

TOWN OF RYE  
RECORD OF PROCEEDINGS  
December 13, 2023

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; Sheila Henderson, Mayor Protem; Kathy MacCormack, Trustee; Sandra Steele, Trustee; Chelsie Kersey, Trustee; Patrick Ryan, Trustee; Jocelyn Ensley, Town Clerk; Greg Colter, CRWA. Those absent were: N/A.

Marty Rahl added the resignation of Trustee, Markus Buck, to the agenda.

Audience Participation

N/A

Consent Agenda Items

- The Board discussed the resignation of Markus Buck. Jocelyn Ensley explained to the Board that they have the choice of appointing a replacement to hold Mr. Buck's seat until the next election occurring on April 2, 2024, or to wait for the April 2, 2024, Election procedures to have a candidate be voted and/or appointed for a 4-year term. Chelsie Kersey made a motion to not appoint a replacement Trustee and to hold the seat open until the April 2, 2024, Election. Sheila Henderson seconded the motion. The motion passed unanimously.
- Sheila Henderson made a motion to approve the November 8, 2023- Regular Monthly Board Meeting Minutes. Patrick Ryan seconded the motion. The motion passed unanimously.
- Chelsie Kersey made a motion to approve the November 20, 2023- Work Session Meeting Minutes and the December 12, 2023- Work Session Meeting Minutes. Sheila Henderson seconded the motion. The motion passed unanimously.
- The ORC Water Treatment Plant End of Month Report was reviewed by the Board. Jocelyn Ensley stated that she and Marty Rahl are continuing to meet with CDPHE, Element Engineering and DOLA to discuss supplemental funding needed for the GAC Project. Marty Rahl stated that she and Jocelyn Ensley met with WSP to start gathering data needed for WSP to assist the Town in creating a Lead and Copper Service Line Inventory and Replacement Plan. The Lead and Copper Service Line Inventory and Replacement Plan is a new rule implemented by CDPHE which will require all water systems to develop a Lead and Copper Service Line Inventory and Replacement Plan and submit it to CDPHE by the October 2024 deadline. WSP is a third-party company contracted by CDPHE to help municipalities and water system complete the complicated and potentially cost heavy requirements by CDPHE. The Town of Rye was part of the first 25 applicants who successfully completed the required surveys and applications to be considered for receiving the service at zero cost to the Town and put the Town on track to submit all required documents to CDPHE ahead of the October 2024 deadline.
- 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. Greg Colter discussed a new software that can gather rain fall data and help create automated reports for the water treatment system.
- 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.
- Chelsie Kersey 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. Patrick Ryan 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 in regard to being out of compliance with Ordinance 2021-3 and the extension to bring the property into compliance that was granted at the previous meeting. Jocelyn Ensley stated that account #37 had until December 8, 2023, to bring the property into compliance with the Ordinance. Patrick Ryan stated that he believes the property has been cleaned up since the extension was granted but believes that there is one vehicle that remains out of compliance and that the vehicle is a Toyota with the back windshield removed. Kathy MacCormack made a motion to have Jocelyn Ensley notify account #37 by letter and phone, that one vehicle remains out of compliance on the account holder's property and if it is not removed from the property within forty-eight (48) hours the Town of Rye will take action to remove the junk vehicle and have it stored at the expense of the account holder. Patrick Ryan seconded the motion. The Motion passed unanimously.
- The Board discussed the 2023 Tree Lighting Ceremony that occurred on December 2, 2023, and planned on how to turn it into a larger event for 2024. Marty Rahl stated that she has been in contact with a company who provides "forever lights" that last for 100,000 hours and the lights would be a permanent fixture on the tree, year-round. Jocelyn Ensley stated that she will reach out to the Colorado City Chamber of Commerce and see if they would be willing to hold the Parade of Lights on the same night as the Tree Lighting Ceremony for the 2024 year. Jocelyn Ensley also stated that she can work on getting donations for the December 2024 event and welcome food trucks to come out. Kathy MacCormack stated that the Town should hold a competition for the best holiday decorated home in the Town of Rye where onlookers could vote for their favorite decorated house and the Town can give a prize to the winner. Jocelyn Ensley will add this event to the 2024 calendar year and will start planning it in October 2024.
- The Board discussed account #69 in regard to being out of compliance with Ordinance 2021-3 and the extension to bring the property into compliance that was granted at the previous meeting. Jocelyn Ensley stated that account #69 had until December 8, 2023, to bring the property into compliance with the Ordinance. The Board agreed that account #69 has made significant improvements bringing the property into compliance with Ordinance 2021-3. Jocelyn

