

TOWN OF RYE
RECORD OF PROCEEDINGS
JULY 14, 2021

Call to Order/Roll Call

Mayor Marty Rahl called the Regular Monthly Board Meeting to order at 6:01 pm at the Town Hall at 2067 Main Street in Rye, Colorado. Those in attendance were as follows: Marty Rahl, Mayor; Sheila Henderson, Mayor Protem; Sandra Steele, Trustee; Levi Bernal, Trustee (via telephone); Patrick Ryan, Trustee; Larry Sisk, Trustee; Greg Colter, Operator in Responsible Charge; and Sherri Beach, Clerk. Also, present were Lynn Street and Ed Sutcliffe, Rye Triangle Committee; Michael Peck, Rye Café; Natai Morano, Resident; Kristen Bell, Resident; Cindy Bykirk, Resident; Robert Humphrey, Resident; and Kathy Dufty, Resident. Those absent were Markus Buck. The Pledge of Allegiance was recited.

Audience Participation

Lynn Street and Ed Sutcliffe addressed the board about the Rye Triangle. Mr. Street told those in attendance about Pueblo County asking the Town of Rye to take over the little property at the intersection of Highway 165 and Main Street 12-13 years ago. At that time, it was nothing but weeds and dust. A committee was formed, and – under the supervision of Mayor Mickey Smith - the Rye Triangle was created. Many volunteers contributed financially to a Rye Triangle Fund, donated water, planted a beautiful flowerbed and grass, installed a fence between the Methodist Church and the Rye Triangle, did the gardening and mowing, and decorated the pine tree for Christmastime. The project grew, and a RYE concrete marker was put in, as was a park bench in memory of prior Mayor Gene Rahl. A water sprinkler system, new water meter and flagpole were installed. The Town of Rye currently pays for the expenses of the Rye Triangle via the Conservation Trust Fund. Through the years, Mayor Gene Rahl, Mr. Street and Mr. Sutcliffe have overseen and maintained the Rye Triangle, and Eloise Martucci cared for the flowerbed. They informed the board that they are retiring immediately and would like someone to overtake the project. Mr. Sutcliffe said he will train and help someone to take over the care of the Rye Triangle. Mayor Marty Rahl suggested the Future Farmers of America Organization students at Rye High School. She will contact Mr. Beeman of School District 70 to inquire about the availability of the students to take over this project and report her findings at the next meeting. The board discussed the possibility of paying the group a small stipend for their work. Mrs. Rahl recommended that a solar light be installed at the flagpole, so the Christmas tree lights are better illuminated. She also stated that the Town may consider purchasing a small lawn tractor with CTF funds for mowing the Rye Triangle. Patrick Ryan said he knows a gentleman who refurbishes old lawn tractors, and he will check to see the availability and estimate of cost to purchase. Marty said we will need to check to be sure that CTF funds would cover a refurbished machine. The discussion of a lawn tractor will be tabled until next spring. Mr. Street recommended that if the high school students did not take over the care of the Rye Triangle, an advertisement should be placed in the local newspaper asking for interested parties to submit their desire to the Town of Rye for consideration.

Mike Peck introduced himself to the board and stated that he hopes to open the Rye Café in mid-August. An inspection of the café has been scheduled, and he will be posting an opening date when he

can. He will be serving a breakfast and lunch menu with most items made from scratch. He will be posting his menu and updates on Facebook. Mr. Peck stated that he has a friend who was considering mowing the Rye Mountain Park, and Sherri Beach said he would need to contact Pueblo County to ask about that, as it is not in the Town of Rye. Mike will give the Town's information to his friend and see if he would be interested in mowing the Rye Triangle.

