

**TOWN OF RYE**  
**RECORD OF PROCEEDINGS**  
**February 12, 2020**

**Call to Order/Roll Call**

The Regular Monthly Board Meeting was called to order at 6:03 pm at the Town Hall at 2067 Main Street in Rye, Colorado. Those in attendance were: Mickey Smith, Mayor; Sonny Jackson, Mayor Pro-Tem; Marty Rahl, Trustee; Debbie Jackson, Trustee; Sandra Steele, Trustee; David Douglas, Trustee; Sheila Henderson, Trustee; and Sherri Beach, Clerk. Also present were Gib Rokich, Employee; Madison Rokich, Contract Laborer; Levi Bernal, Resident; Patrick Ryan, Resident; and Gene and Shelly Beierle, Residents. The Pledge of Allegiance was recited.

**Audience Participation**

Mr. and Mrs. Beierle addressed the Board concerning their tiny home project. They received the letters that were sent to them from the Town of Rye, and they said they will "do whatever it takes to make the Town happy." They said they are not building nine tiny homes at this time, they're just building one at a time, then they will get board approval as they go on to the next home. They are currently putting in water, sewer, and the emergency roadway as requested by the Town and the Rye Fire Department. They said "this could be a 10-year project, and doing the groundwork is the most important right now. If the property only allows eight houses, we'll only build eight houses. Each home will be built with a parking pad, one at a time, with Board approval. We're not going to go in and stack homes so nobody and the fire department can't get in. We'll build one by one as approved each time. The homes won't be crappy – that's not our intention. Initially, we said nine homes, but if there is room for eleven, we want to build eleven. The water line on Boulder is to feed only the first four homes, if there are four homes on the Boulder property. There is a 6-inch sewer line already there for the first four houses, then a 4-inch line down the way. It's not 6-inches all the way up. The first four houses on Boulder will be fed with the Boulder water tap, and the homes on Oak will come from the Oak tap, but that may be a couple years down the road. It may never happen that homes will be built on Oak. Our priority is the first four homes on Boulder, and we're expecting to build only one or two tiny homes this year." Sandra Steele explained that the Board needs to have to-scale drawings so we can assure that residents of the Town don't run out of water. She said that our priority is the health, safety and welfare of all our residents, and we can only make decisions when we have all the pertinent information. Mr. Beierle said he will provide these to-scale drawings to the Board. Marty Rahl explained that the Town of Rye has only a very limited amount of water, and Mickey Smith stated that the Town of Rye only gets 45 gallons per minute which sounds like a lot but really isn't with the number of residents we have. Mrs. Beierle stated that they will not allow more than an individual or two people per home at most. She said there will be no landscaping, only xeriscaping outdoors, which will save water. Sheila Henderson asked about the placement of the tiny homes, and Mr. Beierle said each home will be approved by the Board prior to building so the placement won't be an issue. Marty Rahl said that we must keep water forefront in our minds, and Mr. and Mrs. Beierle agreed. David Douglas asked how many phases the project would go

through, and Mr. Beierle stated that it would be simply one home at a time, with approval from the Board before beginning construction on each one. Mrs. Beierle said with building one home at a time both they and the Town would be able to monitor the water usage carefully.

Sherri Beach told the Board that Mrs. Roley had called and voiced her concern about residents not having adequate water if more homes are built in the Town of Rye. Mrs. Roley did not attend tonight's meeting because of the weather, and she doesn't like to drive at night.

Sherri Beach told the Board that David Amrine is unable to come to the meeting tonight, as he will be at work. He asked that she inquire about him preparing a spaghetti dinner to invite all the residents of the Town to come to meet the Board and discuss concerns they have in a "non-meeting" type environment. The Board agreed this would be a good idea and asked that Sherri contact Mr. Amrine and ask that we do it in the springtime. In addition, she was asked to put it on the agenda to discuss a "meet and greet" in June.

Sherri Beach told the Board that Darlene Smith from the Rye Post Office has a concern about people driving through the alleyway behind the homes on Main Street and driving across the Post Office lawn. Mrs. Smith asked if anything could be done to stop these vehicles. After discussion, Debbie Jackson made a motion that the Town of Rye install a "Dead End" sign at the beginning of the alley and install t-posts with a chain and "No Trespassing" sign at the end of the alley. Marty Rahl seconded, and the motion passed. Gib will do this as soon as the weather and snow clears.

