

**TOWN OF RYE
RECORD OF PROCEEDINGS**

- Pledge of Allegiance
- Mickey Smith called the meeting to order at 6:50 p.m.

PUBLIC MEETING

The Board of Trustees of the Town of Rye, County of Pueblo, Colorado met at the Rye Town Hall on November 14, 2018. At 6:50 p.m. Mayor Smith called this regular meeting to order. The following were present: Mayor, Mickey Smith; Trustees: Marty Rahl and Sam Serracino; and Clerk, Sherri Beach. Trustee Sonny Jackson was present via telephone.

Others: Pam Hair, Greenhorn Valley View; Jenn White; Mark Ohlsen; Gary Golladay and Dutch Mead.

PUBLIC INPUT:

- Jen White, Co-Executive Director of We Are FARMily, addressed the Board with the purpose of informing us of a program she is beginning in the community. She said it promotes the building of communities using sustainable practices, outdoor education and mobile makerspace. They serve a 68-mile area from Pueblo to Colorado City, Walsenburg and La Veta. Marty Rahl suggested that she speak with Maggie DeMateo at Rye Elementary School and Kathy Dodge of Rye High School, as they both have similar programs that they could share resources and connect with students. Jenn invited the Board to attend an information session at the Greenhorn Valley Library from 6:30 until 8:30 pm on November 28 for additional information.
- Mark Ohlsen addressed the Board with a proposal for serving our legal needs on a retainer basis. He stated that if contracted, he would ask that he be allowed to come into the office for 15-20 hours to familiarize himself with our past records to bring himself up to speed. He would offer this service free of charge. Sam Serracino asked if he would be willing to assist with the annexation of residents into the Town of Rye, and Mr. Ohlsen said yes. Sam said we would order the CML annexation book and get it to Mark for review. He also asked if Mr. Ohlsen would be willing to file liens, and he was told yes. Marty Rahl asked if Mark would be willing to review ordinances to ensure that we are doing them properly. Mark agreed. Mark would be willing to start immediately.
- Gary Golliday addressed the Board as a Class 4 licensed water operator. He said that he would be happy to fill in for the Town of Rye as needed until such time as John VanOort is able to get his recertification. He said he'd pulled up a monitoring schedule for the Town of Rye and sees that we're not in compliance in many areas. He would be willing to work to assist us with these issues. Sam Serracino asked Mr. Golliday's opinion of the backflow prevention issue, and Mr. Golliday spoke briefly about it. Gary said that by the year 2020 even single residences with a sprinkler system or livestock will be required to be evaluated for backflow. He believes that at some point, all users of water will be required to be evaluated for backflow and cross contamination systems.
- Dutch Mead of Dutchman Back Flow Testers Inc. addressed the board. He agreed with Mr. Golliday that in the near future single homes with any type of irrigation will have to

be evaluated for backflow and cross contamination. He said that when individuals and businesses are not in compliance, the Town of Rye will be fined. To avoid the fines, the Town of Rye will need to completely turn off the water and remove meters from these customers. Currently, the urgency remains with non-single family homes to become compliant. Mickey Smith asked approximately how much a backflow system will cost, and Dutch said between \$900 and \$3,500. He said meters with the backflow apparatus attached could be an option, but they currently run \$480 per meter. Mr. Pieper called on behalf of the Church of Christ, and it was his impression that the church did not have to install the backflow apparatus. Mr. Mead said this is not accurate information, and Sherri Beach will call to let Mr. Pieper know. In addition, Bob Deas of the Rye Home United Methodist Church also called with questions. Sherri will call to ask him to phone Mr. Mead directly. Dutch informed the Board that each customer must submit three certifications to the Town to prove their compliance: A State Certification; a Guage Certification; and an ASSE Certification. Mr. Mead indicated that he would be happy to talk with customers concerning their questions about this process.

CONCENT AGENDA ITEMS:

- **MINUTES OF THE LAST MEETING:** Marty Rahl motioned that the Minutes for the October 20, 2018, Board of Trustees Regular Meeting be approved. Sonny Jackson seconded, and the motion carried. Sonny Jackson motioned that the Minutes for the October 23, 2018, Special Meeting for the discussion of the CCMD Agreement review and employee discussion be approved. Marty Rahl seconded, and the motion carried.
- **WATER TREATMENT PLANT END OF MONTH SYSTEMS REPORT:** This report shows a total of 700,634 total treated gallons, 520,349 gallons delivered to the town, and 105,700 waste water/back wash water gallons for the month of October, 2018.
- **WATER & SEWER MONTHLY METER USAGE/BILLING:** The Water & Sewer Usage/Billing Report was reviewed for the month of October, 2018. It was noted that the formulation for the difference of total master meter and total billed has been corrected and is now accurate.
- **SUMMARY READINGS:**
 - Water Plant Data – Excel worksheet provided.
 - Waste Water Data – Data was not available because of programming issues/battery issues/computer difficulty with new system.
 - CCMD comparison worksheet: From **09/27/2018 to 10/30/2018**
Current: 59,919,083; Previous: 59,264,382; Usage: 654,701.
 - The Town of Rye calculation of Usage: Accurate reading not available. The reading system of the new meter isn't working properly because computer logon issues. This is being corrected.
 - Sewer Attorney Expense worksheet. Last billing dated 10/15/2018 expenses YTD \$86,975.39.
- **SUMMARY AGED RECEIVABLES:** Reviewed by the Board. The Board discussed past due accounts. Sherri called customers Monday and found that #12 is just an oversight; #13

