

TOWN OF RYE RECORD OF PROCEEDINGS

- Pledge of Allegiance
- Mickey Smith called the meeting to order at 6:00 pm.

PUBLIC MEETING

The Board of Trustees of the Town of Rye, County of Pueblo, Colorado met at the Rye Town Hall on June 12, 2019. At 6:00 pm Mayor Smith called this regular monthly meeting to order. The following were present: Mayor, Mickey Smith; Mayor Pro-tem, Sonny Jackson, Trustees: Marty Rahl, Debbie Jackson, Sam Serracino, David Douglas, and Sandra Steele; and Clerk, Sherri Beach.

Others: Pam Hair, Greenhorn Valley View; Gary Golladay, CCMD.

PUBLIC INPUT:

There was no public input at tonight's meeting.

CONSENT AGENDA ITEMS:

- MINUTES OF THE LAST MEETING: Clarification was made that the total of \$88,915.39 for sewer attorney fees reflect all charges, not just year to date. Debbie Jackson motioned that the minutes of the May 8, 2019, meeting be approved. Marty Rahl seconded, and the motion carried.
- WATER TREATMENT PLANT END OF MONTH SYSTEMS REPORT: This report shows a total of 596,841 total treated gallons, 469,790 gallons delivered to the town, and 99,087 wastewater/back wash water gallons for the month of May 2019.
- WATER & SEWER MONTHLY METER USAGE/BILLING REGISTER: The Water & Sewer Billing Register was reviewed for the month of May 2019.
- SUMMARY READINGS:
 - Water Plant Data – Excel worksheet provided. Billed gallons were 620,640 for the month of May 2019.
 - Wastewater Data – Data was not available because a flow meter battery has not been charged and readings are not available.
 - CCMD comparison worksheet: From **4/29/2019-5/29/2019**
Current: 64,227,822; Previous: 63,477,231; Usage: 750,591.
 - The Town of Rye calculation of Usage: Accurate reading not available.
 - Sewer Attorney Expense worksheet. Last billing dated 4/30/2019 expenses Total to Date \$89,655.39.

- SUMMARY AGED RECEIVABLES:

- Reviewed by the Board. The Board discussed past due accounts. Account #13 has been called, and she'll make a payment in full by the 15th to avoid a late fee and turning off service next month. Account #16 had rented her property, and the tenant left her with this bill. She'll pay account in full by the 15th. Account #35 was called on 6/11/2019 but there was no answer and no voicemail. Account #69 has a lien against the property, water service has been suspended, and water has been turned off. Account #71 has been called and a voice message left that payment needs to be received by the 15th to avoid a late fee and turning off next month. Account #72 was called but there was no answer and no voicemail to leave a message.
 - Sherri Beach stated that she's tried repeatedly to contact our Town Attorney for assistance in filing an updated lien for #69. She explained to the Board that she attended a class last week and learned that we may consider pulling the meter for account #69 for abandonment and non-payment. At that point we could look at putting it on the Pueblo County Tax Roll for 2019. The County will pay the balance and they will pursue the resident. The downside would be that the new owner would need to pay \$5,000 to have a meter installed as a new tap. Mr. Serracino asked Sherri to contact the Pueblo County Attorney's office to find out how to do this on our own without the assistance of an attorney.

- APPROVAL OF ACCOUNTS PAYABLES:

- There are \$17,557.32 scheduled payables, \$958.60 from General, \$9,767.56 from Sewer, \$6,831.14 from Water, and \$0.00 from HUTF.
- Sherri Beach gave each Trustee a copy of her timesheets so they could see her hours. She noted that she anticipates that with the audit her hours will increase temporarily. She worked 18.25 over her pay in April, and .25 over her pay in May. She said that she does not have an issue with this but wanted to keep the Board abreast of the situation as agreed upon in March 2019. She asked that she be permitted to keep track of these overages and at some point (when things slow down) take compensation time in exchange for them. The Board agreed.
- Mrs. Beach said that the accountant's current bill is \$1600.00 but there is a fee of \$250 for late cancellation per the Board's request last month, though there is no agreement or contract where we've agreed to this. In addition, the accountant charged \$75 per hour, though a printed email from the accountant indicated that she would continue to only charge the Town of Rye \$65 per hour as a service to the community. That overage equaled \$180. Per Board instruction, the accountant is to be paid \$1,1700 (the bill amount of \$1,600 - \$250 cancellation - \$180 overcharge). They also agreed to write "Final Payment" on the check. Sherri was instructed to write an email to the accountant requesting that all W2s, 1099s, and any other financial information for the Town of Rye be returned to our office immediately, with a blind copy sent to each member of the Board.
- Sherri spoke with the Board about the N-Sight Bid proposal, explaining that she received new information about an option that we may consider purchasing a

new plan where we can use a tablet or a phone to do meter reading instead of working with the "obsolete" handheld. She gave each Board member a packet with the information to review. She was asked to invite Joey Davidson of Core and Main to come to the next meeting to discuss this program with the Board.

- Marty Rahl 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. Sonny Jackson seconded, and the motion passed.

- P & L's SUMMARY- GENERAL/WATER/SEWER:

- These reports which represent budget vs actual were presented and reviewed.
- Copies of checkbook registers from all accounts were given to the Board with all transactions since the last Board of Trustees meeting and reviewed.

MASTER CALENDAR REVIEW:

- JUNE

- Water Sampling & Testing
- Finish Line Yearly Maintenance Contract due
- RVS Annual Maintenance & Update Fee
- Civil Asset Forfeiture Reports Due
- PERA Monthly Reporting
- Begin Mowing Alley Between Town Hall & Boulder

- JULY

- RVS Software & Maintenance Agreement Due
- Quarterly Reports Due – CO withholding, IRS Federal, Unemployment
- Semi-Annual Reports Due – Civil Asset Forfeiture/Seizure Reporting
- Water Discharge Monitoring Reports
- HACH TURB Meters & Chlorine Analyzers Certification

UNFINISHED BUSINESS:

- Rye Water Treatment Plant Update

- John VanOort was unable to attend tonight's meeting, but he asked that Sherri Beach inform the Board of the following:
- John was not able to contact anyone concerning the trench and liner around the Water Treatment Plant. He indicated that he has a contact of someone who does cement work that he can ask if the Board chooses. The Board asked that he contact this gentleman to get an estimate, and they asked that John also contact Clint Gookin for an estimate. Sherri will pass this information along to John and ask that he respond so she can forward his findings to the Board.
- Mr. VanOort said the MOR is late so to expect receipt of a notification of violation for this.
- The testing for lead and copper of the 20 residences are also late as the State has new requirements they're imposing on the Town of Rye, but John VanOort, Ginger Mitchell and Sherri Beach are working on getting this taken care of.
- John has paid and is taking his recertification class this month, and he requested that we reimburse him \$100 for the cost of the class.

