

**TOWN OF RYE**  
**RECORD OF PROCEEDINGS**  
**March 10, 2021**

**Call to Order/Roll Call**

Mayor Marty Rahl called the Regular Monthly Board Meeting to order at 5:57 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; Markus Buck, Trustee; and Sherri Beach, Clerk. Also present was: Greg Colter, ORC. The Pledge of Allegiance was recited.

**Audience Participation**

There was no audience participation at tonight's meeting.

**Consent Agenda Items**

- Levi Bernal made a motion that the Minutes of the February 10, 2021 regular Board of Trustees Meeting be approved. Patrick Ryan seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.
- Sandra Steele made a motion that the minutes for the February 22, 2021 Debriefing Meeting be approved. Markus Buck seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele 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:

Industrial Coating began work on coating the water tank on January 29, 2021. They found water leaking in where the south and north floor walls and floor meet. On February 2, 2021, they cleaned and sprayed the outside surface of the tank, and on February 3, 2021, they had to drill holes in the north floor of the tank to drain water from the floor and walls. They coated the interior of the tank. On February 5, 2021, they plugged the drain holes in the floor and completed coating the floor. On February 22, 2021, Bo Tucker sprayed the top corners of the tank and sealed the holes with concrete epoxy, and he disinfected the tank as required by the statement of work on the work order change contract. Gib filled the tank #1 with water and took measurements to test for leaks. Water was leaking out of the tank after exercising the drain valve. We believe the drain has sealed. The tank is not online yet, as we are waiting for approval from the CDPHE. Greg will be sending pictures and documentation to the Inspector and the Compliance Specialist, and he believes the tank will be online by the end of this week. He reminded the board that once the tank is online, we will be receiving a check for \$14,500 for the grant he was able to get for the project.

Five of the required ten lead and copper samples were tested, and no violations of the MCL were found.

On February 15, 2021, there was a leak on the water line that fills the outside water tank. It drained the tank. The cold weather froze the water pipe, and no water was available to parts of the Town. Emergency practices were put in place. Customers were notified. Due to a lack of pressure in the system, a boil order was implemented, and CDPHE was notified, as was CoWARN.

There was a 5.0% water loss in February 2021.

We are calculating a 121% wastewater to water sold percent. We had a water leak at the tank and 3 inches of wet snow. Is our collection system leaking out during dry weather and taking in water during wet events (L&L – inflow and infiltration)? This is a situation we must keep an eye on.

Sanitary Survey Significant deficiency – Gib is working to install a screen in the raw water line to protect pump #1 from rocks and debris. Greg will get a statement of work from Industrial Coatings, pictures of top corners of tank #1 coated, and measurements showing the tank is not leaking. This documentation will be turned in to the CDPHE Inspector and Compliance Officer. The other significant deficiency is that we must check the calibration of the flow meters. This was completed on March 5, 2021. We have a significant deficiency from our sanitary survey that states we must correct the possible backflow connections in the water plant. We have 120 days to correct the issues. This will take a plumber to perform, and Gib is in contact with someone to do this. We need to plumb in an air gap for CIP, backwash and sink drains. We need to install a block and bleed valve on the CIP line at the water plant. Note Brian Hanson completed the air gap on the CIP and has been scheduled to complete the work on the air gaps and block and bleed device.

Greg will tell the board when he believes it is time to upgrade the computer system with Pall, which will likely be around \$13,000. The SCADA computer is currently being rebooted once a week, but it is operable. It will take a couple of weeks from the time the order is placed for the upgrade to when the new system is up and running.

Larry Sisk asked Greg if Gib Rokich is on track for becoming the new ORC, and Greg said yes. He informed the board that Gib and Madison are preparing for their first test. Greg sent them about 600 questions to study for the upcoming test. He stated that it takes about three years to complete the training necessary for the leveled testing and licensing to fill the ORC position.

- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed.

Sherri Beach reported that Account #49 has been receiving a RTS fee since December 2017. Today Gib installed a new meter, so water usage will be accurately billed. The board instructed



that we will not calculate the estimated water usage from 2017 to date and charge the resident, but instead we will start billing correctly now.

Sherri stated that the meter on account #64 is not reading, and she has asked Gib to check it to see if it needs to be replaced. She worked with RVS and was able to assess the bill for the month of February based on the amount from the last two months, as the property owner is out of state and is only being charged a RTS and sewer.

Sherri worked with Core and Main to correct the readings on the meter of account #122. The meter was not reading the usage of water, so the resident was being charged an RTS. The resident was not being charged for sewer usage, so RVS helped Sherri to update the program to charge her an average low-end base rate for sewer.

- 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 #13 was called, and a payment in full was made this afternoon.

Account #37 was called but had a full voice mailbox. The home is under foreclosure. The resident is slated for lien in September with our attorney.

Account #65 was called, and the owner advised Sherri that she will remit payment immediately. She has sold the property to a new owner, effective March 1, 2021. All account information has been updated to reflect the new owner's information.

Account #89 is out of the country, so no call was made. The home is under foreclosure. This property is slated for lien in September with our attorney.

- Sandra Steele made a motion that we continue to hold the \$1,048 due to the General Fund from the Highway User's Trust Fund for the purchase of signs and a loan until the Highway User's Trust Fund has received enough revenue to pay the obligation. It is to be carried on the Checks Written Form until such time that it can be repaid so it is not forgotten. Sheila Henderson seconded the motion. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. 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. Larry Sisk seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele 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 and Administrative Master Calendar were reviewed by the Board.

