

TOWN OF RYE
RECORD OF PROCEEDINGS
April 14, 2021

Call to Order/Roll Call

Mayor Marty Rahl called the Regular Monthly Board Meeting to order at 6:00 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; Patrick Ryan, Trustee; Larry Sisk, Trustee; Markus Buck, Trustee; and Sherri Beach, Clerk. Also present were: Greg Colter, ORC; Shirley Pigg, Greenhorn Valley View; Sam Light, CIRSA; Kathy Dufty, resident; and Jim Beach, slide show operator. Those absent were: Levi Bernal, Trustee. The Pledge of Allegiance was recited.

Audience Participation

Sam Light, CIRSA General Counsel, presented a New Trustee training entitled "Seven Key Commitments for Success in Public Office." He read a slideshow presentation and discussed common practices and scenarios that are important for public officials. He reiterated the importance of each trustee working as part of the board, the commitment of each to best serve the citizens that they represent, the protection of the Town's interests and assets, the basic expectation for public transparency, and the importance of ethical and legal commitments. Mr. Light left information for the trustees, and he provided many resources for answering questions and additional training opportunities.

Chris Brandewie of RCAC addressed the board at 7:35 pm via Microsoft Teams to discuss the water and sewer rate study. He stated that while inputting data into the models for the rate study, he and Sherri Beach discovered that there were approximately 58 units that were receiving water service through one tap on properties that were not paying their fair share. There was a discussion that the board will need to consider options of charging these accounts a fee, charging each account for the minimal $\frac{3}{4}$ " RTS, a certain base dollar amount per month, or a percentage of the total water fee per month for the cost of the individual connections. The board will also need to decide how they would like to proceed with the appropriate sewer fees for these connections. The board and Chris agreed to meet via Microsoft Teams again on Wednesday, April 28, 2021 at 6:00 pm for a specific work session to address these concerns and try to find a solution.

Consent Agenda Items

- Larry Sisk made a motion that the Minutes of the March 10, 2021 regular Board of Trustees Meeting be approved. Sheila Henderson seconded. Sheila Henderson voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed
- Patrick Ryan made a motion that the Special Meeting for Audit Exemption Minutes of March 18, 2021 be approved. Larry Sisk seconded. Sheila Henderson 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:

He will contact Nick at Element Engineering to complete the lead and copper OCCT plan by July 1, 2021 and have a plan to reduce DBP's (TTHM and HAA5) to meet compliance. The DOLA grant has been confirmed by Tara Marshall, and everything is in place to begin the work. Greg will also let Nick know about the tank volume data and that tank #1 is online.

Greg will confirm on the CDPHE website that all required water samples have been taken for the 1st Quarter and that all information has been submitted on the portal. In addition, he will submit a letter to CDPHE informing them that tank #1 is online.

He presented the board with proposal from Vision for installation of a new backflow preventor (\$2,957) and air gap corrections (\$3,937), for a total of \$6,894.00. Larry Sisk made a motion to accept the proposal. Patrick Ryan seconded. Sheila Henderson voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Greg was asked why the CCMD bill for the past two months is so high. He explained that he believes weather events and ground water are infiltrating the lines. He recommended that the Town of Rye test to find where the infiltration is coming from. To do this, we need to clean the lines then send a camera to find bad areas. He would encourage us to start with the manholes, making sure the lids are on properly and water is not seeping from the top and ground water is not visible. Greg also stated that we could purchase a meter that tracks and records weather events to track additional amounts of sewage that are being sent to Colorado City.

- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed.
- 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 #37 called on April 12 and said she would pay her balance plus the \$200 disconnect/reconnect fees. She asked if the board would restore her service now and allow her to make payments. Sherri Beach told her on the phone no based on our policy, and the resident asked her to address the board on her behalf and request an exception. The board discussed this matter and decided not to honor an exception. The account must be paid in full, with the addition of \$200, to restore service.

Account #43 was called, and a voicemail left that she owes a balance of \$145.94.

Account #60 was called and resident remitted payment in full on April 14, 2021.

Account #65 was called, and a voicemail left that he owes \$145.94. Sherri Beach spoke with the prior owner on March 30, and she acknowledges that she owes \$57.97 plus a \$15 late fee, which

equals \$72.97 on the account but has failed to pay that amount. When the current resident came to update his information on the account the beginning of March, he was told that if the balance is not paid, he would be responsible because we file liens on the property, not the owner after 61 days delinquent. The resident was reminded of the conversation on the voicemail message on April 13, 2021.