Ensley will send a letter to account #69 thanking them for their cooperation in bringing their property into compliance.

- The Board reviewed a quote provided by V&S Landscape for mitigation and landscaping work to be performed between Petersen and Boulder on the culvert and bridge and along the creek. Chelsie Kersey made a motion to approve the quote provided by V&S Landscape to remove the brush and debris from Boulder to the Bridge on Petersen and along the length of the creek. Sheila Henderson seconded the motion. Patrick Ryan voted yay, Sandra Steele voted yay, Kathy MacCormack voted nay, Chelsie Kersey voted yay, Sheila Henderson voted yay. The motion passed 4-1.
- The Board reviewed speed limit signs made available by Jocelyn Ensley per the Board's instruction. Chelsie Kersey made a motion to purchase one (1) yellow "Maximum Speed 25" 24x30 street sign. Sheila Henderson seconded the motion. Patrick Ryan voted yay, Sandra Steele voted nay, Kathy MacCormack voted nay, Chelsie Kersey voted yay, Sheila Henderson voted yay. The motion passed 3-2.
- The Board read and reviewed the revised Town of Rye Policy Manual- "Ordinance and Resolution Violation Fees Payment Plans". Sheila Henderson made a motion to approve the revised Town of Rye Policy Manual- "Ordinance and Resolution Violation Fees Payment Plans". Chelsie Kersey seconded the motion. The motion passed unanimously.

## Reports

CPA Update: N/A

Attorney Update: N/A

Trustee Updates:

- Chelsie Kersey approached the Board as an individual resident of the Town to file a complaint and requested to abstain from Board discussion of the complaint and to abstain from voting on the matter. The Board agreed. Chelsie Kersey stated that two (2) akita or akita mixed breed dogs have been running at large and aggressively approaching properties, property owners, and property owners' animals. The dogs have been at large consistently and pose a public threat to the community. Jocelyn Ensley asked if she had called Pueblo County Animal Control to come out and resolve the matter. Chelsie Kersey stated that animal control has been called multiple times by different residents of the Town and that they have come out and issued warnings to the property owner. The Board determined that the dogs reside at the property of account #37. The Board reviewed Ordinance #27 in regard to dogs at large. Sheila Henderson made a motion to instruct Jocelyn Ensley to provide a written violation warning letter notifying account #37 of Ordinance #27 and of the following penalties if the account holder continues to violate the Ordinance: First Offense- warning letter, Second Offense- \$25.00 violation fee per animal, Third Offense: \$50.00 violation fee per animal, Fourth Offense and any thereafter: \$100.00 violation fee per animal. Patrick Ryan seconded the motion. The motion passed unanimously.
- Patrick Ryan approached the Board as an individual resident of the Town to file a complaint and requested to abstain from Board discussion of the complaint and to abstain from voting on the matter. The Board agreed. Patrick Ryan stated that one (1) black and white pit-bull mix and/or American bulldog mix breed dog has been running at large and aggressively approaching properties, property owners, and property owners' animals. Patrick Ryan stated that said dog

