

**TOWN OF RYE
RECORD OF PROCEEDINGS
OCTOBER 13, 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; Patrick Ryan, Trustee; Larry Sisk, Trustee; and Sherri Beach, Clerk. Also present were: Kurt Beller, Rye Triangle; and Mike Peck, Rye Café. Those absent were: Markus Buck, Trustee. The Pledge of Allegiance was recited.

Audience Participation

Kurt Beller, caretaker for the Rye Triangle, came to tonight's meeting. He asked that someone take care of pulling weeds in the flowerbed. Marty Rahl agreed to contact the FFA instructor at Rye High School to ask for students to do this task. Kurt requested that a Colorado State flag be ordered to add to the flagpole. He also requested new lighting to illuminate the flags. Sheila Henderson made a motion to purchase a Colorado flag and a solar light to illuminate the flags at the Rye Triangle with CTF funds. Larry Sisk seconded. The motion passed unanimously. Sherri was instructed to order the items.

Mike Peck, owner of Rye Café, attended the meeting. He asked that the board approve his request to sell beer and wine at the café. With the proximity of the school property being less than 500 feet, Sherri Beach is to reach out to the CIRSA attorney to discuss the State of Colorado regulations and the liability of the Town, permitting, licensing, fees, sales taxes, etc. In the event she does not receive a response from Mr. Light, she is to contact the Town attorney for guidance. Sheila Henderson found a painting of the Rye Café in the storage room, and the board agreed to allow Mr. Peck to borrow the painting for his restaurant, but it is to be returned should he close the café.

Helen Darrow was unable to attend the meeting. She requested that the Town of Rye let the Rye Home United Methodist Church borrow the old Town of Rye prints from the boardroom for their 150-year celebration. The board agreed that these prints can be borrowed and are to be returned upon the completion of the celebration.

Consent Agenda Items

- Sheila Henderson made a motion that the Minutes of the September 8, 2021, regular Board of Trustees Meeting be approved. Patrick Ryan seconded. The motion passed unanimously.
- The Water Treatment Plant Executive Report and a Water Report for September 2021 was presented to the Board. Greg Colter left a message that he would recommend not ordering pumps or equipment for the Water Treatment Plant until Element Engineering gives us their recommendation based on their work. He also said that he would recommend purchasing a strainer for the Water Treatment Plant from Pipestone Equipment (where we received a quote

for \$1,762.80) as soon as possible. Levi Bernal made a motion that Gib Rokich order the strainer from Pipestone Equipment. Sheila Henderson seconded. The motion passed unanimously. Gib spoke with Marty Rahl about a possible break in the water line that goes from the headgate to the Water Treatment Plant. He believes that is how rocks and debris are entering the plant. The board asked that Gib contact people for estimates for a camera to find the break and report his findings. The board agreed that effective immediately, Gib will be responsible for obtaining estimates/quotes for equipment, ordering equipment, scheduling maintenance, scheduling training for the Water Treatment Plant, etc.

- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. Notes were written on the board packet copy so trustees could see concerns and explanations for unusual usage.
- The Town of Rye Summary of Accounts, RVS Systems Totals Report and CCMD Sewer Flow Chart were reviewed.
- The Summary Aged Receivables were discussed. Past due accounts 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.
- 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. Sandra Steele seconded. The motion passed unanimously.
- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed.

Unfinished Business

Following board review of the water/sewer rate study and proposed rate increases, Patrick Ryan made a motion that Resolution 2021-5 Resolution to Increase Water and Sewer Rates be approved and adopted. Sheila Henderson seconded. Those voting in agreement of the motion were: Sheila Henderson, Levi Bernal, Sandra Steele, and Patrick Ryan. Those opposed were Larry Sisk. The motion passed.

Sherri Beach was instructed by the board to include a signed copy of the connections letter for determination of Backflow Prevention and Cross Connections per Colorado State law with the October 29, 2021, billing statements. This letter will not only confirm the number of Backflow Prevention and Cross Connections, but it will also be beneficial in accurately determining the number of water and sewer connections and efficiency units on each property.