Several residents attended the meeting to ask about the Town of Rye looking into a water and sewer rate increase. Mayor Rahl and Sherri Beach created a Projected Water Expenditures for 2021 sheet that was presented. This document shows the projected expenditures equate to \$188,150, and the Town of Rye budget is only \$173,414. This difference indicates that the Town of Rye will be in the red by \$14,736 at year end, provided there are no emergencies. Mayor Rahl stated that the loan of \$23,036 per year will not be paid off until 2039. She also stated that if the Town cannot pay our obligations, we will be absorbed into Pueblo County and no longer be an independent town. Mayor Rahl pointed out that no decisions have been made concerning the water or sewer rate increase at this time, and that Rural Communities Assistance Corporation, funded through the USDA, is assisting us in performing a rate study. A rate study must be completed before rates are increased. A requirement for the loan agreement the Town obtained in 2009 or 2010 for building the new Water Treatment Plant is that we must always keep 3 months reserve based on operating expenses in the water fund. In 2019 the water rates increased because the State of Colorado mandated it to cover the loan, as utilities cannot operate in the red. Mayor Rahl emphasized that the Town is NOT making money on the rate increase, we are only striving to operate in the black while providing the best quality water possible. In addition, she added that the projected new rate increase will charge residents for actual gallons of water used instead of the tier system that is currently in place. Greg Colter stated that the water fees pay only to produce water at the Water Treatment Plant, and sewer fees pay for the infrastructure of the sewer lines and to Colorado City Metro District, who processes the Town's sewage. He also stated that the Colorado Department of Public Health and Environment are forcing us to make upgrades to keep the water at the utmost quality. Clerk Sherri Beach provided a copy of her water and sewer bill in the amount of \$250.80 (\$207.31 water, \$40.64 sewer, and \$2.85 Loan debt fees) from CCMD for comparison. She stated that it is only herself and her husband in the home, and they do not water a lawn, etc. She informed the residents that the board of trustees are working tirelessly with pencil to paper to calculate the lowest possible rate increase for all, and she reiterated the fact that the Town is NOT looking to make a profit, but rather are meeting their financial obligations. She further said that the original new rate suggestions by Chris at RCAC were not accepted by the board, and the increase has been whittled down by nearly half by the board (\$75 to \$40 for water efficiency residential units and \$35 to \$15 for sewer efficiency residential units). Ms. Morano asked how the water and sewer will be measured. Sherri explained that the sewer is an average of December, January, and February (when residents are using the least amount of water) multiplied by a calculation to determine the fee. She explained that all water will continue to be measured by the monthly readings of the meters.

Mrs. Dufty asked why the cover has not been placed on the meter on Columbine, as she requested it over a month ago. Sherri said that Gib has placed a temporary cover over the meter, and he is waiting for ordered parts to arrive so he can fix it permanently.

Mrs. Duffy inquired as to why the Town of Rye agendas and meeting minutes are not appearing on the Town of Rye website. Sherri stated that she would remind our website operator to add them.

