

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

Call to Order/Roll Call

Mayor, Marty Rahl called the Regular Monthly Board Meeting to order at 6:01 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; Markus Buck, Trustee; Madison Rokich, Water Operator; Jocelyn Mower, Clerk. Also present were: Greg Colter, Colorado Rural Water; Mike Pence, business owner of Rye Café; Randy Smith, property owner; Tammy Smith, property owner; Jason Willis, property owner; Lisa Willis, property owner; and Wade Wills, The Chimney Specialist. Those absent were: Sandra Steele, Trustee; Levi Bernal, Trustee; Gib Rokich, Water Operator; Richard Hopp, Operator in Responsible Charge. The Pledge of Allegiance was recited.

Audience Participation

Tammy Smith addressed the Board concerning paying employees daily commute mileage reimbursement and the Regular Board Meeting Agenda for 3-9-2022, stating "Volunteers for Maintenance". Marty Rahl, Mayor, explained that the Town of Rye employee contracts are a personnel matter that is to be discussed in executive session by the Board of Trustees. Marty Rahl also explained that the Board is not requesting "Volunteers for Maintenance" from citizens of the Town, but rather from the Board of Trustees.

Jason Willis addressed the Board regarding the water and sewer rate increase that became effective January 2022, as well as concerns for the lead contaminates letter that has been sent to residents from the Town on February 28, 2022. The Board clarified the reasons for the necessary water and sewer rate increase and explained 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 the state regulations that are required by the Town of Rye for water sampling and the required violation notices that have been distributed per CDPHE. Mr. Willis also expressed his frustration with being required to have a backflow prevention system installed even though single resident homes are not required to have them installed. Mrs. Rahl explained that the State of Colorado requires Businesses, Churches, and Multi-resident properties to have a backflow prevention system installed. Mr. Willis asked the Board to provide him with the lead level for the last violation and asked the Board if any galvanized or lead service lines exist in the Town. The Board instructed Jocelyn Mower to help gather this information and provide it to Mr. Willis.

Mike Peck addressed the Board regarding his request to obtain a liquor license for his business, The Rye Café. Marty Rahl explained the Town's attorney response to this matter. The Town's attorney had notified the Board that the Town would be required to create a Liquor Board that would oversee the application and permitting process and that it is not a simple "yes or no" answer that the Town can give Mr. Peck. Marty Rahl explained that this would be a long process and asked Mr. Peck to contact State

officials who would be able to meet with the Board to explain what the process would require so that the Board can determine if it's something they wish to pursue.

Wade Wills addressed the Board to see if they had received any complaints or concerns regarding his plowing operations in the community and ensure the Board is satisfied with his services. Larry Sisk asked Mr. Wills if he can plow the walkway between the Town Hall and the Rye Post Office. Mr. Wills stated that he will see if this can be achieved but did not guarantee that he can perform the work without ruining the brick work. The Board let Mr. Wills know that it is not a priority due to the decision made to purchase a snowblower to clear the walkway.

