

TOWN OF RYE
RECORD OF PROCEEDINGS
JUNE 9, 2021

Call to Order/Roll Call

Mayor Marty Rahl called the Regular Monthly Board Meeting to order at 6:02 pm at the Town Hall at 2067 Main Street in Rye, Colorado. Those in attendance were as follows: Marty Rahl, Mayor; Sandra Steele, Trustee; Levi Bernal, Trustee; Patrick Ryan, Trustee; Larry Sisk, Trustee; Markus Buck, Trustee; and Sherri Beach, Clerk. Also present were: Greg Colter, ORC; Troy English, CMS IP Technologies; Tammy Smith, Resident, and Kathy Dufty, Resident. Those absent were: Sheila Henderson, Mayor Protem. The Pledge of Allegiance was recited.

Audience Participation

Tammy Smith addressed Greg Colter and the board about a green discoloration in her water. She brought samples to show the board, and she provided video of the water in her kitchen sink. Greg informed her that Gib Rokich flushed the fire hydrants on Friday, and that should have helped to clear the water. He also stated that the discoloration could be caused by the pipes in her home, as other residents are not having the same problem, and he is certain that it is not coming from the distribution system. Mrs. Smith stated that Maddie Rokich told her that other residents have complained of experiencing green water, and she said others have posted on Facebook about their water being discolored. Tammy said she believes if her pipes were causing the water discoloration, it would be green all year instead of just a couple of months out of the year. She asked if her water could be tested to make sure it is safe and find out the cause for the green water. Greg informed her that he would not know where to begin testing because there are hundreds of tests that could be run. Tammy asked if he could test for algae. He said it could be algae because it does have a smell and taste. He said the Town needs to map and track where the water issues are being reported to find a solution. Larry Sisk suggested that Mrs. Smith contact Culligan and tell them she may be interested in installing an RO system, and they will run a series of tests for her at no charge. He also suggested that she may take a water sample to the Pueblo County Health Department to see if they would be willing to test it for her. Patrick Ryan said he would contact Geological Survey Water Resources Division and ask them if they can test for algae and copper. He will report his findings to Sherri Beach, and she is to call Mrs. Smith with the information he receives.

Troy English, Account Manager for CMS IP Technologies, addressed the board. He explained that CMS IP Technologies is a sister company with RTC, and they work together. He gave each trustee a letter dated June 2, 2021, from The White House in Washington. The letter discussed the number and size of ransomware incidents that have increased significantly throughout the United States, and it talked about President Biden's work to disrupt and deter ransomware actors. Mr. English said it is imperative that all businesses and personal accounts protect themselves against being threatened, as cyber security keeps everyone safe. He said the Town should implement the five best practices per the President's Executive Order, 1) backup your data, system images, and configurations, regularly test them, and keep the backups offline; 2) Update and patch systems promptly; 3) Test your incident response plan; 4)

Check your security team's work; and 5) Segment your networks. After discussion about the services CMS offers, Troy said he would recommend that the Town of Rye move from Windows Microsoft Home to a Business system at both the Water Treatment Plant and the Town Hall and have a firewall installed on both. He would like to store all our data in the office, on a backup device, as well as in a cloud. He said he has a package available that would include a firewall, 2 computers with proper Windows Pro10 – which would include remote support within 30 minutes of an issue to include printers, software issues, slow internet, etc. It will also include onsite support if systems go down, and backups. The cost of this package would be approximately \$717 per month. Mr. English stated that we can purchase a "block of 10," which is a group of ten hours that would be used for the hours are necessary to set up, do on-site remediation for work, etc. These "blocks" never expire, and as the ten hours are used, we can purchase additional blocks. Troy reiterated that our safety is of the utmost importance.

Markus Buck made a motion that the Town hire CMS IP Technologies to start with the necessary firewalls (\$300-\$900), backups for a rate of \$158 per month, and purchase a 10-hour block for \$1,220.00. We will have Mr. English write a contract. From there, we will re-evaluate and work toward the rest of the services. Sandy Steele seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed. Sherri was instructed to call Mr. English to have him send us a contract and get started.

