

TOWN OF RYE RECORD OF PROCEEDINGS

- Pledge of Allegiance
- Mickey Smith called the meeting to order at 6:02 p.m.

PUBLIC MEETING

The Board of Trustees of the Town of Rye, County of Pueblo, Colorado met at the Rye Town Hall on March 13, 2019. At 6:02 p.m. Mayor Smith called this regular meeting to order. The following were present: Mayor, Mickey Smith; Trustees: Sonny Jackson, Marty Rahl and Sam Serracino; and Clerk, Sherri Beach.

Others: John VanOort, WTP Operator; Pam Hair, Greenhorn Valley View; Mark Ohlsen, Town Attorney; and Clint Chartier were present.

PUBLIC INPUT:

Clint Chartier addressed the Board, introducing himself and stating that he was very interested in the advertised position as General Maintenance person for the Town of Rye. He indicated that he has a lot of equipment at his disposal and feels he would be a good worker. He was told that interviews would be held on March 18, 2019, and he would be contacted with his interview time.

CONSENT AGENDA ITEMS:

- MINUTES OF THE LAST MEETING: The Board discussed a second volatile situation that occurred at the February 13, 2019, meeting where resident David Doughty came and expressed his opinion about the water quality and lack of professionalism and hatefulness in the Town of Rye. He became belligerent, attempted to assault the Mayor, a Trustee and the Water Treatment Plant Operator. He was escorted/removed from the Town Hall by Sam Serracino and John VanOort. After a scuffle outdoors and Mr. Doughty's threats of killing the members of the Board and the Water Treatment Plant Operator, the Pueblo County Sheriff's Office was called. There were additional contacts to the Town of Rye by Mr. Doughty following the February meeting, and all of the related Pueblo County Sheriff's Department reports (as well as Mr. Serracino's handwritten statement) are attached to the meeting minutes for March 13, 2019, per Board recommendation and approval. The first incident report, dated June 26, 2018, is also attached. Mr. Doughty has a restraining order against him from Mayor, Mickey Smith, and Clerk, Sherri Beach, which will be re-evaluated on September 9, 2019, in court. Until that time, Mr. Doughty is to stay 100 yards away from Mr. Smith and Mrs. Beach. Marty Rahl motioned that the Minutes for the February 13, 2019, Board of Trustees Regular Meeting as well as the attachment of the reports concerning Mr. Doughty be approved. Sonny Jackson seconded, and the motion carried.

- WATER TREATMENT PLANT END OF MONTH SYSTEMS REPORT: This report shows a total of 539,444 total treated gallons, 403,535 gallons delivered to the town, and 104,793 waste water/back wash water gallons for the month of February, 2019.
- WATER & SEWER MONTHLY METER USAGE/BILLING: The Water & Sewer Billing Register was reviewed for the month of February, 2019.
- SUMMARY READINGS:
 - Water Plant Data – Excel worksheet provided. Billed gallons were 486,741 for the month of February, 2019.
 - Waste Water Data – Data was not available because a flow meter has not been reinstalled.
 - CCMD comparison worksheet: From **1/29/2019 through 2/27/2019**
Current: 62,493,750; Previous: 61,771,052; Usage: 722,698.
 - The Town of Rye calculation of Usage: Accurate reading not available.
 - Sewer Attorney Expense worksheet. Last billing dated 2/20/2019 expenses YTD \$88,612.89.
- SUMMARY AGED RECEIVABLES:
 - Reviewed by the Board. The Board discussed past due accounts. Account #69 continues to be RTS and is in foreclosure; #72 has called and has mailed a payment; Accounts 13, 35, 37, and 71 are late and will be 61+ days next month, and they will be disconnected if payment isn't received. This notification is posted on every statement, and a detailed letter explaining our policy was mailed to every customer on December 31, 2018, so contact of the accounts is not necessary prior to disrupting service per the Board.
 - The Board reviewed the account for the Rye Fire Department. Marty Rahl made a motion that they be waived from ever receiving a late fee because their monthly meeting date falls after the 15th of each month. Sonny Jackson seconded, and the motion passed.
- APPROVAL OF ACCOUNTS PAYABLES:
 - There are \$16,546.93 scheduled payables, \$1,097.78 from General, \$9,398.69 from Sewer, \$5,950.46 from Water, and \$100.00 from HUTF.
 - Sonny Jackson made a motion that the accounts payable be approved and paid and that the portions paid from the General account be reimbursed from Water and Sewer Accounts. Marty Rahl seconded, and the motion passed.
 - Marty Rahl motioned that Sherri Beach purchase a new router for the Town Hall. Sonny Jackson seconded, and the motion carried.
- P & L's SUMMARY- GENERAL/WATER/SEWER:
 - These reports which represent budget vs actual were presented and reviewed.