Consent Agenda Items

- Patrick Ryan made a motion that the Minutes of the June 9, 2021 regular Board of Trustees Meeting be approved. Sandra Steele seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. The motion passed.
- Patrick Ryan made a motion that the Minutes of the June 22, 2021, Informational Zoom Call be approved. Larry Sisk seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. 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 online on March 14, 2021, but it was taken back offline on May 11, 2021, because the chlorine level was not getting to its target point. It remains offline to date. He said our DBP samples came back high, and he provided a copy of the recent lab report. He noted the one high read has significantly affected our averages. The samples were tested again to lower the quarterly average (If the results are 10mg/L, we may pass). Mr. Colter stated that he has ordered a new pump from Dave Volentine on June 11, as it was less expensive than paying to rebuild one. It has not been received yet. Greg is using the SCADA system to trend tank levels and said it will make our daily water usage more accurate. He, Gib Rokich, and Madison Rokich continue to monitor and trend the chlorine read out of the filter, as this is a compliance issue for CT because the chlorine reads are not staying accurate. He informed the board that Nick Marcotte of Element Engineering is continuing work on our OCCT and DBP plan. The report and consultation were given on July 9, 2021. The Town will be required to add sodium hydroxide to keep the pH within a set parameter. Element Engineering is working on this, as it was required to be complete by July 1, so a violation notice will need to be sent to residents in their billing. The Town will be doing extra testing of TOC, TTHM, HAA5 at a cost of \$315 per month for the BPD requirements. Greg also mentioned that the clay valve is malfunctioning. Gib has called to ask for a quote to replace the valve. The board was given a copy of a violation notice for failure to install corrosion control treatment by the July 1, 2021, deadline. Greg said he and Nick are working closely with Ben Keilley of CDPHE to keep him informed of the progress of the project. Greg stated that we continue to test 20 CDPHE-selected homes constantly for lead and copper, and he said the water does NOT have lead and copper, but the lead and copper pipes and solder of homes leaches into them, causing detection of it in test results. Sherri Beach stated that the first Request for Reimbursement form and documentation for the grant for Element Engineering was submitted to DOLA, and we will be receiving \$2,612.50 for the grant portion. Sherri also stated that she is waiting for Mr. Mead from Dutchman Backflow Testers, Inc., to submit three missing backflow prevention certificates, and she continues to remind him weekly.
- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. Sherri will call account #12 and #48 to ask if they could have a leak or a running toilet that is causing high water usage.
- The Town of Rye Summary of Accounts, RVS Systems Totals Report and CCMD Sewer Flow Chart were reviewed. Sherri will contact Jim Eccard of CCMD to request continued sewer flow charts,

as Donny Scheid has left his position at CCMD. Greg will contact CCMD concerning the discrepancy on the sewer flow numbers report and report to the board next month.

- The Summary Aged Receivables were discussed. Accounts number 3, 7, 27, 37, 65, 68, 71, 72, and 76 were called by Sherri Beach and reminded of their late due accounts. They were informed of the past due balance as well as the current due balance. Accounts 7, 71, and 72 were also reminded that their accounts are more than 61 days past due, and unless payment is made immediately, they will receive a notification on their door giving five days to remit payment in full to avoid an additional \$200 fee for disconnection/reconnection of water service. Sheila Henderson made a motion that a disconnect notice be hung on the door of accounts #7, 71, and 72. Sandra Steele seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. The motion passed.
- Sheila Henderson 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. Patrick Ryan seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. The motion passed.
- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed.

Unfinished Business

The board discussed the water/sewer rate study decisions submitted by Chris Branderwei of RCAC. Marty stated that she and Sherri have been working on a spreadsheet that shows the proposals vs the current costs, but they have encountered more questions than answers. Marty said that she will schedule a time for her, Markus Buck, Sheila Henderson, and Sherri Beach to meet to go over the spreadsheet to try to complete it in a manner that makes sense. It will be brought before the board at the next meeting. Chris will be on paternity leave until September 7, 2021, so we will be unable to contact him until then.

Sherri Beach advised that she spoke with the Town Attorney about a pending letter to Table Mountain Church concerning the water and sewer taps. She and Marty submitted answers to questions from the attorney's office that will be included in the letter. Danita Alderton informed Sherri that she will be emailing a letter that is to be put on a Town of Rye letterhead and distributed among the board for approval, signing and mailing to Table Mountain Church as soon as she is able to sit down for David Lytle's approval.

Sherri Beach informed the board that she spoke with Gib Rokich earlier in the day, and he confirmed that Hanson Construction has completed the water meter installation at the Rye Triangle. Gib also said that Hanson had cleaned out one basin at the water headgates, but the lower basin still needs to be cleaned out. They have not completed a drain, a trench, or installation of a pressure relief valve. Larry Sisk asked the board to investigate writing up a contract stating what needs to be done, a timeframe, a cost assurance, and our expectations in future agreements with contractors who work for us. The board agreed this would be a good idea. Larry suggested that a code book would assist with the writing of these contracts. In the meantime, if Hanson Construction is unable to complete the work, Larry said the Town needs to consider running an advertisement in the newspaper for someone who will.