- Mr. VanOort will be here on Wednesday night, June 19, 2019, at 6:00 pm for a requested work session with Mickey Smith, Chris Brandewie of RCAC (Rural Communities Assistance Corporation), Ginger Mitchell and Sherri Beach will be in attendance. All trustees are welcome to attend. Dutch Mead will also plan to attend this meeting.
- Attorney Update:
 - Mark Ohlsen, Town Attorney, was not at the meeting tonight.
 - Sherri Beach told the Board that she has reached out to Mark weekly via email, text and phone messages but has received no response at all from him. She said the most pressing thing we're needing to figure out is how to proceed with the annexation.
 - Sherri has contacted Sam Light, attorney with CIRSA, to ask for help with the backflow prevention addendum, as it is critical, and we have not received a response from Mark. Mr. Light has provided us with an Ordinance 2019-4 to review and adopt. Sherri forwarded the proposed Ordinance to Dutch Mead, Consultant for the Backflow Prevention, and he said it is exactly what we need. Mr. Mead asked that we adopt this Ordinance exactly as it is written. David Douglas motioned that we accept and adopt this proposed Ordinance as the first reading. Debbie Jackson seconded, and the motion passed. Mr. Light indicated that we'll need to run notification in the local newspaper twice for this second reading at our meeting on July 17, 2019. Sherri will contact Mr. Light for guidance on posting for the second reading and adoption at the next meeting.
 - The Board briefly discussed the possibility of finding another attorney who would be more available for the Town. David Douglas volunteered to do some research and see if he could find some recommendations.
- Trustee's Update:
 - Sonny Jackson said that Gary Girolomin recalibrated the flow meter. However, the solar backup for the battery is not working, and the battery is dead. Therefore, no current readings are available again this month. Sherri Beach will contact Gib Rokich and have him pull and charge the battery immediately and reinstall it prior to the weekend so Sonny Jackson can begin documenting the readings. Gib will also be asked to fix the solar panel wire so the battery continues to charge properly. Frustration was expressed by the Board with Mr. Girolomin because they haven't maintained the battery or the solar panel on the demo meter, and they seem unwilling to make this situation right. Sonny stated that he has another proposal available for a flow meter. Sam Serracino asked that Marty Rahl babysit this to be certain that it is handled.
 - The rate increase was discussed. Notification was posted in the Greenhorn Valley View on May 30, 2019, inviting the public to attend tonight's meeting to voice their opinions about the rate increase. Marty Rahl made a motion that we adopt a 20% rate increase across the board on the first day of July 2019, and that the averaged sewer fees be updated and imposed at the same time. Sam Serracino seconded, and the motion carried. Sherri Beach will do billing on Sunday, June 30, 2019, so everyone is billed accurately for June 2019, then the new rate will begin on July 1.

- Marty Rahl spoke with the Board about FEMA's floodplain information. She made a motion that we adopt the FEMA floodplain study and map as prepared by FEMA. Sam Serracino seconded, and the motion passed. Sherri Beach will advise CIRSA of this motion passing as well as return the completed documentation updating our 2020 renewal policy per Marty Rahl.
- Mr. Serracino said Kent Majors & Sons contacted him, came yesterday and discovered some infiltration into the manholes. They need to come for a full day, and their cost would be between \$600 to \$700. Sam said they are very busy, and it may be difficult to get them back soon. He said we need to consider jet cleaning the system, and he believes we should contact someone who can inspect and jet clean at the same time. Gary Golladay said he will get the contact information for a gentleman from Fort Collins who could perform these services to the Clerk who can pass it along. David Douglas also said he would get the name of someone he's familiar with in Pueblo West who could possibly be called upon.
- Mickey Smith advised the Board that Mr. Colletti called him and stated that the County Commissioner has approved the chip sealing of the roadways in Rye free of charge. They will begin doing this project in mid-July. Sherri was asked to make a note on the billing asking customers to please be prepared to move their vehicles for the project. Mickey Smith volunteered to get hole filler mix at Lowes in Pueblo and take care of the small potholes prior to the chip sealing project. The Board agreed with this. Mr. Colletti will advise Mickey a couple of days before the work begins, at which time Gib Rokich will be asked to take notices door to door to move vehicles. Gib will also be asked to contact the company who has the big dumpster on Main Street and ask them to move it. Sam Serracino asked that Mickey look at the areas around the manholes where the concrete has been chipped away, and Mickey agreed to do this when he's filling in the potholes.
- General Maintenance Update:
 - Gib Rokich was not at the meeting tonight, but he left messages with Sherri Beach to share:
 - During last month's meter reading, Gib discovered two additional meters that have dead batteries. He will install the two new meters we just received right after he completes the July 1 billing. Sherri was instructed to order replacement meters each time we use one of our backup meters so we always have them on hand.
 - Sam Serracino discussed with the Board that we need to consider changing Gib from an Independent Contractor to an Employee status. He said we need to provide workmen's compensation to cover Gib. He indicated that we also need to find out how to cover the volunteer with workmen's compensation in order to protect the Town. Sherri will contact our insurance companies to cover Mr. Rokich and check into the volunteer coverage.
 - This week Gib plotted the Town of Rye map with all the water meters.
 - The Board discussed and decided that Mr. Rokich is to mow the yard at the Town Hall as needed, and he is not to water the yard unless instructed otherwise by the Board.

