

**TOWN OF RYE**  
**RECORD OF PROCEEDINGS**  
**February 9, 2022**

Those in attendance of Executive Session were Marty Rahl, Mayor; Sheila Henderson, Mayor Protem; Patrick Ryan, Trustee; Larry Sisk, Trustee; Markus Buck, Trustee (via phone); Jocelyn Mower, Clerk.

**Executive Session**

**Personnel:** For discussion of a personnel matter under CRS Section 24-6-402(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.

**Adjournment**

**Regular Board Meeting:**

**Call to Order/Roll Call**

Mayor, Marty Rahl called the Regular Monthly Board Meeting to order at 5:58 pm at the Town Hall at 2067 Main Street in Rye, Colorado. Those in attendance were as follows: Marty Rahl, Mayor; Sheila Henderson, Mayor Protem; Patrick Ryan, Trustee; Larry Sisk, Trustee; Levi Bernal, Trustee (via phone); Markus Buck, Trustee (via phone); Madison Rokich, Water Operator; Jocelyn Mower, Clerk. Also present were: Greg Colter, Colorado Rural Water; Mike Pence, business owner of Rye Café; Dennis Noonan, property owner; and Gerry Miller; property owner. Those absent were: Sandra Steele, Trustee; Gib Rokich, Water Operator; Richard Hopp, Operator in Responsible Charge. The Pledge of Allegiance was recited.

**Audience Participation**

Mike Peck addressed the Board to revisit his request to obtain a liquor license for his business, the Rye Café, that is within the Town boundaries. He acknowledged that the Town's attorney advised the Board to deny his previous request. Mr. Peck explained that based off information he has obtained after being denied of the liquor license, there may be a loophole to obtain a license if the Board of Trustees unanimously votes in favor of the decision. He asked if the Town attorney was aware of this information and if the Board can get confirmation from the attorney. Marty Rahl asked Mr. Peck if he has contacted the school district about this matter and he stated that he has not. Jocelyn Mower was asked by the Board to present the information Mr. Peck provided to the Town attorney.

Dennis Noonan addressed the Board regarding violations that were issued in December 2021 due to Ordinance 2021-3. Mr. Noonan presented pictures of the progress he has made in cleaning up his property. Mr. Noonan stated that the vehicles on his property are inoperable and filled with personal items and that one vehicle has a tree growing through the engine. He explained that he has listed vehicles online to be sold and has a mechanic scheduled to fix inoperable vehicles. Mr. Noonan requested that the Board allow him more time to bring his property into compliance. Marty Rahl advised Mr. Noonan to prepare for weed preventive measures once the property is cleaned up to avoid further issues. Patrick Ryan asked Mr. Noonan how long of an extension he's requesting. Mr. Noonan said that he thinks he can get the property clean by the end of the month. Mrs. Rahl acknowledged that would only give Mr. Noonan roughly 2 weeks of an extension. Sheila Henderson stated that it took Mr. Noonan 5 days to clear one camper van of debris, personal items and get it relocated and that she believes it will take him longer than 2 weeks to get the property compliant. She then asked him if he can put his belongings inside the building on his property. Mr. Noonan agreed that he can do that. Sheila Henderson added that the roof is collapsing on that building and he will need to get it repaired and Mr. Noonan said he will fix it. Patrick Ryan recommended Mr. Noonan ask for a longer extension time frame. Mrs. Henderson stated that the piles of lumber, debris, items, etc. must be cleaned up and/or stored out of public view. She then clarified that since he was given notice of violation in December of 2021 that he has 90 days before fines will be assessed for the inoperable vehicles on his property as of May 1<sup>st</sup>, 2022. Patrick Ryan made motion to give Dennis Noonan an extension until March 15<sup>th</sup>, 2022, to bring his property into compliance with Ordinance 2021-3. Markus Buck seconded the motion. The motion passed unanimously except for Sheila Henderson who abstained from voting.

Gerry Miller addressed the Board regarding the water and sewer rate increase that became affective January 2022. Mr. Miller stated that his bill increased by 30% and expressed that he is outrageous over the increase. He acknowledged the receipt of notice given by the Town of Rye regarding the expected increase. Patrick Ryan explained that in 2021 the Town paid to have a Rate Study performed to assess the Town's cost in providing water and sewer services to the residents of Rye. Mr. Ryan stated that if these increases were not issued that the Town will be unable to cover the overhead costs needed to run the Water Treatment Plant in the coming years. Marty Rahl explained that legally we can only use a specific amount of water from the creek and that we must produce and treat all water. She went on to say that the Town is required to pay an ORC (Operator in Responsible Charge) to be compliant with CDPHE. The Board clarified that there will be a 3% increase each year for the next 5 years for all residents and that the state of Colorado is regulating and requiring these changes. Mr. Miller expressed that he understood the position the Town is in and thanked the Board for the information and clarification. Mr. Miller presented his water bill and a check for the full amount due to the Board.

### **Consent Agenda Items**

- Marty Rahl added the following items to the February 9, 2022, Monthly Board meeting Agenda: Efficiency Units & Rate Increase follow up and account #7 water line break on 2/5/2022.
- Marty Rahl asked Jocelyn Mower to remove the maintenance item "May 2021 CD's" from Gib Rokich's maintenance list as it has been completed. Patrick Ryan made a motion that the Minutes of the January 12, 2022, regular Board of Trustees Meeting be approved. Larry Sisk seconded. The motion passed unanimously.