

TOWN OF RYE
RECORD OF PROCEEDINGS
October 11, 2023

Call to Order/Roll Call

Marty Rahl called the Regular Monthly Board Meeting to order at 6:05 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; Chelsie Kersey, Trustee; Patrick Ryan, Trustee; Jocelyn Ensley, Town Clerk; Brooke Boisvert, owner of Mama Bear Day Care; Laney Docktor, owner of Mountain Blooms by Laney; Chance Docktor, owner of Mountain Blooms by Laney; Greg Colter, Colorado Rural Water. Those absent were: Markus Buck, Trustee; Sandra Steele, Trustee.

Audience Participation

Laney Docktor addressed the Board inquiring about whether the new sidewalk ordinance would prevent her from placing a sign outside of her business. Sheila Henderson stated she is allowed to have a sign in front of her own business.

Consent Agenda Items

- Chelsie Kersey made a motion to approve the September 13, 2023- Regular Monthly Board 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. The Board reviewed and discussed a compliance advisory letter from CDPHE pertaining to the ORC licensing status. The Board then reviewed and discussed a quote for ORC services provided by RH Water & Wastewater. The Board discussed the possibility of retaining Ryan Jacob as a mechanical engineer and contractor for the Town of Rye Water Treatment Plant. Marty Rahl stated that the Town is waiting on a response from Ben Keilly with CDPHE and that his response will provide a timeline so that the Board may have all the information to make a decision in regard to the compliance advisory letter. The Board agreed to hold an emergency meeting on Friday, October 20, 2023, at 9:00 a.m. to continue the discussion. Sheila Henderson let the Board know that she was unable to locate the discharge point for the emergency well and that further efforts will need to be made to locate it.
- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. Jocelyn Ensley updated the Board on the status of account #66 water leak, and that per her conversation the account holder will not have the time or money to locate and fix the leak before the deadline of October 31, 2023, and subsequently will forfeit their eligibility to apply for a water leak credit. The account holder understands that if a leak occurs over the winter months, they may risk having their water shut off by the Town per the Policy Manual.
- 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 due balance.

The Board instructed Jocelyn Ensley to issue disconnect letters for all delinquent accounts surpassing 61+ days in payment.

- Kathy MacCormack requested that the Board discuss a personnel matter. Marty Rahl explained that all personnel matters will need to be discussed in executive session and instructed Jocelyn Ensley to notify the Town attorney that the proper verbiage will be needed to add to next month's agenda so that the matter can be discussed at that time. 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 and that the Town purchase the chair rack from the Methodist Church for \$50.00. Sheila Henderson 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 read and reviewed a quote presented by Element Engineering to have the Water Treatment Plant water tanks cleaned and evaluated. The Board agreed to include the cost in the 2024 Budget but to table the topic until a later date due to having had the tanks cleaned within a relatively close timeframe.
- The Board discussed account #37 regarding Ordinance 2021-3 Public Nuisance. The Board acknowledged that an effort to clean up the property has been made but further efforts will be required for the account to come into compliance with the Ordinance. The Board agreed that violation fees will need to continue until the property is brought into compliance. The Board instructed Jocelyn Ensley to send a third violation letter to account #37 to include the findings of the Board and to include that all trash, junk, and junk cars will need to meet the requirements of the Ordinance and to explain the assessed violation fees in the amount of \$200 every 7 days starting retroactively on August 26, 2023, until the account is brought into compliance with Ordinance 2021-3.
- The Board read and reviewed a response letter sent by account #55 containing a variance request for Ordinance 2022-10 IP Program & Grease and Oil Management Program. Sheila Henderson made a motion to approve the variance request submitted for the tenant of account #55 for Ordinance 2022-10 IP Program & Grease and Oil Management Program, per Variance 1-A. Chelsie Kersey seconded the motion. The motion passed unanimously.
- Jocelyn Ensley updated the Board the Fire Departments follow up on the Tiny Home project and stated that Steve Bennet confirmed that everything is in compliance and no further action is needed at this time.
- The Board read and reviewed the CIRSA 2024 Property/Casualty Insurance Quote. Sheila Henderson made a motion to approve the CIRSA 2024 Property/Casualty Insurance Quote to be paid in full in January 2024. Patrick Ryan seconded the motion. The motion passed unanimously.
- The Board read, reviewed, and discussed the 2024 Budget Draft. The Board instructed Jocelyn Ensley to add \$15,000.00 for Water Tank Maintenance under the Water Expense and to add \$50,000.00 for Main Sewer Line Emergencies under the Sewer Expense. Public Notice will be made in the Greenhorn Valley View on October 12, 2023, so that the public may be given time

to review it. The Board will continue to review the 2024 Budget at the November 8, 2023, regular monthly board meeting.