came in on Wednesday and paid in full; #27 is in foreclosure; #37 does not have a phone or contact information (Marty Rahl found that this customer is living in the home via information on the Assessor's website); #66 both cell and home phone numbers not working; #69 is in foreclosure; #71 kept getting a fast busy signal; #89 came in to make payment; #97 made payment in full via credit card, and requested waiver of disconnect and reconnect fees (which the Board declined); #98 Title company sent \$300 check, and we will refund the overpayment at the end of the month, pending Board approval; and #103 was disconnected in June. Notification is on each bill that when an account is 61 days past due, water service will be disconnected.

- **APPROVAL OF ACCOUNTS PAYABLES:**

- There are \$35,592.82 scheduled payables.
 - Sam Serracino made a motion that the accounts payable bills be approved and paid. Marty Rahl seconded, and the motion passed.
 - Sonny Jackson made a motion that Debbie McKinzie-Johnson's entire bill to date, as well as Nancy Humphries' entire bill when received, be divided between the General, Water and Sewer funds because all three are being involved in the audit process. Sam Serracino seconded, and the motion passed.
 - The Board requested that Debbie McKinzie-Johnson and Sherri Beach continue work to make the payables easier to read and provide detailed information.
- **P & L's SUMMARY- General/Water/Sewer:** These reports were available this month, but it was noted that the audit process is continuing to update information, so everything may not be completely accurate.

MASTER CALENDAR REVIEW:

- **NOVEMBER:**

- Water Sampling & Testing
- \$11,518.65 Payment Due to CWRPDA
- Decorate Christmas Tree at the Rye Triangle
- Christmas Decorations after Thanksgiving
- Budget Work
- Pinnacol Assurance Policy Renewal
- PERA Monthly Reporting
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- **DECEMBER:**

- Water Sampling & Testing
- Flush System
- HACH – TURB Meters & Chlorine Analyzers
- Budget Approval/Adoption by the Board Dec 31
- \$3,248.50 SEP Final Water Penalty Payment
- \$261.00 2019 CML Dues 1/1/2019 – 12/31-2019
- \$1,287.00 Pinnacol Assurance Policy Payment Due
- John VanOort Evaluation
- December 12 – Budget Due to Pueblo County

- Budget Due to State December 31
- Civil Asset Forfeiture Reports Due
- PERA Monthly Reporting
- Mill Levy Certification Provided to County Dec 15

UNFINISHED BUSINESS:

- CCMD Update: Marty Rahl made a motion to accept the CCMD agreement. Sonny Jackson seconded. Sam Serracino opposed, but the motion carried. Mickey Smith and Sherri Beach will take the agreement to be notarized tomorrow, then Mickey will deliver to the Colorado City Metro District. Marty asked that a copy of the final notarized document be emailed to attorney, Tom Mullans.
- Rye Water Treatment Plant Update: Mickey Smith informed the Board that Fischer Construction has completed their work and have gone. The only thing we're waiting on now is the fencing to be completed, which is projected to be by the end of the month, per Marty Rahl. Shane of JVA said she would talk with someone at DOLA to see if they can assist with the increase of the cost of the fence. She also stated that the fencing is the final part of the project, and as soon as it has been completed, we will be able to move forward in processing and submitting all the close-out paperwork.
- Town of Rye Audit Update: Sherri Beach stated that the audit continues to move forward. She; Nancy Humphries, Garren, Ross & DeNardo, Inc.; and Debbie McKinzie-Johnson, accountant, continue to work on filling in necessary information and documentation as requested. Nancy Humphries is keeping in contact with the State Auditor's office to update them of our progress.
- Backflow Compliance Update: Dutch Mead spoke to the Board concerning the Backflow Prevention and Cross-Connection Program. His discussion is explained above, under the Public Comment section of these minutes. Sam Serracino added several customers that he believes need to receive the letter and attached list of certified plumbers to complete the Backflow work.
- Annexation Update: Sam Serracino made a motion that we purchase a publication for annexation and get it to Mark Ohlsen. Marty Rahl seconded, and the motion carried.
- Website – Pay Online Update: Sherri Beach told the Board she, Marty Rahl and Debbie McKinzie-Johnson continue to work with the bank to figure out the online payment program. There are many issues with payments coming back up to 10 days after their processing. Terry Bachman from San Juan Bank is scheduled to come in tomorrow to go over all the information, address our concerns and do a hands-on training for the program. We will inquire as to whether Sherri can begin to physically take payments, cash and money orders to deposit at the bank, as the input into the ACH system seems to take three times longer than making the deposit in person.
- Data Gator System Sale Update: Sam Serracino told the Board that the payment from the sale of the Data Gator System from the City of Pueblo should be received by Thanksgiving. If it is not, he will pursue payment.
- Garbage Ordinance and letter update: Sherri Beach updated the Board that letters and a copy of the ordinance has been sent to the three customers who are in violation. One customer is in California but will be in Rye from March through June and plans to clean up the property and sell it at that time. Another customer responded and claimed that someone has been illegally dumping on his property. He said that he has cleaned the

property up after receipt of the letter, and the Board asked that Sherri call and let him know that the action he has taken is not satisfactory, and he needs to complete the clean-up. The final letter has been sent to the correct customer, and we're awaiting a response.