- A resident came and asked that we mow the alleyway, and she noted that someone is dumping garbage back there. Gib will be asked to mow the alleyway and remove the trash from between the Town Hall building and Boulder Street. This item will be added to the Master Calendar.
- Marty Rahl will go to Ace Hardware to select paint samples for Gib to paint the Boardroom.
- Clerk Update:
 - Sherri Beach informed the Board that the CMCA week-long Institute will begin on Sunday, July 6 through Friday, July 12 this year. The next Board meeting is scheduled on July 10, 2019, and the Board agreed to change the date of the meeting to July 17, 2019.
 - Sherri told the Board she received a scholarship for \$1,000 for the Institute. She said the cost of the Institute is \$815, and the cost of the hotel is \$595. In addition, she'll need to have a handful of meals out and will plan to take her own food as much as possible. She asked that the Board confirm they're willing to pay the amount beyond the scholarship for this training as well as lodging, mileage and her time. Marty Rahl made a motion that the entire amount be paid by the Board that is not covered by the scholarship. Sonny Jackson seconded, and the motion carried.
 - Mrs. Beach told the Board that the CMCA Beyond Election Basics Class has been moved from July 26 to August 16, 2019, in Westciffe. Marty Rahl expressed an interest in going with Sherri for this training.
 - Sherri informed the Board that she is working on filing the annual HUTF report and discovered that until November 2017, funds were used from HUTF for security lighting of the roadways. She called Karen Peterson of CDOT/HUTF and learned that we should have been paying the security lighting from the HUTF account all the time. She asked that we reimburse our Town of Rye funds the \$5,370.80 that we've been paying (cumulative) for this expense since November 2017, per the recommendation of Mrs. Peterson. Marty Rahl made a motion that we pay \$5,370.80 to the General Fund from the HUTF fund. Debbie Jackson seconded, and the notion passed.
 - Sherri updated the Board that the Maintenance Fund Account has been set up at Bank of the San Juans, and upon returning the signed paperwork from Mickey Smith, Sonny Jackson and herself, the account will be up and running tomorrow morning. She has deposited \$200 from each the General, Sewer and Water Accounts to open the new account. Additionally, \$200 from each account will be transferred to the General Maintenance Account each month beginning in July 2019.
 - Mrs. Beach explained that she spoke with Matthew Ruboco of HUTF and asked if we could move our account from Ent to Bank of the San Juans because our other banking is done at that facility. He said yes and provided the form we need to move the fund. Sherri asked the Board for approval to close the Highway Users Trust Fund account at Ent Credit Union and move it to the Bank of the San Juans under the name "Highway Users Fund" account. The Board agreed. Sam Serracino made a motion that the "Highway Users Fund" be set up at Bank of the

San Juans and that all money from both accounts at Ent Credit Union be moved to the single account. Marty Rahl seconded. The motion passed.