MASTER CALENDAR REVIEW:

- MARCH:
 - Sewer Average Billing of December, January and February

- HACH service contract \$2,829.00
- Water Sampling & Testing
- Sewer Policy Review
- Last Day to Cancel Election March 14
- Street Sweeping & Striping
- Chuck Coletti – Pueblo County
- Public Works by the Airport
- Pinnacol Assurance Policy Payment Due \$429.00
- CableCo Franchise Tax 2022
- PERA Monthly Reporting
- APRIL:
 - RFR-EIAF8393 Quarterly Report \$186,6002.00 due
 - Discharge Monitoring Reports
 - Unemployment Reporting
 - Water Sampling & Testing
 - CWRPDA loan payment \$11,518.65 due
 - IRS 941 Reporting
 - PERA Monthly Reporting
- NOTE: The Board has agreed that the flushing of the systems and the testing of all 13 fire hydrants will be moved to May on the Master Calendar instead of April.

UNFINISHED BUSINESS:

- Rye Water Treatment Plant Update
 - John VanOort told the Board that he is currently working on getting a baseline testing of water, though with the early run-off it has been affected somewhat. The water quality is good. He will call for quotes on lines and keep the Board updated.
 - Mr. VanOort explained that last month's surge malfunction was determined to be a malfunction of Pall Corporation because of a programming error. He will look into getting surge protection system for the Water Treatment Plant and update the Board.
 - John stated that he will need to have a CCR report sent to the residents. He will get the report to Sherri Beach either for the March or April billing so they can be mailed at the same time to save postage.
 - Mr. VanOort informed the Board that it is time to purchase the annual contract for maintenance and calibration of the monitoring equipment from Hach. Sonny Jackson motioned that the Town of Rye accept the proposal of the annual contract for \$3,145.00. Marty Rahl seconded, and the motion passed.
 - John said there is a concern about the compressor, and Mickey Smith said that he will contact Jerry concerning the compressor at the Water Treatment Plant. He said that we need the drier.
 - John VanOort will follow up with Interstate Chemical for the TOC chemicals necessary.
 - Mr. VanOort is currently doing an online class for recertification of his license.

- The pressure release will need to be evaluated and redone after the run off because it will be down for a period of time. John will contact three contractors for bids, and Mickey volunteered to take them to look at the job.
- Mr. VanOort is still attempting to contact contractors for the tank liner project, and he will keep the Board updated.
- John asked that Sherri send Dutch Mead's backflow prevention update to him so he can accurately report on the progress.
- Attorney Update
 - Mark Ohlsen, Town Attorney, discussed the filling of three vacant Trustee seats. He informed the Board that they can reduce the number of Trustees from six to four plus the Mayor. He said this could happen in July or August, as the Board would need to vote and approve a Resolution to reduce the Board to four Trustees. It would then need to be placed in the November election. If, however, 64 days prior to the election, there are four people filling the four vacancies, the Town of Rye could cancel the election. He said that Mrs. Goldman had outdated information concerning this matter. Mark will be guiding us in all our election issues and concerns, per Board discussion.
 - Mr. Ohlsen told the Board that the Town of Rye does not have term limits at this time.
 - Mark stated that all cancellations of elections in the past have been done correctly and appropriately. He stated that the concerns of Karen Goldman were unwarranted.
 - Mr. Ohlsen will look into whether the Town of Rye can bring on new people to fill seats to complete terms, and he will get back to the Board with his findings.
 - Sam Serracino stated that the Garbage Ordinance from Pueblo County was adopted by the Town of Rye in 2016. It is not in the Resolution/Ordinance notebook, and he will look into finding the correct one so it can be incorporated into the notebook. He noted that prior Clerks rewrote it, but that the Ordinance should have been adopted "as is." He recommended to the Board that we not spend time at this point to resolve this, and he suggested that we look into it at a later date when time permits. Mark will review this Ordinance when it is found.
 - Mr. Ohlsen said that he has checked with the Secretary of State for the Town of Rye Incorporation but discovered nothing. He will be contacting Land Title to obtain this document.
 - Mark said that he has made a phone call to someone who will be able to assist him with the annexations into the Town of Rye. This individual is out of town, but he will follow up with him and let the Board know of his findings.
 - Mr. Ohlsen discussed the CCMD Agreement with the Board. He said that he will contact Mr. Mullens to discuss his discovery about the discrepancies in the Agreement. He said we are being charged about 33% more than in the past, which includes an additional 10% higher amount than the agreement indicated for the charge of commercial customers. In addition, the Town of Rye was to be given 60 days' notice prior to receiving a rate increase, but we received a bill just 20 days after the Agreement was approved that included the rate change. Mr. Ohlsen stated that he would like to see if the new board of CCMD will "make it right, as they may not have been fully aware of the agreement." Concerning the

flow meter, Mark stated that the Town of Rye has complied with the agreement, going back to the engineers when the meter didn't work, but the engineers have not yet responded. He will keep the Board updated to his findings.