#### **Consent Agenda**

- Marty Rahl made a motion that the Minutes of the January 8, 2020, regular Board of Trustees Meeting be approved. Sandra Steele seconded, and the motion passed.
- Sheila Henderson made a motion that the Minutes of the January 23, 2020, special Board of Trustees Meeting be approved. Marty Rahl seconded, and the motion passed.
- Water Treatment Plant End of Month Systems Report was presented to the Board by Sherri Beach because Gary Golladay, ORC, was attending a conference in Denver. The Board had concerns about the report and asked that Gary attend next month's meeting to explain and address their concerns.
- Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. Account 44 has a high usage, and Sherri was asked to call to let them know they may have a leak; 76 called and he detected a leak in his laundry room; 103 had a major leak and had a contractor put in a new line to correct; and 107 has large leaks at the apartments but has not fixed them – he is aware of them.
- Summary Accounts (Town of Rye and Sewer Attorney) were discussed. RVS has provided us with a new Systems Totals Report which shows the amount of water going into and out of the Water Treatment Plant. This report will be included with the summary accounts each month.
- Summary Aged Receivables were discussed. Account #30 was called and will make a payment; #34 will pay \$9.46 outstanding balance to avoid paying late fees; #37 had a boiler explode and is dealing with flooding – she'll make a payment as soon as possible; #68 is in Las Vegas and will come as soon as he returns to make payment in full; #71 telephone numbers are no longer



working, and the Board instructed Gib to hang a disconnect notice on the door tomorrow; #72 was called, and his son came to make payment in full. In addition, #69 is pending receipt of payment from Pueblo County, though the County was unable to give an estimated time for payment.

- Sonny Jackson 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, and the motion carried.
- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed. Sherri was asked to contact RVS to inquire what our current percentage is for the charge for sewer and to ask what we need to update the sewer fees across the board (a same percentage for every customer). This item will be reviewed annually.

### **Unfinished Business**

- Sherri Beach was asked to add the topic of a policy change/surcharge for water/sewer repair on right-of-way (12-15 accounts) to next month's agenda for consideration.
- David Douglas made a motion that Resolution 2020-3 for Water Rate Increase of July 1, 2019, be adopted as read. Debbie Jackson seconded, and the motion passed. The Board requested that Sherri send a copy of this Resolution to the Colorado Water Resources & Power Development Authority for the Town of Rye Loan. She was also asked to make a copy of the loan payment schedule for each Trustee for next month's meeting.
- The Board will review the CPA estimates for performing the 2019 Audit, if required by the State Auditor's Department, next month. Sherri was asked to let the Board know when Kyle Logan receives a response from the State Auditor's Office, and she was asked to get a quote and the availability of Mr. Logan if we need to do an audit for 2019.
- The Board will review estimates for performing clean out of the holding pond, installing a drain, installing a pressure relief valve, and moving meters from right-of-way to property next month. Sherri was asked to contact Thomas Joseph at Colorado Backhoe for an estimate and to let the contractors who have submitted proposals that the decision will be postponed until next month.

### **Reports**

#### **Attorney Update:**

- Our attorney's office did not attend tonight's meeting. They have agreed to have the Board call them when it is determined the Trustees would like them to come to the meetings.

#### **ORC Update:**

- Gary Golladay was unavailable to attend tonight's meeting, though he left word with Sherri Beach that he is working on getting all the Town of Rye reporting with CDPHE up to date.
- Gary asked that Sherri let the Board know he would like the Town to pay for an IT person to do work on his laptop. He will get price quotes to submit to the Board for review.
- Gary asked that Sherri let the Board know that Dave Lewis will be doing flushing of the lines in the springtime and will honor the price he estimated the Town of Rye in the past. The Board

stated that they work with Rye Fire Protection District to do this flushing at the same time they do their testing.

- Gary asked that Sherri let the Board know that he recommends that the “best practice” is that each individual home in the Town of Rye have a water and a sewer tap, regardless of the home size or occupancy.
- Sherri was instructed by the Board to contact Ben at CDPHE to see if he and/or Kaleb would be willing to come for a training on the reporting process with Gary and the Board of Trustees. They would like this training to be done on a weekend, if possible. If they are unable to train, Sherri was asked to contact Peter at Colorado Rural Water to request reporting training.

#### Trustee Updates:

- Sonny Jackson reported on the Colorado City Metro District agreement. He said the easement agreement between Dr. Hunter and the Town of Rye has been successfully recorded through Tom Mullan’s office. He noted that Mr. Mullans emailed him and said that CCMD has detected discrepancies between the upper and lower meters, and they want to have the meter purchased by the Town of Rye recalibrated. Sonny said he demanded that any time recalibration is done the Town of Rye be present to witness it. Mr. Jackson stated that he will email Mr. Mullans and let him know that the Town of Rye wants something written in the final agreement that states the Town of Rye must be present at any recalibration, even when the sewer meter has been turned over to CCMD.
- David Douglas asked the Board for the use of the Town Hall building on March 7, 2020, from 1:00 pm – 5:00 pm for a baby shower. Sheila Henderson made a motion that he be allowed to use the facility free of charge, per the policy for Trustees. Marty Rahl seconded, and the motion passed. Madison Rokich will be asked to clean prior to the scheduled event.

