

RICO TOWN BOARD MINUTES

December 13, 2017

The Regular Town Board meeting was called to order at 7:00 p.m. by Mayor Zach McManus.

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

Staff Present. Kari Distefano and Linda Yellowman. Absent was Patrick Drew and Dennis Swank.

Guests Present. Derek Padilla/Forest Service.

Approval of the Agenda. The agenda for December 13, 2017 was presented for approval. Town Manager Kari Distefano would like to move the USFS Travel Plan Letter and approval for Signing Net Neutrality first under Action Items. Barbara Betts made a motion to approve the agenda as amended for December 13, 2017 and seconded by Keith Lindauer. The motion passed unanimously.

Consent Agenda:

Approval of the Minutes. The Rico Town Board minutes for November 15, 2017 were presented for approval. Barbara Betts made a motion to approve the minutes as presented for November 15, 2017 and seconded by Genevieve Yellowman. The motion passed unanimously.

Approval of the Monthly Bills. The Monthly bills for December 2017 were presented for approval. Keith Lindauer made a motion to approve the bills for December 2017 as presented. Seconded by Genevieve Yellowman. The motion passed unanimously.

Approval of the Treasurer's Report.

Citizens Communication.

Town Clerk. Town Clerk Linda Yellowman has no report.

Public Works. We had ten lead and copper samples to do and took them to Green Analytical Laboratory in Durango to get tested and picked up some parts.

The new loader might be here in December. The dresser loader is running well, I let it run for 3 hours and there was no problem with it. We will chain up all the equipment.

The water leak at Argentine Alley is going to be replaced with a new water line. Lewis Excavation will do the work. We found another water meter leak and repaired it in Silverglance.

Water Consultant. Town Manager Kari Distefano gave a brief update on the water system.

Parks & Recreation. Zach McManus reported on the parks and recreation. There has been no grooming since there is no snow and it is still too warm to maintain the ice rink. The snowmobile and snow blower are ready to go. At the Rico Trail Alliance meeting, it was

mentioned that the signs will be coming in for the trails. Winter Carnival was briefly discussed and will happen the latter part of January 2018. Sophia Kyriakakis and Nicole Pieterse gave their opinion.

Town Board Reports. Zach McManus reports pictures from locals are being put up in the hallway at the courthouse. Mr. McManus stated he received one bid for plaster work in the courthouse and would like to have the Board give their approval to get the work done. With no further discussion, Keith Lindauer made a motion to move forward with the plaster work. Barbara Betts seconded by the motion. The motion passed unanimously.

Geothermal Committee. Barbara Betts reports that CU will have a proposal in May 2018 available.

Ms. Betts stated she will be out of town January through March and would like to be excused for not attending the town board meetings. Request granted.

Grant Writer.

Town Manager's Report. Kari Distefano submitted the Rico Community Meeting Summary from our consultant, Marjo Curgus. The summary was included in the water bills and likely you have had a chance to read it. Our next meeting should be dedicated to answering the questions that are in the summary. Depending on Ms. Curgus's schedule, we are looking at holding a second community meeting sometime in late January. Based on engineering work done in the past on the central sewer system, it may be possible to answer some cost questions fairly accurately by January, however, we won't have updated numbers until we get our preliminary engineering report after we have issued the request for proposals. Questions about the water system will be more difficult to answer since we don't really understand the extent of the problems and won't know until we have the proposed engineering analysis. Nevertheless, I believe that we should go ahead with the meeting in January and answer question to the degree possible. The grant application to DOLA for the preliminary engineering report for the sewer system has been submitted. We should get word sometime in late March whether or not the application is successful. The water system analysis grant application is due on January 1st and we should also know whether that grant has been successful in late March. I have applied for funding from Sonoran Institute for two more meetings. I believe that it will be valuable to keep the community actively engaged.

Action Items. USFS Travel Plan Letter. Mrs. Distefano mentioned that Mike Curran would like the Town to consider signing the attached letter thanking Derek Padilla of the USFS for respecting the Town of Rico's request. It's the Boards decision to approve the letter as is or not send the letter or revise the letter. Derek Padilla briefly gave an update what and where the discussion is regarding the travel management plan. Hearings for the travel management plan will be posted.