Consent Agenda Items

- Sheila Henderson made a motion that the Minutes of the February 9, 2022, regular Board of Trustees Meeting be approved. Markus Buck seconded. The motion passed unanimously.
- The Water Treatment Plant Executive Report, provided by Richard Hopp, was presented to the Board with the information that was available. The Board, Greg Colter, and Madison Rokich reviewed the data and expressed concerns over the continued water loss the Town is experiencing each month. Madison Rokich provided an update regarding the caustic progress, stating that the system is fully installed and in service. She also let the Board know that the Town will need to purchase a spare NTU Controller in the case of an emergency so that water service to residents is not affected. Madison also updated the Board regarding the underground tank leak at the water treatment plant. Due to this leak the tank was losing 2ft. of water per day. She explained that the water operators were able to plug the valve that is believed to be causing the leak but that the Town is still losing up to 8in. per day of water. The underground water tank was relined last year and is still under warranty. The company that relined the water tank has been contacted and will come to examine the water tank as soon as they can. Madison and Greg Colter explained that we will need to keep up to 3ft of water in the tank to prevent pressure issues. Greg Colter presented information for the Diamond Maps that has been utilized by the water operators. This GPS system will help the Town locate manholes, meters, etc. as well as break data into usable spreadsheets that will assist the Town's Water Operators. Madison has been working to get the Town's water and sewer map/blueprints information inputted into the Diamond Maps system and will continue to input data.
- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. Notes were written on the board packet copy so trustees could see concerns and explanations for unusual usage. Account #36 is believed to have a leak that was discovered earlier in the month by Jocelyn Mower. Jocelyn Mower contacted account #36 at that time to notify them of their high-water usage and suspected leak on their property. The account has contacted a professional service to assist them.
- The Town of Rye Summary of Accounts (with information available), RVS Systems Totals Report and CCMD Sewer Flow Chart were reviewed. The Board discussed the water loss issues and acknowledged the CCMD bill amount has increased since last month. Marty Rahl expressed the urgency in getting the meter recalibrated.
- The Summary Aged Receivables were discussed. Past due accounts were called by Jocelyn Mower and reminded of their late due accounts. They were informed of the past due balance

as well as the current due balance. Account #37 is past due by over 61+ days. Jocelyn Mower informed the Board that she spoke with the account that morning and that they would be bringing payment in full the following day. The Board instructed Jocelyn Mower to contact the account first thing in the morning to confirm they will bring payment and that if payment is not received to issue a Notice of Disconnect for Non-payment Letter to the property owner.

- 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. Calendar items are up to date.

Unfinished Business

The Board is waiting for a response from the Town attorney regarding information for the easement on the lagoon property. The Board asked Jocelyn Mower to follow up with the attorney. The Board also discussed the benefits of using the property as a Solar Farm to help bring revenue to the Town. The Board asked Jocelyn Mower to gather information on this process.

Mary Rahl instructed Jocelyn Mower to remove the sidewalk grants from the agenda until we can get assistance from Action 22.

The board discussed account #69 regarding Ordinance 2021-3 violations. As of March 9, 2022, the property has not been brought into compliance with the Ordinance. The Board clarified that the account was given an extension until March 15, 2022, to bring the property into compliance and that 6 days remain on the violation extension. Sheila Henderson motioned that as of March 16, 2022, if the property is not in compliance, the Board will assess the first violation fee in the amount of \$200, with an additional \$200 violation fee to follow every 7 (seven) days. The property owner is to be notified by letter every 7 (seven) days when the violation fees are issued until the property is brought into compliance. The violation fees are to be included on the water and sewer billing statement at the end of the month. Patrick Ryan seconded the motion. The motion passed unanimously. Markus Buck amended the motion to include the Board having the authority to raise the total dollar amount issued for these violation fees at anytime per Board approval. Sheila Henderson seconded the amended motion. The motion passed unanimously.

Jocelyn Mower confirmed that a notice of violation regarding Ordinance 2021-3 letter was sent again to account #87 as well as multiple phone calls to notify the account of the violation. As of March 9, 2022, there has been no response or request for extension from the property owner. Jocelyn Mower notified the Board that she contacted the Pueblo County Health Department to notify them of the public health concerns regarding the property. The Board provided a grace period from February 1, 2022-February 28, 2022, in hopes that the property owner would bring the property into compliance and/or allow them an opportunity to respond to the repeated notifications. Sheila Henderson motioned that as of March 1, 2022, the Board will assess the first violation fee in the amount of \$200, with an additional \$200 violation fee to follow every 7 (seven) days. The property owner is to be notified by letter every 7 (seven) days when the violation fees are issued until the property is brought into compliance. The violation fees are to be included on the water and sewer billing statement at the end of the month. As

well as, the Board having the authority to raise the total dollar amount issued for these violation fees at any time per Board approval. Patrick Ryan seconded the motion. The motion passed unanimously.

The Board instructed Jocelyn Mower to notify accounts #37 and #72, by letter, that they are in violation of Ordinance 2021-3.

The Board is waiting for a response from the Town attorney regarding information for an Ordinance pertaining to Dog Waste. The Board asked Jocelyn Mower to follow up with the attorney.

