

TOWN OF RYE
RECORD OF PROCEEDINGS
August 14, 2024

Call to Order/Roll Call

Marty Rahl called the Regular Monthly Board Meeting to order at 6:00 p.m. at the Town Hall at 2067 Main Street in Rye, Colorado. Those in attendance were as follows: Marty Rahl, Mayor; Kathy MacCormack, Mayor Protem; Aimee Kramer, Trustee; Geoff Pagnotta, Trustee; Heidi Miller, Trustee; Jocelyn Ensley, Town Clerk; and Jeff Lepley, Property Owner. Those absent were: Patrick Ryan, Trustee; Sandra Steele, Trustee.

Audience Participation

Jeff Lepley addressed the Board of Trustees requesting a sewer usage adjustment for his account located at 2108 Main Street. Mr. Lepley explained to the Board that a water leak occurred during January 2023, resulting in an excessive amount of water being metered and billed and consequently used in the annual sewer average adjustment calculation. Mr. Lepley went on to request to be credited the difference between the 2024 and 2025 Sewer Usage Adjustment calculations, for the payments he has made for January 2024 through July 2024 and to have the sewer usage adjusted for the remaining months of 2024. The Board discussed the matter openly. Jocelyn Ensley stated that the Board had heard similar situations in the past and has since created a policy that allows account holders to have the water usage adjusted so that it does not carry over to sewer usage but that the cut off is 60-days and the policy was created after his specific leak in 2023. Marty Rahl stated that historically, prior to this new policy taking shape in 2023, the Board has heard requests from residents who requested to have their accounts credited or adjusted and they were denied by the Board. Heidi Miller stated that the Board can consider adjusting Mr. Lepley's account moving forward but cannot offer any credits. Geoff Pagnotta stated that he agreed with Heidi Miller and that it seems Mr. Lepley's water leak occurred in between the policy being created, so the Board may consider showing more leniency. Geoff Pagnotta suggested adjusting the current sewer usage to the sewer usage adjustment calculation for the 2025 year. The Board continued to discuss the matter. Geoff Pagnotta made a motion to adjust Jeff Lepley's sewer usage to the calculated amount for the 2025 year to be effective August 2024 through December 2024. Kathy MacCormack seconded the motion. The motion passed unanimously. Marty Rahl stated that Jocelyn Ensley will adjust the account to reflect the approved motion and send a letter detailing the approved motion to Mr. Lepley.

Marty Rahl and Jocelyn Ensley brought attention to an email from the Town attorney regarding two residents and a civil matter that has escalated to outside authorities. Jocelyn Ensley explained that both parties were scheduled to be on the agenda but due to their current

pending case the Town attorney made the recommendations to have all parties submit their requests or concerns in writing and no written requests or concerns were received before the meeting began.

Consent Agenda Items

- Kathy MacCormack made a motion to approve the July 10, 2024- Regular Monthly Meeting Minutes. Aimee Kramer seconded the motion. The motion passed unanimously.
- The ORC Water Treatment Plant End of Month Report was reviewed by the Board. The Board discussed the progress of the GAC Project. Marty Rahl explained that due to an accident Ryan Jacob will be unable to install the GAC equipment. Marty Rahl went on to explain that she and Jocelyn Ensley met with Nick Marcotte with Element Engineering, and he referred the Town to use Dave Lewis with Direct Discharge as he already has an established relationship with the Town from previous projects. Jocelyn Ensley stated that she will be scheduling Direct Discharge to install the GAC at their soonest convenience. Jocelyn Ensley stated that the Main Sewer Line Evaluation project is well underway with Element Engineering, and they have begun invoicing for the project so we should expect to see results by the October 2024 monthly meeting.
- Kathy MacCormack stated Garry MacCormack is available to assist the Town in trying to locate the discharge point of the emergency services well in the coming days and that she will include Marty Rahl and Patrick Ryan in the project.
- Jocelyn Ensley stated that the documents for the new Lead and Copper Inventory Regulations due in October 2024 are set to be submitted to CDPHE in September 2024.
- Jocelyn Ensley then stated that the biannual lead and copper sampling that was performed in June had levels that exceeded the maximum allowance and that the new public notification regulations from CDPHE require very strict requirements to include notifying, all surrounding schools, daycares, medical offices, doctor's offices, news stations, radio stations, etc. and that she will be working closely with Richard Hopp, ORC, to ensure all requirements are met by the Town.
- The Board reviewed an email from Utilifind offering recommendations on utility locating equipment and training options for the water plant operators. Aimee Kramer made a motion to liquidate the current utility locate equipment and put the funds towards the purchase of the referred used unit. Kathy MacCormack seconded the motion. The motion passed unanimously.
- 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 by the Board.
- The Summary of Aged Receivables was discussed by the Board. Past due accounts were called by Jocelyn Ensley and reminded of their past due balance as well as the current

due balance. The Board instructed Jocelyn Ensley to issue disconnect letters for all delinquent accounts surpassing 61+ days in payment.