Consent Agenda Items

- Larry Sisk made a motion that the Minutes of the May 12, 2021, regular Board of Trustees Meeting be approved. Patrick Ryan seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.
- Larry Sisk made a motion that the Work Session Minutes for May 25, 2021, meeting be approved. Levi Bernal seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.
- The Water Treatment Plant Executive Report was presented to the Board. Greg Colter, Operator in Responsible Charge, informed the Board that:

Tank #1 was put back online on March 14, 2021. It was taken back offline on May 11, 2021, because they were not able to get the chlorine level to the target point. The DBP samples came back high. This may cause an enforcement order. Water was sampled twice to lower the quarterly average. If results are 10mg/L they may pass with CDPHE.

A new water pump is needed for the water plant. Greg spoke with Dave Volentine who can replace the pump for \$1,650, or he can rebuild with a kit for \$750 plus labor. Markus Buck made a motion to purchase the rebuild kit and have Mr. Volentine rebuild and install the pump. Levi Bernal seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Greg is keeping an eye on the SCADA to trend tank levels. This will make our daily water usage more accurate. He is also monitoring and trending chlorine readings out of the filter, as it is a compliance issue for CT.

The CCR is complete, and all paperwork has been submitted to the CDPHE. The report has been posted on the Town website, the Post Office bulletin board, and the Town Hall front window.

The lead and copper results came back with no high reads.

Professional Engineer, Nick Marcotte, is continuing to work on our OCCT and DBP plan.

Greg encouraged the Town to have Gib and Madison Rokich take the test for their first license to become receive a D (small system) license. He said it will be a good guideline to help them know what they are doing well and what they need to work on. He said they will be required to obtain three licenses, and they can only get one per year, so we need to begin soon. If they do not pass the tests, they can retake them until they do. The cost of the test is \$40, and they can retake it for \$60 every 30 days, if necessary. Marty Rahl said she would discuss this with Madison.

- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed.
- The Town of Rye Summary of Accounts, RVS Systems Totals Report and CCMD Sewer Flow Chart were reviewed.
- The Summary Aged Receivables were discussed.

Account #7 was called and a voicemail left reminding them that the balance for April is \$80.22, and the balance for May is \$95.22. The total due is \$175.44, and we look forward to receiving payment as soon as possible to avoid disruption of service.

Account #29 was not called for the balance of \$8.00, as they always pay entire amount on time, and Sherri believes it is an oversight.

Account #43 was called and reminded of the past due amount. Resident brought payment in full this afternoon.

Account #71 does not have a current telephone number.

Account #72 was called and will make payment in full via US Mail, as he is in Ohio.

- Patrick Ryan made a motion that the Accounts Payable/Transfer of Funds from appropriate accounts be paid and that appropriate funds be transferred per the Checks Written form. Markus Buck seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.
- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed.

Unfinished Business

The board of trustees reviewed Chris Brandewie (RCAC) Water Rate Decision and spreadsheets showing current customer bill vs projected billing from year 1, 2, and 5 if the Water Rate Decision is adopted.

Sherri Beach reported that she emailed a copy of the Water Rate Decision to Austin Reichel of CWRPDA on June 4, 2021, for review and input, but to date has not received a response from him. She will email him again. Markus Buck suggested that we look at the Sewer Rate Study before deciding to adopt the Water Rate Decision, as some of the bills for residents may drop, which may even out the overall rate increase. Everyone agreed. Sherri was asked to contact Chris to request he begin the Sewer Rate Study right away so we can look at raising both rates at the same time. Greg Colter stated that the rates must be raised because of the State regulations and costs associated with the upkeep of the plant, lines, etc. He suggested that when the rates are increased, the Town of Rye consider mailing each resident to let them know the reason the rates must be increased. He said in that letter, we should refer to the great quality of our water, we are violation-free for the first time in a long time, the Consumer Confidence Reports look great, and remind residents of the 3-day interruption in service because of the main break in February 2021.