- Mark said that he will work to create an addendum to attach to the Backflow Prevention Ordinance 2017-1 which states that Rye has adopted the Colorado Cross Connection Control Manual and all future updates to be included with the current backflow ordinance, per Mr. Mead. He stated that the entire ordinance does not need to be rewritten.
- Mark informed the Board that he has reviewed the agreements for contract labor maintenance and plowing as well as the job descriptions for the Clerk and Water Treatment Plant Operator I and II. He said they look good and are ready to be submitted to CIRSA, pending Board approval. The Board approved the agreements and job descriptions.
- Clerk Update
 - Sherri Beach asked the Board about the request of Alan Walker to reclassify his commercial property (formerly DAMN Auto) to residential because he will be using it as a "man cave" and does not want to install a backflow prevention system. The Board asked that she contact the customer and let him know that they will not agree to this. He must install the apparatus unless he does renovation to make it a residential property.
 - Mrs. Beach reminded the Board that Mickey Smith, Sonny Jackson and Sam Serracino's terms expire in 2020, and Marty Rahl's expires in 2022.
 - Sherri told the Board that Sheila Henderson of San Juan Bank is continuing to work on setting up the account for the transfer of \$600 per fund (general, sewer, and water) for building maintenance. She has taken a copy of the minutes from last month's Board Meeting, which was required to open a new account.
 - Mrs. Beach informed the Board of the current status of individuals needing backflow prevention systems. There is just a small handful of customers who are still working on getting their systems installed, and they should be complete by mid-April.
- Trustee's Updates:
 - Sonny Jackson spoke with the Board about the flow meter and CCMD issue. He spoke with Frank, the gentleman who makes the flumes. The flumes were sent to the engineers, who claim they won't work. They are now checking prices to find an appropriate new flume that will work. Sonny said when the correct flume comes, we can use our static level meter (which the Town of Rye already owns), and it will work correctly. He stated that the new flume will stay clean without constant cleaning. Mr. Jackson said he would have a price quote by the end of the week.
 - Mr. Jackson said that he is keeping Tom Mullans updated with the CCMD issues concerning the Agreement and flow meters.
 - Sonny has agreed to check with Battery Plus for three replacement batteries that are needed for the resident water meters. He said we currently need three, but he would check into twelve as they're bound to start dying since they were all installed at the same time. He'll update the Board to his findings on cost.

- Sam Serracino informed the Board that he has spoken with the company who does the street striping for the Town of Rye. Weather pending, he said we are on the schedule.

NEW BUSINESS:

- The Board agreed that they will be holding interviews on Monday, March 18, 2019, from 6:00 pm for the position of General Maintenance. Sherri Beach will contact the four applicants and schedule them 20 minutes apart, with interviews lasting 15 minutes. Each candidate will be asked to bring a list of professional references at the time of interview. Marty Rahl will compose interview questions for the candidates.
- The Board agreed that they will be meeting for a work session on Wednesday, March 20, 2019, at 6:00 pm for the purpose of discussing rate increases for water and sewer. Sherri Beach was asked to compile information to include the current rates for pipe sizes and RTS fees for each individual account, current CCMD sewer fees, and a 3-month average (December, January, and February) for each customer.

ADJOURN:

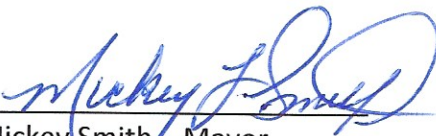
- At 8:31 pm, Sonny Jackson made a motion to adjourn the regular meeting. Marty Rahl seconded the motion, and it passed.

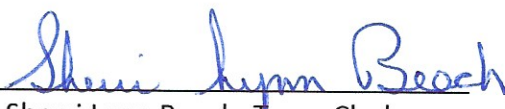
**A Work Session is Scheduled for Wednesday, March 20, 2019
at the Town Hall.**

**The Next Regular Session meeting will be on
April 10, 2019, at 6:00 p.m. 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).*


Mickey Smith – Mayor


Sherri Lynn Beach, Town Clerk