

TOWN OF RYE
RECORD OF PROCEEDINGS
February 8, 2023

Regular Board Meeting:

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 Dufty, Trustee; Patrick Ryan, Trustee; Chelsie Kersey, Trustee; Markus Buck, Trustee; Sandra Steele, Trustee; Jocelyn Mower, Clerk; Chris Elliott, Resident and Bran Elliott, Resident. Those absent were: N/A.

Audience Participation

Chris Elliott addressed the Board of Trustees. Mr. Elliott presented his January 2023 water and sewer billing statement with concerns pertaining to his fixed sewer usage rate for the 2023 year. Mr. Elliott stated that due to a water leak that has gone unfixed since 2022 his water usage rate has been higher than normal and subsequently drove the 2023 sewer usage rate up. Mr. Elliott requested that the Board consider adjusting his 2023 fixed sewer usage rate. Mayor Rahl stated that allowing an adjustment for this type of issue will set a precedent for the Town. Mayor Rahl went on to state that there are no currently policies pertaining to sewer usage adjustments and that the Board will need to take Mr. Elliott's concerns under advisement of the Town attorney before determining whether a new policy will need to be created to address this matter. Jocelyn Mower stated that a response to Mr. Elliott's request will be sent by letter once the Board has made a decision regarding his request. Markus Buck instructed Jocelyn Mower to ask the Town attorney for advisement on whether other municipalities have had their sewer usage rates challenged by account holders and how this could negatively impact the Town.

Consent Agenda Items

- Sheila Henderson made a motion to approve the January 11, 2023- Regular Monthly Board Meeting Minutes. Kathy Dufty seconded the motion. The motion passed unanimously.
- The ORC Water Treatment Plant End of Month Report was reviewed by the Board. Mayor Rahl also stated that Ben Keilly with CDPHE has nominated the Town of Rye to receive a CDPHE Assistance Grant for the Water Treatment Plant. This grant will help to cover the matching funds needed for the DOLA grant that was approved for the GAC Project.
- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. The Board instructed Jocelyn Mower to send a letter to account #44 requesting a plan of action to repair the water leak on the property that has resulted in excessive water usage for over a year. The Board instructed Jocelyn Mower to ask the Town attorney to advise on disconnecting accounts that have excessive water usage and/or have water leaks resulting in water loss over long periods of time. The Board discussed account #93 and instructed Jocelyn Mower to send a letter

requesting an update of the new builds on the property including how many efficiency units have been connected to the currently metered water and sewer lines.

- The Town of Rye Summary of Accounts, RVS Systems Totals Report and CCMD Sewer Flow Chart were reviewed by the Board.
- The Summary Aged Receivables were discussed by the Board. Past due accounts were called by Jocelyn Mower and reminded of their past due balance as well as the current due balance. The Board instructed Jocelyn Mower to issue a disconnect letter for all delinquent accounts surpassing 61+ days in payment.
- 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. Kathy Dufty seconded the motion. The motion passed unanimously.
- The Board reviewed the Profit & Loss and Balance Sheets.
- The Master Calendar was reviewed. Jocelyn Mower has updated the calendar to reflect the date and name of persons completing monthly items. Jocelyn Mower stated that training for Board members will need to be completed in the 2023 year and a work session will be scheduled later in the year to accomplish this for insurance purposes.

Unfinished Business

- Jocelyn Mower stated that a request for a water data study for a water tap moratorium including water allotment, water production, and population capacity for water usage has been made to the ORC for the Board to review. The water data will be provided to the Board as soon as it is received so that a decision can be made.
- Jocelyn Mower stated that the annual CIRSA Audit was deferred to 2024 by CIRSA due to the high score received in 2022. Jay Williamson with CIRSA did come out on February 7, 2023, to walk around Town Hall and the Water Treatment Plant and did not indicate any immediate problems. Jocelyn Mower stated that as soon as his recommendation letter is received it will be provided for the Board for review. The Rye Fire Department annual inspection was reviewed by the Board.
- The Board reviewed a quote from Gonzales Electric for electrical maintenance repairs needed at the Rye Triangle. Chelsie Kersey made a motion to approve the electrical maintenance quote from Gonzales Electric for the Rye Triangle under the terms that all labor is included in the quote and that if any additional work needs to be performed that approval is given by the Board prior to the additional work beginning. Markus Buck seconded the motion. The motion passed unanimously.
- The Board reviewed the updated Water & Sewer Accounts spreadsheet.

Reports

CPA Update: N/A

Attorney Update: N/A

Trustee Updates:

- Sheila Henderson stated that the woodburning stove located in the garage at Town Hall, that is allocated to her, will be removed from the building in the near future.

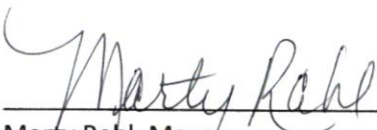
Staff Updates: N/A

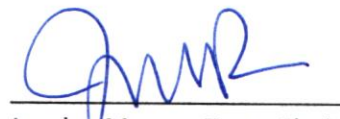
New Business

- The Board read, acknowledged, and signed the Consent for Possession of Firearm document for Trustee, Kathy Dufty. Sandra Steele requested a Consent for Possession of Firearm to be prepared for herself. Jocelyn Mower stated that she will prepare the document for the next regular monthly meeting.
- The Board read and reviewed Resolution 2023-3 Audit Exemption. Sandra Steele made a motion to approve Resolution 2023-3 Audit Exemption. Patrick Ryan seconded the motion. The motion passed unanimously.
- Marty Rahl stated that due to low moisture received this winter and a lack of snowpack on the Greenhorn Mountain, she is concerned for the raw water resources from the Greenhorn Creek during the 2023 year for the Town. The Board discussed the possibility of a water emergency resulting in the Town not having enough water to provide to all residents as well as the District 70 Schools who receive treated water from the Town. The Board instructed Jocelyn Mower to ask the Town attorney about the process of determining if water and sewer account holders within the proper boundaries of the Town can have precedence to treated water over account holders who reside outside of the proper boundaries of the Town to help conserve water. Marty Rahl stated that she will send a letter to District 70 informing them of the emergency water possibilities that could occur during the 2023 school year and advise them of the serious impact that could affect the local schools if there is no raw water to treat at the water treatment plant.
- The Board reviewed the insurance claim for the Town Hall roof replacement. The Board instructed Jocelyn Mower to request quotes for repair from various contractors to be presented to the Board for approval.
- Patrick Ryan stated that a misprint was published in the Greenhorn Valley View regarding the DOLA grant funds approved for the GAC project for the Town. Sheila Henderson confirmed that the amount of "\$540,000" was stated as approved and published in the Greenhorn Valley View and that the correct amount approved by DOLA and stated in the Board approved December 14, 2022, Meeting Minutes was \$40,000. The Board instructed Jocelyn Mower to contact the Greenhorn Valley View and request that a retraction and correction be made so that misinformation about the Town's revenues is not spread in the community.

Adjournment

At 8:30 p.m., Sheila Henderson made a motion that the Board close the regular meeting. Markus Buck seconded the motion. The motion passed unanimously.


Marty Rahl, Mayor


Jocelyn Mower, Town Clerk

**The Next Regular Session meeting will be held on
March 8, 2023, 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).