

**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