Sherri Beach reported that we received a response letter from Table Mountain Church on June 7, 2021. She has forwarded the letter to the Town attorney for review and instruction on how to proceed but has not received a response to date. She will follow up prior to the next board meeting.

Sherri Beach informed the board that she called Brian Hanson on June 4, 2021, and left a voicemail asking when he would be able to install the new meter at the Rye Triangle, clear the drain at the inlet, install a trench, and possibly install a pressure valve. Mr. Hanson has not returned the call. Sandra Steele said that she has Thomas Joseph working for her, and he is available to do this kind of work. Sherri was instructed to call Mr. Joseph of Colorado Backflow to get a quote to do the work at the Rye Triangle. When she receives it, she is to forward to the board for voting to have him do the work. Once this is complete, the Town may ask him for quotes to do the remaining work that has been requested of Mr. Hanson over a year ago.

Marty Rahl reported that the CDOT Main Street Revitalization Grant for Sidewalks has been submitted. There has been no response yet. Marty stated that she included in the information that we request the project be completed by October. She will update the board at the next meeting.

Sherri Beach shared an email from Rick Michaelson of Audimute. He stated that he believes the Town needs to purchase 22 3'X3' panels to distribute the sound in the boardroom. This would be at a cost of \$80 per panel, so \$1,760. He said the project may require more absorption, so he would look at 2 rows of 5 3'X3' panels focused more on the center section of the room in addition to the above cost. Larry Sisk suggested hanging Plexiglas 8 feet from the ceiling in the middle of the room to buffer the sound. After a brief discussion, Patrick Ryan made a motion to table the sound issue until after our water and sewer rates have been completed. Sandy Steele seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Following a very brief discussion about the Ordinance 2021 for Public Nuisance, Markus Buck made a motion to table this item for the next meeting, scheduled for July 14, 2021. Levi Bernal seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed. Markus and Patrick will get together between now and the July meeting to work on the ordinance.

Reports

Accountant/CPA Update:

The Town CPA, Evie Petrikkou charged \$750.00 for Quarter 1 (2021) and \$1,200 for Quarter 4 (2020). Sherri Beach reported that Bob Boyd came to address a letter from the IRS that stated the records were incorrect. The next day, we received a letter of refund to the Town in the amount of \$10.42. Therefore, he instructed Sherri not to take further action, as all the records are correct.

Attorney Update: None

Trustee Updates:

Sherri Beach was not given her updated Clerk Agreement/Contract.

Evaluations for employees were to be done during Executive Session of tonight's meeting.

Patrick Ryan said that when he went to help determine a water leak at Bill Hamler's property, he was asked about annexation into the Town of Rye. Sherri was asked to call Mr. Hamler and invite him to a meeting to request the annexation. Sherri noted that she is registered to attend an online class from CMCA about annexation on July 8, 2021.

Patrick Ryan noted that there are trees and a lot of debris that have moved down the Greenhorn Creek during recent rains and could potentially cause a problem. After discussion, Marty Rahl stated that years ago there was a large flood, and she believed the Core of Engineers mitigated the creek after that. Patrick said he will contact them to see if they will do it for us. Sherri was asked to inquire about creek mitigation from clerks on the ClerkServe site.

Marty Rahl told the board she is working to complete a CDPHE survey for grant and revolving fund. This is for potential use with the Water Treatment Plant.

Marty Rahl asked when the board would like to plan a workday for work in the storage room of the Town Hall. Everyone agreed to meet at 8:00 am on Monday, June 28, 2021. Marty will provide lunch. Sherri was asked to order a 2-yard dumpster for this cleanup day.