- Kathy MacCormack 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. Heidi Miller seconded the motion. The motion passed unanimously.
- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed. Jocelyn Ensley has updated the calendar to reflect the date and name of persons completing monthly items.

Unfinished Business

- The Board discussed account #37 and the recent foreclosure on the home. The Board will allow some time for the bank or new property owner to get the property into compliance before sending an ordinance violation notification.
- The Board discussed finding a contractor to assist the Town in putting up and taking down the lights on the Rye Triangle Tree. Jocelyn Ensley stated that she is going to try contacting local equipment rental businesses to see if they would be interested in sponsoring the Tree Lighting Event by donating the equipment needed to get lights on and off of the tree.
- The Board reviewed and discussed the 2024 Town Square Fair budget, donations, and feedback from the event. Jocelyn Ensley stated that the Town was able to cover all costs for the event and that feedback was positive. The Board discussed ideas for the following year.
- Jocelyn Ensley stated that she and Marty Rahl met with Nick Marcotte with Element Engineering to discuss a Sidewalk Replacement Assessment Plan to get an idea of what the budget looks like for the Safer Routes to School Project. Jocelyn Ensley explained that the Safer Routes to School Grant does not cover preliminary costs but that the initial assessment plan from Element Engineering will provide a good baseline for the Town to bounce off of. Jocelyn Ensley stated that she has not heard from Melissa Trecocke regarding the new program that Safer Routes to School Grant may be offering the Town but that she had let us know we probably wouldn't hear from her until after fall/into winter. Marty Rahl stated that the Town should wait to involve District 70 until we are in the process of engaging in the grant program recommended by Melissa Trecocke and this will be a long slow road.

Reports

CPA Update: N/A

Attorney Update: N/A

Trustee Updates:

- Kathy MacCormack stated that the dumpster on the South side of Main Street may need to be relocated by the property owner. The Board discussed how the new property owner has been remodeling the home. Marty Rahl stated that she will stop by to confirm that they are using it regularly, and that they may need to relocate it off of the road.
- The Board reviewed a quote from the Greenhorn Valley Chamber of Commerce for Annual Business Membership. The Board discussed the need for membership. Jocelyn Ensley stated that while the Town doesn't really benefit from the membership, it shows the Town supports the Chamber of Commerce and our sister city. Kathy MacCormack made a motion to approve the quote from Greenhorn Valley Chamber of Commerce for Annual Membership. Geoff Pagnotta seconded the motion. The motion passed unanimously.
- The Board reviewed quotes from V&S Landscapes and Above & Beyond Landscaping for landscaping replacement at Town Hall. Kathy MacCormack made a motion to approve the quote from V&S Landscapes to replace the landscaping at Town Hall. Aimee Kramer seconded the motion. The motion passed unanimously.

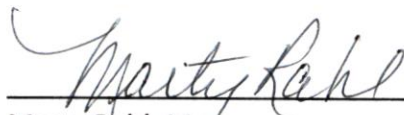
Staff Updates: N/A

New Business

- Jocelyn Ensley stated that the Board will need to schedule Ethics Training for the Trustees for the 2024 year. The Board scheduled Ethics Training for November 19, 2024, at 6:00 p.m.
- Jocelyn Ensley stated that a request for more information to the Town attorney on the new supreme court ruling involving federal open carry laws was made. Jocelyn Ensley stated that a final federal ruling isn't expected to be heard until November 2024 at which point the attorney may have more information for the Board to determine if they need to create any Ordinances.

Adjournment

At 8:00 p.m., Kathy MacCormack made a motion that the Board close the regular meeting. Geoff Pagnotta seconded the motion. The motion passed unanimously.


Marty Rahl, Mayor


Jocelyn Ensley, Town Clerk

**The Next Regular Session meeting will be held on
September 11, 2024, at 6:00 pm at the Town Hall at 2067 Main Street, Rye, CO 81069
The 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 it 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).*