## **Unfinished Business**

Sherri Beach reported that the owner of the Apache Falls Apartments called and has evicted residents from one apartment who were participating in illegal activities. He has attempted to evict the residents of an additional apartment, but the COVID laws have prevented him from doing so. However, their lease expires on March 31, 2021, and their lease will not be renewed. The owner said that he was coming on March 9, 2021, to tow away all unlicensed and abandoned vehicles and haul away all the garbage on the property.

After reviewing a letter drafted by the Town Attorney to Table Mountain Church concerning their five each new water and sewer taps on their property, the Board had a brief discussion and asked that Sherri mail the letter.

Brian Hanson of Hanson Construction spoke with Sherri and is in contact with Gib Rokich to work on the drain, trench, pressure valve, fire hydrant replacement, and water meter installation for the Rye Triangle. They are waiting for favorable weather to complete these tasks.

## **Reports**

Accountant/CPA Update: Evie Petrikkou took 10% off her invoice for Sherri's help and organization. She is currently working to complete the Audit Exemption that must be filed by the end of March 2021. She provided a copy of the draft Audit Exemption for the Board to review and sign. There will be a special meeting on Thursday, March 19, 2021, at the Town Hall to review this information.

Attorney Update: The Town Attorney's office was sent photos of the garbage at the property at 2117 Main. They believe the garbage is a health and safety issue, and they will draft a public nuisance ordinance for review at the next meeting.

Trustee Updates: Per the request of one of the Trustees, Sherri called the property owner of accounts #61 and #62 to inquire about the installation of new RV sites. The owner told her that water pipes were replaced last fall, and they are now filling in the area with gravel to complete the project. They are not installing new sites.

Staff Updates: Sherri Beach informed the board that she spoke with Tara Marshal, Regional Manager for DOLA, concerning the status of the administrative grant application for the Water Treatment Plant project. She was told that Randi Snead received the information she needed from Greg Colter about the urgency of the grant. Sherri was asked to submit a document that stated "In 2020, Pueblo County, Colorado reported 26 wells in operation. In addition, Pueblo County also reported 15 companies operating in the oil and gas industry." This information was submitted immediately, and Tara said that would complete the grant application. She said the application was being submitted to Denver and would be completed by the end of this week. A contract has been drafted for Element Engineering by DOLA, and it will be sent as soon as we receive the certificate of approval of the grant. Tara anticipates the contract would be completed and signed by Element Engineering no later than mid-March.



Sherri reported that she has been working with Craig at CIRSA concerning our water line breaks in February. The event is covered by CIRSA. All information has been submitted except an invoice from Hanson Construction and pictures of the broken bladder on the fire hydrant on Roley. She called Brian Hanson today, and he said he will send pictures of the broken hydrant as soon as possible. In addition, he will send an invoice for his services as soon as he receives an invoice from Caterpillar Equipment for equipment he used for the repair. Brian is hopeful to get the invoice and photos to Sherri by tomorrow, at which time she will submit them to the insurance company.

### **New Business**

Sherri Beach reported that she has contacted several businesses for IT services and support. One gentleman has retired, two firms did not return messages, and after being on hold for over an hour waiting for Best Buy's Geek Squad, she hung up. The only company that returned her call was Geeks on Site who quoted \$309 per 3 hours. They offer immediate services and will respond to the Town Hall and Water Treatment Plant immediately. They "bank" the three hours, so all three hours do not need to be used at one time. At the end of the three hours, the Town of Rye would have the option to purchase an additional three-hour block. Markus Buck volunteered to go to Best Buy in person to get a quote, and he said that he would be happy to try to find other IT services so we can do some comparison.

Marty Rahl asked the Board their opinion of leasing a used copier for our copying needs. After discussion, Markus Buck volunteered to check at Costco for refillable ink cartridges. He believes there may be a substantial savings in filling cartridges to continue using our current printer.

Sherri Beach informed the board that Sam Light, Attorney for CIRSA Insurance, will be coming for a new trustee training from 6:00 pm until 7:00 pm at next month's regular meeting. She was asked that if individuals request being added to the agenda, they submit their information via email so it can be reviewed without having a public comment session.

### **Adjournment**

- At 7:57 pm, Sandra Steele made a motion that the Board close the regular meeting and enter Executive Session. Sheila Henderson seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.
- At 7:58 pm, Sheila Henderson made a motion to enter Executive Session. Levi Bernal seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.
- Those in attendance of Executive Session were: Marty Rahl, Sheila Henderson, Levi Bernal, Sandra Steele, Larry Sisk, Patrick Ryan, and Markus Buck. Sherri Beach was asked to leave the Executive Session.

## 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 a particular employee.

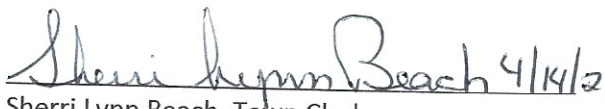
- At 9:02 pm, Sherri Beach was called back into the meeting, and Sheila Henderson made a motion that the Board return to its regular meeting. Sandra Steele seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Personnel issues regarding accumulated comp time and other possible changes to the working schedule were discussed. They will be reviewed in the future.

## Adjournment

- At 9:14 pm, Sheila Henderson made a motion that the Regular Board Meeting be adjourned. Levi Bernal seconded. Sheila Henderson voted yes, Levi Bernal voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

  
Marty Rahl, Mayor

 4/14/21  
Sherri Lynn Beach, Town Clerk

**The Next Regular Session meeting will be held on  
April 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).*