Sherri Beach stated that she called Troy English at CMS Technologies this morning with a question about backing up Quick Books following the installation yesterday. Mr. English said that the system has been set up to automatically save all information from the computer to the CSM hard drive in the Town Hall office (every 15 minutes) as well as to a cloud (every 30 minutes). Mr. English said it is no longer necessary to back anything up, as they have it all done automatically. He also explained that by installing the firewall at the Water Treatment Plant, it will protect both the plant and the Town Hall. He or his associate will be installing Google Docs to the laptop computer at the Water Treatment Plant next week, which will save all work to the hard drive at the Town Hall as well as back it up on the Cloud. He said this setup will save the Town \$2,131.08 installation fee plus \$158 per month, and he is excited to save the Town as much money as he can. Troy will call on either Marty, Gib, or Madison to enter the plant next week, as Sherri will be on vacation.

Marty Rahl reported that we are still waiting on a response to our application for the CDOT Main Street Revitalization Grant for sidewalks and speed bumps.

Patrick Ryan reported that he and Markus Buck are still working on the Ordinance 2021-3 for Public Nuisance. The board agreed to table this item until next month.

Reports

Accountant/CPA Update:

Sherri Beach reported that we have received the first of two American Rescue Plan Non-Entitlement Unit checks in the amount of \$20,736.35 from COVID-19. The second will be received next year. Sherri discussed where to deposit the money with Marty on June 17, 2021, and was instructed to deposit the money into the water fund because the informational class they attended stated that water is always considered a health issue, and the money needed to be used for the purpose of health per the guidelines. Sherri noted that Evie Petrikkou, our CPA, suggested moving a portion of the check into the general fund as it needs resources more than the water fund. After a brief discussion, the board unanimously agreed to keep the entire amount in the water fund.

Attorney Update: None

Trustee Updates:

Marty Rahl said she would get a copy of employee evaluations and a copy of the completed new Clerk's Agreement to Sherri Beach on Friday, July 16, 2021, and review them. Sheila Henderson asked that Sherri be given a copy of the evaluations as well as the completed Clerk's Agreement.

Sheila Henderson informed the board that account #116 had told her that she is considering using her completed tiny home as an Air B&B rather than as a rental home. Patrick Ryan noted that furniture and appliances have been moved into the home. The board agreed that the home could be a rental or an Air B&B. Sandra Steele noted that she has noticed rocks being moved in the area where she believes the second tiny home will be built.

Patrick Ryan told the board that he was assisting account #122 on the property and found that the water meter that was installed had flexible pex instead of the traditional copper pipe. He said this is a common practice because of the reduction of cost. He recommended that we require that a stake be added when this material is used to leash to meters, so they are solid. He also noted that this meter was not backfilled properly. Patrick agreed to create a procedure sheet that will be given to the contractors who install meters. Larry Sisk asked that Sherri Beach order a code book for reference in creating our procedures. Sherri said she already has a call to a gentleman to request the code book. Marty Rahl stated that a certified plumber is required to install the meters, and the Town of Rye must inspect them.

Patrick Ryan informed the board that while working with account #122, he learned that the resident has a sewer line that crosses her neighbor's property and does not have a direct connection to the main. Marty Rahl stated that many residents in Rye have this same situation, and if a problem arises, the Town will be responsible to connect the lines to the main. She said the residents will not incur a fee for a sewer tap, as they are already receiving sewer service.

Marty Rahl said she found a package of two cardboard map containers at Amazon for \$15. Sheila Henderson made a motion that Sherri purchase as many packages as needed to store the Town blueprints. Larry Sisk seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. The motion passed.

Patrick Ryan made a motion that Sherri price and purchase six padded folding chairs for the boardroom. Sheila Henderson seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. The motion passed.