In addition, Sherri was instructed to mail a letter to each resident in the October 29th billing stating that the Town of Rye water and sewer rate study is complete and rate increases will be implemented on January 1, 2022. The letter is to explain the options. The letter shall include a copy of the "Town of Rye Proposed Water and Sewer Rate Changes" form, and "Why Do We Need Rate Increases for Sewer and Water" form. Residents are welcome to come to the Town Hall to get an estimated new rate for their account monthly fee. In the event we do not have a response from account #105 prior to the billing, Sherri is to hold the rate increase letter and accompanying forms until she receives further instruction from the board of trustees.

Sheila Henderson made a motion that the board sign the letter and Stipulation and Agreement Between Town of Rye and Account #105 that would require payment of \$15,000.00 for the installation of five unauthorized water and sewer taps and/or connections instead of the \$50,000 amount due. Sandra Steele seconded. The motion passed unanimously. Markus Buck was not at the meeting; Sherri will contact him to sign the letter and agreement before mailing.

Marty Rahl has not received a response from CDOT concerning the grant application feedback for sidewalks. She learned that Pueblo County has funding available for grant writers. Colorado City Metro District is benefiting from these grant writers. Marty will research this program to see if the Town of Rye may be eligible for assistance to obtain grants for sidewalks and will update the board.

Ordinance 2021-3 Rye Public Nuisance Ordinance was read. Sheila Henderson made a motion that it be published in the Greenhorn Valley Newspaper prior to the second reading and adoption at next month's meeting. Larry Sisk seconded. The motion passed unanimously. Following the adoption of this ordinance, Sherri was instructed to send a letter with a copy of the ordinance to account #69.

Reports

Accountant/CPA Update:

Sherri Beach reported that she is scheduled to work with the Town CPA via Zoom on Monday, October 18, 2021. They will be working on the 2022 budget. They are hopeful to be able to have a proposed budget soon. The trustees agreed to have a work session at 1:00 pm on Wednesday, October 27, 2021, so the budget can be approved and published in the Greenhorn Valley View Newspaper prior to the November 10, 2021.

Attorney Update:

Sherri Beach shared an email with the board from the attorney. The Backflow Prevention and Cross Connection is a state-mandated program. The Town has the right to determine BPCC connections.

Trustee Updates:

Marty Rahl informed the board that she has emailed SIPA about the inability to get onto the Town of Rye webpage. She has requested assistance from them and will ask that Sheila Henderson be added to the administrative portion of the account so Sheila can post notices, agendas, meeting minutes, ordinances, and resolutions, etc.

Sheila Henderson informed the board that she discovered that an individual owns the property on the east side of the lagoon property. She has discussed the idea of an easement with the property owner, and it appears that they do not want to grant an easement. Sherri Beach stated that Dr. Hunter came into the office and asked that the board entertain a proposal for purchase of the property at the next board of trustees meeting and not sell the property prior to that time. The board agreed. Marty Rahl will check with Billy Bechaver of BH2 Land Surveying, LLC, to see if he has ideas about how to obtain a fair value of the property so the board can consider the sale of it since we don't have an easement. Sheila Henderson stated that she believes the cost of an appraisal is approximately \$700, and dependent on the attorney's advice, we may need to hire an appraiser. Sherri Beach was asked to email the CIRSA

attorney to see if he could guide us in this endeavor of fairly pricing the lagoon property for sale consideration. If he is unable to assist, she is to contact the Town attorney for guidance. Sheila Henderson stated that the Town should ask if Mrs. Pacheco would like to purchase the property, as she owns the property to the east of it.

Sherri Beach informed the board that "As-Builts" for the water/sewer system for the Town of Rye were received from JVA Engineering. Larry Sisk requested that these As-Builts be kept locked in the Clerk's office. He asked that Gib Rokich make notations, dates, etc., of any work that has been done on the plans (i.e., replacement of meters, etc.). When this task is complete, Jim Beach has agreed to make copies of the As-Builts for Gib's use at the Water Treatment Plant.

Markus Buck has been researching the Air BandBs (short term rentals) in Westcliffe. He was unable to attend tonight's meeting, so this item will be tabled until the next meeting.