Net Neutrality Order. The proposed revisions to the 2015 net neutrality order by the FCC were the subject of a discussion at the South West Colorado Council of Governments last Thursday. The proposal currently being considered would eliminate restrictions on such activities as paid prioritization, blocking and throttling. Throttling is the intentional slowing of certain sites by internet providers. Eliminating these restrictions is particularly detrimental to rural communities that do not have any choice of internet providers. Throttling is the intentional slowing of certain sites by internet providers. Eliminating these restrictions is particularly detrimental to rural communities that do not have any choice of internet providers. Doing away with net neutrality

would essentially allow internet providers control access to certain websites based on their ability to pay. South West Colorado Council of Governments has kindly provided us with a template for a letter of objection to the revisions. Mrs. Distefano strongly recommend that the sign and send it. The vote will be December 14, 2017 so this issue needs to be decided and acted upon tonight so that we can email it. The consensus from the Town Board was to send a letter by email.

Second Reading for the Adoption of the Year 2018 Budget. Town Manager Kari Distefano mentioned there are three minor changes to the budget as it was approved on the First Reading. One was an addition error that affected the general fund summary for this year. The other two are changes in the 2018 budget. After having reviewed the numbers on the grant application for the sewer proposed engineering report, I decided that the request should be for \$148,000 rather than \$140,000. That revision is shown in the sewer page. The other revision is to the Parks, Open Space and Trails budget. We would like to apply for a Great Outdoors Colorado Mini Grant for the pocket park just north of Town Hall. I had neglected to include that in the original budget. A copy of the revised budget and ordinance is attached. Keith Lindauer made a motion to approve the second reading for the Adoption of the Year 2018 Budget. Seconded by Barbara Betts. The motion passed unanimously.

Colorado Water Board Grant. Mrs. Distefano needs formal board approval to submit an application to the Colorado Conservation Board for an engineering analysis. A copy of the proposal was submitted. Zach McManus made a motion to approve the application to the Colorado Conservation Board for an engineering analysis. Seconded by Keith Lindauer. The motion passed unanimously.

River Corridor. The River Corridor plat is finally finished and I have begun the process of collecting signatures. The Board of Trustees needs to approve the Town of Rico's signature. Zach McManus made a motion to approve the Town of Rico's signature. Seconded by Barbara Betts. The motion passed unanimously.

Renewal for the Liquor License at Rico High Inc./Approval. Town Clerk Linda Yellowman says everything is in order and recommends approval. Keith Lindauer made a motion to approve Rico High Inc.'s liquor license renewal. Seconded by Nicole Pieterse. The motion passed unanimously.

Appointment/Deanna Drew to Planning Commission. No appointment, Mrs. Drew decided not to.

Discussion Items:

Tim Regan Plat Amendment. We discussed last month, Tim Regan would like to submit an application for a plat amendment to remove the reference to "institutional controls" from the plat of his property in the Hancock Subdivision. At Genevieve's suggestion, I brought the Voluntary Clean up files from the basement and have endeavored to educate myself on the V-Cup negotiation and the origination of that plat note. The way I understand it is that under the proposed institutional controls, ARCO would have created a fund with which property owners (including the Town of Rico) could remediate vacant land that was not remediated in the first phase of the voluntary clean up as they decided to develop their lots. The Town of Rico in turn would have administered the program. The original intent of the institutional controls was to create a soil hazard overlay in Rico's land use code and use this as a mechanism by which to insure the effected vacant lots got cleaned up using ARCO's funding before they were sold. Apparently sometime late in 2013, the Town backed out of the V-Cup altogether. This leaves

the Town with two questions. How do we deal with these vacant lots in the future if they are known to exceed EPA lead levels and who is responsible for the remediation? I talked to Pat Willits of Trust for Land Restoration briefly on Friday. We will continue the conversation next week.

Mine Shaft Building Rico Land Use Code Violation. Tabled to the next regular meeting.

Adjournment. Keith Lindauer made a motion to adjourn the meeting at 9:00 and seconded by Barbara Betts. The motion passed unanimously.

Linda Yellowman
Rico Town Clerk

Zach McManus
Mayor