Account #71 does not have a current telephone number, so no message was left.

Account #72 was called and remitted payment in full on April 14, 2021.

Account #75 was called, and there was no voicemail to leave a message on April 13, 2021.

Account #89 called Sherri Beach for the balance due, and he submitted a payment in full via FedEx on April 14, 2021.

- 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. Markus Buck seconded. Sheila Henderson voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

In a brief discussion, it was suggested that Sherri Beach check into the cost of purchasing either a 1,000 gallon or two 500-gallon propane tanks to be "daisy chained" together at the Water Treatment Plant so we can purchase propane when the rates drop.

- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed.

Unfinished Business

Sherri Beach reported that she confirmed with the Town of Rye Attorney that we need to continue to wait for Table Mountain Church to pay their \$50,000 for the new water and sewer taps as billed. The Town is not to suspend water service until instructed otherwise by our attorney's office. If we do not receive payment in a reasonable amount of time, the attorney's office will draft a letter.

Chief Bennett of the Rye Fire Protection District came into the office on April 9, 2021 and said the ISO will be inspecting the fire hydrant on Roley on April 22nd. This hydrant was broken in the freeze/water event that occurred in February 2021. If it has not been replaced and is in working order by the April 22, 2021 resident insurance rates will rise. After sending several urgent unanswered emails and leaving messages on the voicemail for Hanson Construction, Sherri Beach asked if Gib would have an opportunity to call to talk with Brian of Hanson Construction about the status of the broken fire hydrant, as this was part of his agreement to replace with the cost of the services that he provided during the water event. His entire invoice will be submitted to CIRSA as soon as it is received so they can process our claim. Gib called and spoke with Mr. Hanson, and he was told that his son, Tyler, would be installing the new hydrant before April 22, 2021. He will also get the invoice to us as soon as possible for the

February 16-19 event, to include the cost of the hydrant replacement. Sherri was instructed to contact Hanson Construction and insist that the hydrant be replaced by Monday, April 19, 2021. Otherwise, she is to call RMS Utilities, Inc., in Alamosa to have them do the installation per their estimate for \$4,200.00.

Reports

Accountant/CPA Update: None

Attorney Update: None

Trustee Updates: Marty Rahl reported that she and Sherri Beach have both taken a webinar concerning the CDOT Main Street Revitalization Grant. She said there is \$22 million in the fund, and she believes we may be able to repair sidewalks if we are awarded a grant. She and Sherri will work together to create a list of questions to ask the program administrators to see if we can qualify, and Marty will talk with the program administrators for answers and guidance. She will report to the board next month.

Staff Updates: Sherri Beach reported that CIRSA Claims' Department is ready to work on our claim for the water event that occurred February 16-19, 2021. They are awaiting the complete invoice from Hanson Construction for their work, to include the fire hydrant repair. As soon as the invoice is received, Sherri will immediately forward it to CIRSA.

Sherri reported that the DOLA Administrative Grant and Contract for Element Engineering was approved on April 7, 2021. Greg Colter will contact Nick of Element and instruct him to begin work right away.

Markus Buck and Sherri Beach reviewed some of the costs of office supplies through Office Depot/Office Max. They have found that a large amount of money can be saved if we purchase supplies through Sam's Club. The board asked that Sherri set up an account at Sam's Club and include the tax-exempt information.

Account #25 resident asked that Sherri please ask the board if they would consider requiring regulators on each home in the Town of Rye to regulate water pressure throughout the Town. He stated that homes that are lower in elevation receive better water pressure than areas that are higher in elevation. Patrick Ryan said that he has a pressure gauge that he would be willing to test the pressure of the home and surrounding homes. Sherri was asked to inform the resident that Patrick would be happy to test his pressure, and the resident may want to consider purchasing a booster for the pressure to his home.

Sherri reported that she has been speaking with Jeff Teschner of the Pueblo County Sheriff's Department. They have moved "speed wagons" to Rye to notate the speed in hopes that drivers will self-monitor their speeds. In addition, they are sending unmarked patrol cars to patrol the streets for speeders and drivers going the wrong way on the one-way street on Peterson. Citations will be issued to enforce the laws. Finally, the PCSO will be verifying the ownership of the unlicensed vehicles at the Apache Falls Apartments to confirm they are not stolen.