The Board is waiting for a response from the Town attorney regarding information for an Ordinance pertaining to a Pretreatment Program & Grease Control Program. The Board asked Jocelyn Mower to follow up with the attorney.

The Board discussed trustees volunteering for maintenance such as snow removal. The Board reviewed snowblower prices and specifications that was provided by Jocelyn Mower. Sheila Henderson motioned to purchase the Snow Joe, 22in., 15 AMP, Electric Snow Blower in the amount of \$169.00 from The Home Depot. Patrick Ryan seconded the motion. The motion passed unanimously.

The Board instructed Jocelyn Mower to remove "Review Honorarium Guidelines for Next Year" from the agenda.

Jocelyn Mower provided a quote from PALL for a new computer, upgraded licensing software, and installation to upgrade the system at the water treatment plant. Jocelyn Mower explained the security risks of the Town's current water treatment system to the Board and the urgency needed to protect the water treatment plant. The Board instructed Jocelyn Mower to contact Action 22 and set up a meeting to discuss finding a grant or state funds that can help the Town with the financial costs.

Marty Rahl asked Jocelyn Mower to add "Dark Skies Community Application" to the April 13, 2022 regular board meeting agenda.

Reports

Accountant/CPA Update:

Jocelyn Mower presented the 2021 Application for Exemption for Audit to be submitted. Sheila Henderson motioned to approve the 2021 Application for Exemption for Audit to be submitted. Patrick Ryan seconded the motion. The motion passed unanimously.

Jocelyn Mower presented PBI Consulting 2022 contract to continue service for the Town of Rye. Sheila Henderson motioned to approve PBI Consulting 2022 Contract. Markus Buck seconded the motion. The motion passed unanimously.

Attorney Update:

Trustee Updates:

Staff Updates:

The board reviewed the latest SOWs completed by Gib Rokich. Jocelyn Mower has updated the SOW's and maintenance log to reflect completed items. Marty Rahl asked Jocelyn Mower to remove the completed maintenance items from the water operator maintenance log that have been completed.

Jocelyn Mower notified the Board that backflow prevention certification reminder letters would be mailed out by March 31, 2022.

New Business

The Board reviewed Resolution 2022-3 for Exemption from Audit to be submitted with the 2021 Application for Exemption for Audit. Sheila Henderson motioned to approve Resolution 2022-3 for Exemption from Audit. Larry Sisk seconded the motion. The motion passed unanimously.

Adjournment

At 9:28pm Sheila Henderson made a motion that the Board close the regular meeting and enter Executive Session. Markus Buck seconded the motion. The motion passed unanimously.

Those in attendance of Executive Session were Marty Rahl, Mayor; Sheila Henderson, Mayor Protem; Patrick Ryan, Trustee; Larry Sisk, Trustee; Markus Buck, Trustee; and 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.

Regular Meeting

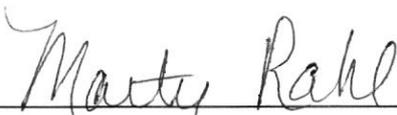
At 9:28pm, Sheila Henderson made a motion that the Accounts Payable/Transfer of Funds from appropriate accounts be paid, to exclude daily commute mileage reimbursement, and that appropriate funds be transferred per the Checks Written form. Patrick Ryan seconded. The motion passed unanimously.

Patrick Ryan motioned to accept the Water Operator Contract, amended version, to not include daily commute mileage reimbursement. Sheila Henderson seconded the motion. The motion passed unanimously.

The Board instructed Jocelyn Mower to update the Town of Rye Policy Manual to include that no employee including Clerk, Water Treatment Operator, etc. will be paid for daily commute to work mileage reimbursement.

Adjournment

At 9:35pm, Sheila Henderson made a motion that the Board close the regular meeting. Patrick Ryan seconded the motion. The motion passed unanimously.



Marty Rahl, Mayor



Jocelyn Mower, Town Clerk

**The Next Regular Session meeting will be held on
April 13, 2022, 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).