#### Staff Updates:

- Gib Rokich told the Board he’s interested in taking a class concerning water storage on April 22 and 23, 2020. It will be held in Salida, and the cost is \$135 plus hotel accommodations. Sherri was asked to forward the email concerning the class and agenda to the Board for review before a decision is made.
- Gib told the Board that he is open to taking water-related courses offered through Pall, Colorado Rural Water, etc. He will ask the Board permission to attend when he sees that they are applicable.
- Sherri Beach thanked Marty Rahl for attending the CIRSA audit on February 3. She said the audit went very well, and the Town of Rye score has increased from 31 percent to 102 percent over the past year. Jay Williamson from CIRSA required that the Town purchase an arc flash label to put on the breaker box at the Water Treatment plant, and Sherri’s husband obtained this label which has already been put up. Jay also stated that the Town needs a “Tampering with This Facility is a Federal Offense” sign to be placed on the gate of the Water Treatment Plant. Gib will look for a sign, and if we do not have one Debbie Jackson said she would purchase one from Amazon for \$25.00 and the Town could reimburse her next month. Mr. Williamson said it is imperative that the Town of Rye adopt and implement the Fire Code. He also stated that we must develop an incident response plan for fire, add a statement that “seatbelts must be worn, and distracted diving is not acceptable” to our policy when it is updated next. Jay suggested



that we contact attorney, Sam Light from CML and request that we be put on his schedule for a free training for our Board of Trustees, so they know what is expected of them. Sherri was instructed to contact Mr. Light to schedule a Trustee class, preferably to be held on a weekend, if possible, this spring. She was also asked to add this training to the Master Calendar for an annual training.

- Sherri Beach told the Board of Trustees that all the training materials owned by the Town of Rye are on the table under her office window, and she encouraged everyone to utilize them as they had time.
- Sherri informed the Board that she went to the Water Treatment Plant with Gary from G&G Electric. He confirmed the drier is working properly, and the extremely loud noise made is completely normal. He stated that the black hose behind the unit "flails" and spews water everywhere for evaporation purposes, and again he said the unit is working correctly.
- Sherri asked the Board about hanging the prints of the old Town of Rye in the Board Room. She was asked to take measurements and obtain prices for framing them, both with and without glass.

#### **New Business:**

- Following discussion, it was determined by the Board that a Ring doorbell or security camera at the Water Treatment Plant is unnecessary at this time.
- Ordinance 2020-4 to update canceling an election per CRS 31-10-306 from 20 days to 64 days prior to election as introduced and read. David Douglas made a motion that the update be adopted as read. Sheila Henderson seconded, and the motion passed. Sherri Beach was asked to publish it in the Greenhorn Valley Newspaper by name.
- Ordinance 2020-5 to Adopt the 2015 International Fire Code was introduced and read. Marty Rahl made a motion that it be adopted as read. Sandra Steele seconded, and the motion passed. Sherri was asked to publish in the Greenhorn Valley Newspaper by name.
- Preliminary Ordinance 2020-6 to require building permit process was introduced and read. Following discussion, the Board agreed not to pursue this Ordinance. They agreed that we need to create an ordinance requiring a water tap and sewer tap per single family residence for the health, safety and welfare of the residents of the Town of Rye. Sherri Beach was asked to work on this, and she was encouraged to contact David Douglas for assistance.
- Resolution 2020-7 to cancel the April 7, 2020, election was introduced and read. Debbie Jackson made a motion to adopt the resolution. Sheila Henderson seconded, and the motion passed.

#### **Adjournment**

At 8:57 pm, Marty Rahl made a motion that the Board close the meeting and enter Executive Session. Sheila Henderson seconded, and the motion passed. Those in attendance were Mickey Smith, Mayor; Sonny Jackson, Mayor Pro-Tem; Marty Rahl, Trustee; Sandra Steele, Trustee; David Douglas, Trustee; and Sheila Henderson, Trustee.

### Executive Session

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 9:19 pm, Marty Rahl made a motion that the Board return to its Regular Meeting. Sandra Steele seconded, and the motion passed.

Debbie Jackson, Trustee, and Sherri Beach, Clerk re-entered the meeting. The Board of Trustees informed Clerk Sherri Beach that following discussion, they have determined that effective immediately, she will be granted 30 hours per week to work, up from 16-24 hours. She is to work Monday through Friday from 9:00 am until 3:00 pm, with no more accumulated comp time. The 30 hours per week will be compensated at a rate of \$20 per hour. If she must work more than six hours on a given day, she is to take off that amount of time on the following day. Her hours are semi-flexible, but she is not to work more than 30 hours per week. Sherri was instructed not to take work home. In addition, Sherri was informed that she will be paid \$3,324.00 divided by three months to cover her accumulated comp time to date at a rate of \$12 per hour. She will receive a check in the amount of \$1,108.00 in February, March and April. She was instructed to write a separate check for this comp time. Sherri was instructed to add the review of this arrangement on the Master Calendar every three months. Upon Sherri's agreement to this proposal, David Douglas made a motion to the above terms. Sheila Henderson seconded, and the motion passed.

### Adjournment:

At 9:24 pm, Sheila Henderson made a motion that the Regular Board Meeting be adjourned. Marty Rahl seconded, and the motion carried.

  
Mickey Smith, Mayor

  
Sherri Lynn Beach, Town Clerk

**The Next Regular Session meeting will be on  
March 11, 2020, at 6:00 pm at the Town of Rye Building  
Public is encouraged to attend.**

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