Staff Updates:

Gib Rokich left a message the board asking to approve the purchase of a new P1 pump to keep on hand at the Water Treatment Plant. He is in the process of obtaining estimates for this equipment. Patrick Ryan suggested that the Town wait until we get the estimates and recommendations of the engineers. The board agreed to table this item until the next meeting.

Account 50 and 51 requested that we hire an arborist to determine why the pine trees in Rye are dying. Sherri was instructed to call to let him know to call the Pueblo County Extension Office for assistance. She was also instructed to ask Gib to water the Town of Rye trees at the Town Hall to keep them alive.

Laura Levesque-Catalano emailed information and asked that it be included in the Town of Rye board packets for discussion about recycling. The board reviewed the information and chose not to pursue this at this time.

Sherri Beach asked permission to post community events on the Town Hall front window. Everyone agreed that this is permissible, but she is not to post children's birthday parties, yard sales, or other personal events.

Sherri will contact Terry Golly and Jason Anglin of A Cutting Edge to put up the Christmas decorations on Main Street and on the pine tree at the Rye Triangle on the day after Thanksgiving.

Sheila Henderson stated five neighborhood watch signs were found in the storage room. Sherri was instructed to ask Gib to hang the signs near the corner of Peterson and Oak, two on Boulder (one on either side of Main), and two on Main (one on either side of Boulder).

Sherri Beach will research the price of "Town of Rye, Elevation ..." signs. Patrick Ryan suggested that she also contact the Colorado Department of Corrections to see if they would be willing to make these signs.

Sherri Beach informed the board that the property owners at account #47 and #90 are questioning about property lines and sewer taps into the Town system. She advised #90 to contact the Pueblo

County Sheriff's Department with threats he has been receiving from his neighbor. This man requested that the Town write a letter to the neighbor, but he called back and said that he had hired an attorney and he withdrew his request for a letter from the Town.

The property owner of account #47 came to the Town Hall and requested a copy of all information on his and surrounding properties. Sherri Beach gave him a Request for Records form to request the record search.

Sherri Beach informed the board that she will need to report on the Coronavirus State and Local Fiscal Recovery Funds for Non-Entitlement Units for the \$20,736.35 received on June 18, 2021. She said there will be an online class to learn how to do this reporting through GFOA for \$70.00. Sandra Steele made a motion that Sherri register for the GFOA class on November 16, 2021. Sheila Henderson seconded. The motion passed unanimously.

Sherri Beach received information from DOLA encouraging the Town to opt in for the National Opioids Settlement. The prior board of trustees opted out in 2018. Sherri was instructed to contact CML, Clerklist, and the CIRSA attorney to ask about the advantages and disadvantages and the reporting requirements of opting into the program. She will report her findings at the next meeting.

A resident brought to the attention of Sheila Henderson and Marty Rahl that there was not a one-way sign at the east end of Peterson. Following discussion, the board instructed Sherri to ask Gib to take down the one-way sign on the west end of Peterson and allow the roadway to become a two-way street.

Sherri Beach presented the board of trustees with an Intersection Traffic Analysis from the Pueblo County Department of Engineering and Public Works Department. Per the data provided, the board chose not to remove the Main stop signs at the intersection of Main and Boulder.

New Business



Sherri Beach was asked to make the updates proposed and add the new rate study on the Town of Rye Policy Manual and the board of trustees will review it next month for approval.

After discussion, the board asked that Sherri Beach contact Greg Colter to ask for a time and date that he would be available to interview two ORC applicants, Mr. Hopp and Mr. Lottig. Those who will be conducting the interviews will be Greg Colter, Marty Rahl, Gib Rokich, and Patrick Ryan. It will be acceptable for the applicants to attend the interview via Zoom. The two applicants will be invited for the interviews when Sherri receives confirmation of the date and time with the committee.

Sandra Steele asked that Sherri Beach research to see if the meter of account #10 on her property had been pulled. Sherri will contact Gib Rokich to see if he did, in fact, pull the meter. She will contact Sandra with the findings.

Adjournment

At 9:38 pm, Patrick Ryan made a motion that the Regular Board Meeting be adjourned. 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.


Marty Rahl, Mayor
Sherri Lynn Beach, Town Clerk

The Next Regular Session meeting will be held on

November 10, 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).