attacked him, pushing him to the ground injuring his shoulder and biting his hand. Patrick Ryan provided the address of where the dog resides to Jocelyn Ensley. He stated that the dog has been at large consistently and poses a public threat to the community, especially children. The Board determined that the dog resides at the property of account #91 and belongs to the current renters. The Board reviewed Ordinance #27 in regard to dogs at large. Kathy MacCormack made a motion to instruct Jocelyn Ensley to provide a written violation warning letter notifying account #91 of Ordinance #27 and of the following penalties if the account holders renters continue to violate the Ordinance: First Offense- warning letter, Second Offense- \$25.00 violation fee per animal, Third Offense: \$50.00 violation fee per animal, Fourth Offense and any thereafter: \$100.00 violation fee per animal. Chelsie Kersey seconded the motion. The motion passed unanimously.

Staff Updates: N/A

### New Business

- Jocelyn Ensley provided the Board with the 2024 Regular Monthly Meeting calendar.
- The Board read and reviewed Resolution 2023-8 Adopting 2024 Budget. Patrick Ryan made a motion to approve Resolution 2023-8 Adopting 2024 Budget. Sheila Henderson seconded the motion. The motion passed unanimously.
- The Board read and reviewed Resolution 2023-9 Set Mill Levies. Chelsie Kersey made a motion to approve Resolution 2023-9 Set Mill Levies. Patrick Ryan seconded the motion. The motion passed unanimously.
- The Board read and reviewed Resolution 2023-10 Appropriating Sums of Money. Sheila Henderson made a motion to approve Resolution 2023-10 Appropriating Sums of Money. Sandra Steele seconded the motion. The motion passed unanimously.
- The Board read and reviewed Resolution 2023-11 Town of Rye Board of Trustees Standards of Conduct and Rules of Procedure. Sheila Henderson made a motion to approve Resolution 2023-11 Town of Rye Board of Trustees Standards of Conduct and Rules of Procedure. Chelsie Kersey seconded the motion. The motion passed unanimously.
- Jocelyn Ensley provided an outline of Title 31 in the Colorado Revised Statutes to the Board and explained that Title 31 states all of the C.R.S for election rules, procedures, definitions, etc. and is available online if the Board would like to review them in depth individually. Jocelyn Ensley stated the 2024 election will be held on April 2, 2024. Jocelyn Ensley explained the current seat holders' terms, when their term seats expire, and how/when the newly elected or appointed Board Members will take their seats for their elected and/or appointed terms. Jocelyn Ensley explained the rules and procedures of when Nomination Petitions will be available for pick-up, drop-off, and circulation. Jocelyn Ensley explained the requirements needed to cancel an election and that public notice will be given to call for nominations and to notify the public of an election or cancellation of election.
- The Board reviewed the C.R.S. regarding qualifications and requirements of electors eligible to hold elected office.
- Jocelyn Ensley stated that typos have been made to correct the word "thirty (30)" and to correct the word "designated" per the attorney's advisement to Ordinance 2021-3 Rye Public Nuisance

Ordinance. Sheila Henderson made a motion to approve the typo corrections to Ordinance 2021-3 Rye Public Nuisance Ordinance per the attorney's advisement. Chelsie Kersey seconded the motion. The motion passed unanimously.

- Kathy MacCormack inquired how Board member votes are recorded in the meeting minutes. Jocelyn Ensley stated that all votes are recorded as voted upon on record in the meeting minutes. Jocelyn Ensley gave the example that if all Board votes are yay the meeting minutes will reflect that by saying "the motion passed unanimously". Jocelyn Ensley stated that if there are mixed yay and nay votes by the Board, the votes are then recorded individually, stating all of the Board members names with their vote, and ending with if the vote passed or failed with the number of yay versus nay votes side-by-side.

### Adjournment

At 8:45 p.m., Chelsie Kersey made a motion that the Board close the regular meeting. Kathy MacCormack seconded the motion. The motion passed unanimously.

  
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Marty Rahl, Mayor

  
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Jocelyn Ensley, Town Clerk

The Next Regular Session meeting will be held on  
January 10, 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 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).*