- Sherri asked that the name of the "Lottery" Account at the Bank of the San Juans be corrected to "Conservation Fund" Account. Sam Serracino made a motion that the name of the "Lottery" Account be changed and corrected to the "Conservation Fund" Account at Bank of the San Juans. Sonny Jackson seconded, and the motion carried.
- Mrs. Beach informed the Board that she spoke with Dutch Mead this afternoon and all accounts with the exception of the apartments on Roley and the Apartments on Peterson are either in compliance with the Backflow Prevention Ordinance, or they're in the process of becoming compliant. He indicated that the schools are running behind schedule, but we are not to disconnect their water service. However, on July 1, we are to suspend the service of water to both apartments because both owners have signed the return receipt requested notification that was sent to them on April 17, 2019. The Board confirmed that we will turn off the water to the apartments on July 1.
- Sherri reported that on the CDPHE Lead/Copper Sample testing surveys, we have received 58 back from our residents as of today. John VanOort and Ginger Mitchell continue to work with CDPHE to schedule the testing of the 20 random accounts selected by CDPHE to participate.
- Sherri said that the garbage ordinance is still on hold until we've got some time, per Board instruction.
- Mrs. Beach informed the Board that she'll be out of the office on Friday, June 28, as well as Monday and Tuesday, July 1 and 2. She will be doing billing on Sunday, June 30, 2019, as discussed in the Trustee's Update section of these minutes. She asked if she could claim compensation time for those dates to use some of the time that she's accumulated beyond her pay. Everyone agreed that she could claim four hours for each of those days against her accumulated compensation time.
- Sherri asked if the Board would like to change the late date for our water payments at the same time that we update our water rates on July 1, 2019. After discussion, Debbie Jackson made a motion that the late date be changed to the last business day of each month. David Douglas seconded the motion, and it carried.
- Sherri asked if the Board would like her to get Town Hall keys for each of the Board members. Currently, Mickey Smith, Sonny Jackson, Marty Rahl, and Sam Serracino have keys. Upon discussion, Debbie Jackson requested not receiving a key, and Sherri was asked to get keys for both Sandra Steele and David Douglas prior to the next meeting.
- Mrs. Beach informed the Board that at her class on Thursday she was told that email is as secure as Dropbox, and she requested permission to email the Board their packets instead of fighting to set up Dropbox accounts for the new trustees. After discussion, Sam Serracino made a motion that Sherri just print a hard copy of the Board packets for each of the Trustees and no longer use email or Dropbox for sending them. He also suggested that all Trustees return their tablets to the Town Hall to be given to Marty Rahl to donate to students who may need them. Marty Rahl seconded the motion, and it carried. Sherri noted

that all hard copies of the Board meeting packets will be placed at each person's place at the table prior to her leaving for the weekend before the meeting.

NEW BUSINESS:

There was no new business at tonight's meeting.

EXECUTIVE SESSION:

- At 7:56 pm Marty Rahl made a motion to close regular session and enter into executive session. David Douglas seconded, and the motion carried.

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.

- At 8:04 pm, Sam Serracino made a motion to return to regular session. David Douglas seconded, and the motion carried.

FURTHER BUSINESS:

- Marty Rahl made a motion that we make Gib Rokich an employee rather than a contract laborer, pay him hourly, cover him under workmen's compensation insurance, and pay him for mileage and time if we ask him to attend meetings. Sam Serracino seconded, and the motion carried.
- Debbie Jackson made a motion that Bob Boyd be hired to do our accounting for the 2018 audit beginning tomorrow morning. He will be paid at a rate of \$75 per hour plus mileage reimbursement. Marty Rahl seconded, and the motion passed.

ADJOURN:

- At 8:12 pm, Debbie Jackson made a motion to adjourn the regular meeting. Marty Rahl seconded the motion, and it passed.

A work session is scheduled to be held at 6:00 pm on June 19, 2019.

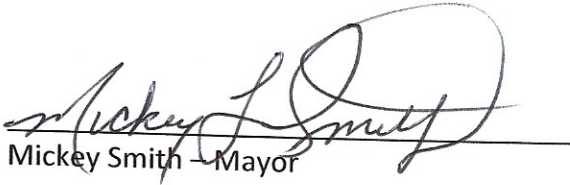
Public is welcome, but input will not be heard.

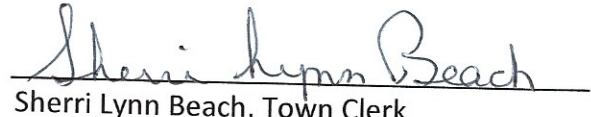
**The Next Regular Session meeting will be on
July 17, 2019, at 6:00 p.m. at the Town of Rye Building.**

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