Staff Updates:

Sherri Beach told the board that a resident called concerning aggressive and annoying loose dogs. After contacting the Pueblo County Sheriff's Department, Sherri told the resident that if there was an aggressive dog, dial 911 immediately. For dogs that are just running loose, soiling on the lawns, etc., they can call the Sheriff's Department dispatch number at 719-583-6250 to file a complaint.

Sherri stated that she spoke with Kelly Bak at Pueblo County Roads and Bridges concerning the culvert and debris in the Greenhorn Creek, specifically at the Boulder bridge. He stated his crew will come to clear the debris around the bridge on Boulder, and he will ask his supervisor if they can additionally clear debris on Peterson. They will be clearing on the week of July 12-16. Additionally, he stated that he would be inspecting the bridge and culvert for structural damage and determine if it needs to be replaced or fixed.

Sherri informed the board that she contacted the Pueblo County Traffic Engineer and spoke with Evan Alex to inquire about removing the stop signs on Main Street at the intersection of Boulder. He has ordered new traffic counters, and when they arrive, he will install them for 7 days at the intersection and give the Town of Rye a "best practice" suggestion concerning the safety of removal of the signs.

After discussion by the board, it was determined that the stop signs will remain in place and not be removed.

Sherri told the board that Nick Marcotte from Element Engineering assisted her in completing the Eligibility Survey for the State Revolving Fund. This is something that must be done annually so we remain "on the radar" for financial assistance. Marty approved the application, and Sherri submitted it on the portal.

Sherri reported that she has confirmed with Leslie Jones of DOLA that the CTF funds are from Colorado Lottery funds. Ms. Jones also stated that with CTF funds, the Town of Rye could purchase a riding lawn tractor to maintain the Rye Triangle, but it is not to be used for other property.

Sherri was contacted by a resident who was concerned about mosquitos. The resident asked if the Town would spray. A local resident commented that she would protest the spraying of chemicals for insect control. After discussion, it was agreed that the Town would not spray.

Sherri asked the board if it would be possible to stop serving as a Notary Public. She was told to continue serving, and she was told to charge a fee for the service. Sheila Henderson stated that by signing a document, Sherri is only certifying the signature, not the contents.

Sherri mentioned that she was going to request a large storage cabinet for her office to store old board packets and other permanent records. Sheila Henderson recommended that Sherri contact a locksmith to check the pricing of having locking cabinets in the storage room instead. Sherri will check into this and report to the board next month.

Sherri stated that she called Mike Brown, Wildlife Officer, following three residents calling her with complaints about a resident who was handfeeding and providing food for the wildlife in his yard. Mr. Brown visited the resident and provided education about the dangers of this activity, and he told the resident that next time he would issue a citation.

Sherri reminded the board that there will be a CIRSA Lunch & Learn from 11:30 am – 1:30 pm on September 29, 2021, at Pueblo's Brue's Ale House. Marty Rahl, Sheila Henderson, Patrick Ryan, Larry Sisk, and Sherri Beach are interested in attending.

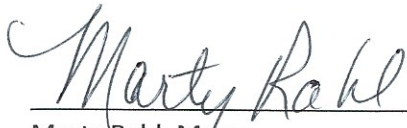
Sherri told the board that her husband is terribly ill, and she requested that she be allowed to modify her scheduled vacation next week. She was instructed to let Marty know when and if she would be leaving. She was also instructed to change the voicemail message on the answering machine and post a sign on the Town Hall front door to include Marty's phone number as a contact for an emergency.

New Business


The new business was discussed during the guest portion of tonight's meeting.

Adjournment

At 8:53 pm, Sheila Henderson made a motion that the Regular Board Meeting be adjourned. Larry Sisk seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk and Patrick Ryan. The motion passed.



Marty Rahl, Mayor



Sherri Lynn Beach, Town Clerk

**The Next Regular Session meeting will be held on
August 11, 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).