- Debbie-McKinzie-Johnson Update: Mrs. Johnson sent each of the Board of Trustees a letter via email that outlined concerns as well as an expected time-frame of completing all the work for the audit, grant, budget, accounts receivable, payroll, and the cleaning up of the Town's books. She estimated that it could take from 57-86 hours of additional time to complete all the tasks. She asked if the Town is willing to commit to her working several full days with Sherri Beach to complete these tasks. In addition, she suggested that the Town consider dividing her paid invoices by three and pay the General Fund 1/3 each from the Water Fund and the Sewer Fund, as her work encompasses all three funds. Sonny Jackson made a motion that we retain Debbie and allow her to work the necessary hours to complete all the tasks prior to the first of the year, and that we move 1/3 of her payment from each the Sewer account and the Water account to the General account. Sam Serracino seconded, and the motion carried.
- Sewer Meter Update: The Flowmeter was discussed with much concern. Sam Serracino motioned that the engineers be brought to the table, pick up and reconsider the meter. Sonny Jackson seconded, and the motion carried.

NEW BUSINESS:

- Gary Golliday addressed the Board during the Public Comment section of this meeting.
- Mark Ohlsen presented a proposal for retainer work for the Town during the Public Comment section of this meeting.
- The Board briefly discussed a threatening email that was sent to Sherri Beach from a disgruntled customer concerning his disconnected service. They advised her to not respond to the email.
- Sherri Beach told the Board of the proposal by Personnel Concepts that for \$195 per year, they will send the Town all the legal posters and updates so we remain in compliance without having to search the internet for updates on a weekly basis. We will discuss next month.
- Sam Serracino directed Sherri Beach that overpayments by title companies not be refunded to customers until the end of the month when they sell their property to others, pending Board approval. We need to get contact information, etc., from the new customers.
- Marty Rahl asked that Sherri Beach send an email when properties sell so all the Board of Trustees are updated.

ADJOURN:

- At 8:55 pm, Sam Serracino made a motion to adjourn the regular meeting and enter an executive session. Marty Rahl seconded the motion, and it passed.

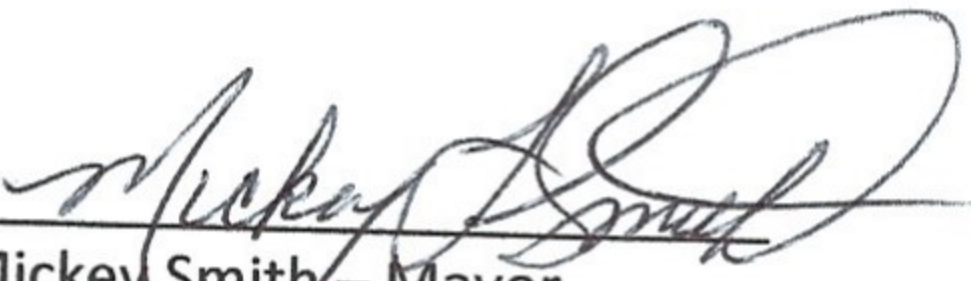
Executive Session:

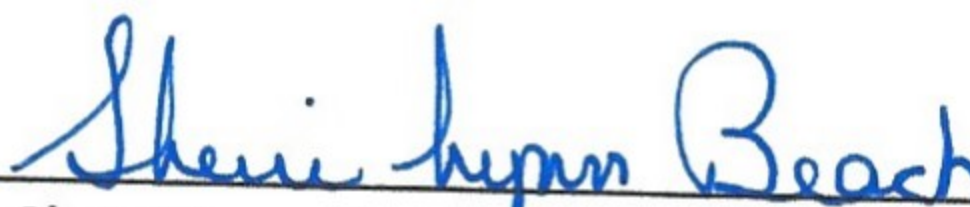
Personnel: For the purpose of discussion of a personnel matter under C.R.S. Section 2-6-402(2)(f) and NOT involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of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

Adjournment:

At 9:25 pm, Sam Serracino motioned that executive session be concluded and the Board return to regular session. Marty Rahl seconded, and the motion passed. At 9:26 pm, Marty Rahl motioned that the Board of Trustees Meeting be adjourned. Sam Serracino seconded, and the motion passed.

**Public is encouraged to attend.
The Next Regular Session meeting will be on
December 12, 2018, at 6:00 p.m. at the Town of Rye Building**


Mickey Smith – Mayor


Sherri Lynn Beach, Town Clerk