that a quarterly print out of the entire report was adequate. Kari Distefano said that she could arrange that. Keith Lindauer made a motion to approve the August 2017 Treasurers' Report as submitted. Genevieve Yellowman seconded the motion. The motion passed unanimously.

Action Items:

CDPHE Regulation 43

The Colorado Department of Health and Environment has updated their regulations regarding on-site wastewater treatment systems – septic systems - and they require that communities adopt the updated version before June of 2018. The most substantial difference between this set of regulations and the last set is that rather than percolation tests, soils test pits are required to evaluate the drainage potential of soils. Experimental systems are now addressed under the product develop section and will be required to show four successful examples rather than three and they will be subject to independent testing.

Gregg Anderson offered the following in a comment letter:

1. Please add a section stating: "No construction material, construction traffic, or stockpiling of material to be allow on the Soil Treatment Area before or during construction. Soil Treatment Area to be marked off by orange construction fencing, during all construction activities, except when constructing the OWTS, to protect the natural state of the soils". When the native material are compacted by construction equipment, concrete trucks, dump trucks, and the stockpiling of earthen (dirt) over the Soil Treatment Area (leach field) it changes permeability of the soil (perk rate) so the treatment happening in the soil treatment area will not be the same as when testing. This could cause the entire system to fail and need to be replaced.

2. Please do not allow New Vaulted Privies. It is hard enough to get any service companies to come to Rico let along counting on a septic pump truck to come to pump out a tanks weekly or monthly is just not an acceptable solution. When the roads are close or are not accessible how do you project the public from an overflow when no one can get there to pump it every possibly 48 hours?

3. You might not want to require inspections ports at initial (front) end of distribution lines. In a more "traditional" system of rock and pipe an inspection port at each end would require a riser pipe at each perforated lateral. This could cause a lot of risers, caps and lids in the already small lots and yards. Maybe locating them diagonally across each bed is a better approach or leaving that decision up to the designer.

Distefano suggested that the board include comments one and three in the updated regulations. She said that she would like to do more research on his second comment.

Nicole Pieterse made a motion to approve Town of Rico Ordinance No. 2017- () An Ordinance of the Town of Rico, Amending the Rico Land Use Code by the Addition of On-site Wastewater Treatment System Regulations and incorporate Anderson's first and third comments. Barbara Betts seconded the motion. It passed unanimously.

The adoption of the revised Town of Rico Personnel Handbook was tabled again. The issue of using the Town of Telluride's old manual without changing Telluride to Rico throughout the manual remains a problem for the Town Attorney but no one wants to retype the whole thing.

Discussion Items

Rico Center Grant Application for rebates for Main Street Businesses that paint or make other improvements to their facades.

Distefano said that she would like to apply to the Rico Center for \$10,000 to offer as rebates to businesses that paint, redo or add new signs or make any other improvements to their facades. The goal of this program would be to create an incentive for building owners on Glasgow Avenue (Main Street) to improve the appearance of their buildings and therefore invite more tourists to stop and enjoy Rico.

Pieterse suggested that the Rico Center might want to see more exacting parameters for the issuance of the rebates. She suggested that the rebates would be directed at businesses that generate sales tax. Lindauer said that he understood the intent but that he thought it would be better to postpone it until Glasgow Avenue had a central sewer system.

Rico Center Grant Application to hire a facilitator to structure and conduct a community meeting

Unlike Rico's neighbors, Telluride and Dolores, Rico has failed to recover from the economic downturn. Property taxes are down and values are beginning to erode. Sales taxes remain flat and Rico has way too many shuttered businesses on Glasgow Ave. Rico as a community is not thriving. It is not even sustaining. Something needs to be done that will reverse this trend.

The lesson from the Sonoran Institute Land Water Use Seminar that Pieterse and Distefano attended was that as government employees and officials, if your undertakings are to be successful, you have to engage the public and stakeholders early and often. To that end, Distefano would like to apply to the Rico Center for funding to bring Marjo Curgus to Rico to help structure and facilitate a community meeting. Marjo Curgus was one of the presenters at the Land Water Use seminar. She has a great deal of experience with community organizing and engagement. She has enjoyed success in the Gunnison Valley and she is currently working in Taos. She knows what she is about and her presence will be an asset.

This meeting would be at the end of October or the beginning of November and would begin the discussion with the community that will hopefully ultimately lead Rico on a path toward a sustainable community.

Lindauer supported the idea of a town meeting. Pieterse agreed that it was a good idea. There was general consensus that community meetings would be a good idea and Distefano will move forward with the grant application.

School Zone Lights

Speeding is a problem in Rico. While the speed limit on Highway 145 is posted as 30 miles per hour, people usually drive 40 mph and faster. Aside from the obvious safety problems, Brandy from the Enterprise and Alex and Ben from the taco stand have expressed concern that the rate at which people drive through town discourages potential customers from stopping. Distefano has been in conversations with CDOT regarding the possibility of installing a push-button activated pedestrian light at the school and a crosswalk in front of the Enterprise. She has filled out the form that starts this process and CDOT has indicated that if they approve the need for the pedestrian light, Rico would pay for it and CDOT would maintain it. McManus suggested signs would be preferable to lights. Lindauer suggested we ask for four crosswalks. He also suggested that the Town write a letter to CDOT requesting those crosswalks. The Trustees agreed that a letter should be written and signed by a mayor.

McManus made a motion to adjourn. Pieterse seconded it. The motion passed unanimously.

Linda Yellowman
Rico Town Clerk

Zach McManus
Mayor