Marty Rahl stated that she spoke with the owner of Mountain Disposal, and he will send the Town of Rye photos of the garbage outside dumpsters so we can pursue action. She asked Sherri to contact Mountain Disposal on June 7, 2021, to remind them, which Sherri did. To date, we have not received photos.

Staff Updates:

Sherri Beach shared that she and Greg Colter took an online class about Asset Inventory and Mapping for Small Water Systems today. She said the systems look expensive, but we can start documenting and tracking with a simple spreadsheet, which she will begin at her first opportunity. She will work closely with Greg and Gib, using information that we have available such as photos, plans, records, warrants, etc.

Sherri Beach said that Mickey Smith and Patrick Ryan worked at the Water Treatment Plant to fix issues with no water getting into the system while Gib was on vacation. Patrick Ryan made a motion that we send a \$40 gift card from Three Sisters in Colorado City to Mickey. Sandra Steele seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Sherri Beach reported that she applied for the American Rescue Plan for Non-Entitlement Unit of Governments. This is a COVID-19 program, and the Town of Rye is eligible to receive \$20,736.35 in 2021, \$20,736.35 in 2022, for a total of \$41,472.71. If approved, we will receive the money within ten days. She is registered to take a course on how we can use this funding on June 17, 2021.

Sherri Beach informed the board that Account #31 called with a concern about parked vehicles blocking traffic in the roadway on Matnock. The resident suggested that a no parking sign be posted to prevent future issues. Marty Rahl stated that she has the Matnock sign, and she will have Gib install it, as she believes perhaps the owners of the vehicles thought it was a private driveway.

Sherri reminded the board that she will be on vacation the week of July 19-23, 2021.

Sherri Beach shared with the board that Kathy Dufty requested that a cap be placed on the open valve at the end of Columbine before someone gets hurt. Mrs. Dufty said the cap has been off for years. Sherri asked Gib to put a cap on, and he has placed a temporary one on. He said he needs to buy the proper parts for installation and will take care of it. Kathy also asked that the board consider removing the stop signs both east and west bound on Main Street, as it is difficult to start/stop vehicles in bad weather. Sherri was asked to contact the Pueblo County Sheriff's Department to see if there is a reason why the signs were put up in the first place. Sherri was also asked to review the meeting minutes to see if there is a reason why the Town chose to install the signs. This item will be tabled for the July 14, 2021. meeting.

New Business

There was no new business at the meeting.

Adjournment

- At 9:13 pm, Markus Buck made a motion that the Board close the regular meeting and enter Executive Session. Patrick Ryan seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed. Sherri Beach was asked to leave. Those in attendance of Executive Session were: Marty Rahl, Mayor;

Sandra Steele, Trustee; Levi Bernal, Trustee; Patrick Ryan, Trustee; Larry Sisk, Trustee; and Markus Buck, Trustee.

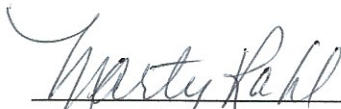
Executive Session

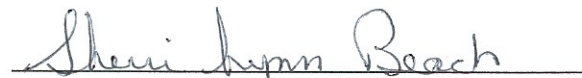
Personnel: For discussion of a personnel matter under CRS Section 24-6-402(2)(f) and NOT involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

- At 10:05 pm, Markus Buck made a motion that the Board return to its regular meeting. Patrick Ryan seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Adjournment

- At 10:06 pm, Sandra Steele made a motion that the Regular Board Meeting be adjourned. Markus Buck seconded. Sandy Steele voted yes, Levi Bernal voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.


Marty Rahl, Mayor


Sherri Lynn Beach, Town Clerk

**The Next Regular Session meeting will be held on
July 14, 2021, at 6:00 pm at the Town Hall at 2067 Main Street, Rye, CO 81069
Public is encouraged to attend**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the Rye Town Clerk at 719-489-2011. We would appreciate if you would contact us at last 48 hours in advance of scheduled events so arrangements can be made to locate the requested auxiliary aid(s).