Mrs. Beach informed the board that she had attended an ADA training in Trinidad per the recommendation of CIRSA. One item that she thought would pertain to the Town of Rye would be implementing a microphone system for those who are hearing impaired. Following discussion, Jim Beach volunteered to bring samples of acoustic panels to the next board meeting to discuss the option of them being used to cut down on the amount of noise in the boardroom, so everyone is better able to hear. He estimated the cost to be 10 panels for \$20 to \$30 each, which would be significantly less than the cost of installing baffles on the ceiling.

Account #76 asked if they could create fliers for a community cleanup of the creek in Rye and have them mailed with our billing on April 30, 2021. After discussion, the board decided that they would not allow this, as it would set precedent that we would mail fliers for others. They asked that Sherri contact the family and remind them that they will need garbage bags, vests, someone to pick up the filled bags, permission of property owners to cross their property, etc. Several of the trustees said that they would be happy to participate in this event, though the Town of Rye would not be a part of it.

Sherri informed the board that there is a battle between accounts #6 and #72 concerning sewer. She has instructed the residents that this is not a Town issue, but rather a civil matter, and it will be best for them to work together or contact their own attorneys for assistance, as the issue is on their private property.

New Business

Sherri Beach contacted Geeks on Site for IT service. They will charge \$309 per 3 hours. She also contacted Zach the Tech, who came to evaluate the computer system at the Town Hall as well as the Water Treatment Plant. Zach Price (Protego IT Solutions) quoted an upfront total of \$3,215.00 and a monthly total of \$860. The board chose to continue looking for IT support elsewhere. Markus Buck will look for support and have prospects contact Sherri for estimates.

A draft ordinance 2021-3 for Public Nuisance was on the agenda, but this first reading has been tabled for the next board of trustees meeting.

Adjournment

At 9:50 pm, Sheila Henderson made a motion that the Board close the regular meeting and enter into Executive Session. Markus Buck seconded. Sheila Henderson 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, Mayor; Sheila Henderson, Mayor Protem; Sandra Steele, Trustee; Patrick Ryan, Trustee; Larry Sisk, Trustee; and Markus Buck, Trustee.

Executive Session

Personnel: For discussion of a personnel matter under C.R.S. 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

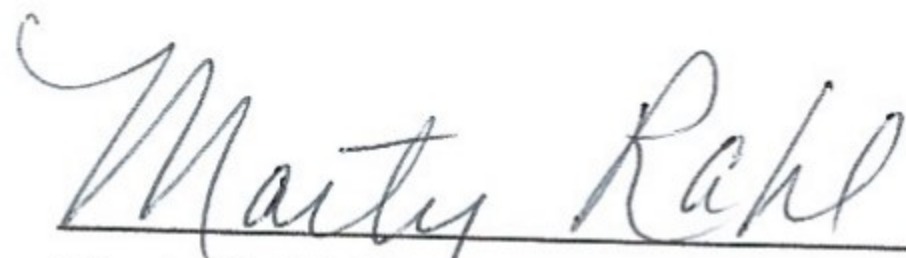
of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

At 10:20 pm, Sheila Henderson made a motion that the Board return to its regular meeting. Larry Sisk seconded. Sheila Henderson voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

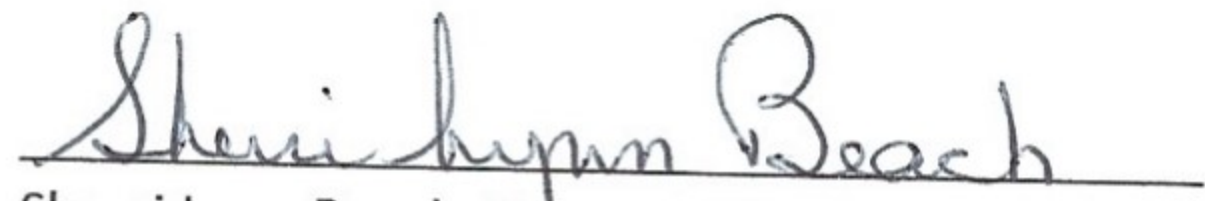
The board briefly discussed re-evaluation of the Clerk's position. Sheila made a motion to accept the proposal. Patrick Ryan seconded. Sheila Henderson voted yes, Sandra Steele voted yes, Larry Sisk voted yes, Patrick Ryan voted yes, and Markus Buck voted yes. The motion passed.

Adjournment

At 10:30 pm Sheila Henderson made a motion that the Regular Board Meeting be adjourned. Sandra Steele seconded. Sheila Henderson 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



Sherri Lynn Beach, Town Clerk

**The Next Regular Session meeting will be held on
May 12, 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).