- The Board discussed the Tree Lighting Ceremony scheduled for Saturday, December 2, 2023. The Board instructed Jocelyn Ensley to contact Powerhouse Exteriors and schedule them to put the lights on the tree on the corner of Main Street and Highway 165 the weekend following November 24, 2023, and to also contact Terry Golly to place the lights along Main Street. Jocelyn Ensley will reach out to Pastor Ken with the Methodist Church about having the church help provide refreshment services such as hot coco, hot cider, and cookies to the public. Chelsie Kersey stated that she will contact an acapella group who may be able to perform and sing songs at the event and that she will help to put the event together. The Board instructed Jocelyn Ensley to include a letter to all businesses and residents informing them of the event and welcome them to place lights and/or seasonal decorations on their properties. Main street will remain open for the event and will not require an officer to help with traffic crossing.

Reports

CPA Update:

Attorney Update:

Trustee Updates:

- Chelsie Kersey stated that new speed limit signs are needed in Town and requested that the Board continues discussing the possibility of installing dips within the Town boundaries. Jocelyn Ensley stated that she will get quotes for the speed limit signs to be presented at the next meeting and that she will add the topic of speeding dips to the November 8, 2023, agenda.
- Patrick Ryan inquired about a manhole he discovered on Boulder. Jocelyn Ensley stated that she will have Matt Smith contact him so that they can ensure it is added to the Town GIS Mapping.

Staff Updates: N/A

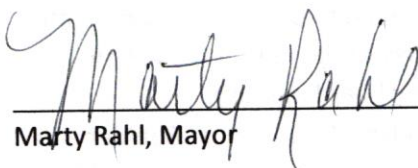
New Business

- The Board read and reviewed the Franchise Agreement renewal between the Town and Rye Telephone Company LLC. Patrick Ryan made a motion to approve the Rye Telephone Company LLC Franchise Fee Agreement with the Town of Rye which will expire on October 10, 2028. Sheila Henderson seconded the motion. The motion passed unanimously.
- The Board discussed account #69 in regard to the property being in violation of Ordinance 2021-3 Public Nuisance. Sheila Henderson stated that at least one vehicle is not registered on the property and that trash and debris can be seen from the public view. Chelsie Kersey stated that a violation letter should be sent to notify them that corrective action will need to be taken to avoid fees being assessed and/or third-party services being rendered to bring the property into compliance. Jocelyn Ensley stated that she will notify the attorney of the matter to seek their professional opinion to be presented at the next regular monthly board meeting.
- The Board discussed the possibility of needing to mitigate the culvert located near Boulder and Petersen. The Board instructed Jocelyn Ensley to obtain a quote from V&S Landscapes and Terry Golly to perform these services.

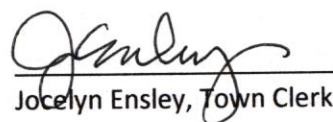
- The Board discussed the current services being provided by General Informatics/CMS IP Technologies for the Town of Rye. Patrick Ryan made a motion to cancel all services with General Informatics/CMS Ip Technologies. Chelsie Kersey seconded the motion. The motion passed unanimously.
- The Board read and reviewed Resolution 2023-7 Supplemental Budget and Appropriation. Chelsie Kersey made a motion to approve Resolution 2023-7 Supplemental Budget and Appropriation a Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for the Town of Rye, Colorado, for the 2023 year. Kathy MacCormack seconded the motion. The motion passed unanimously.
- The Board read, reviewed, and discussed a formal letter sent from CDPHE in regard to the new Lead and Copper Rules that have taken effect in 2023. The Town of Rye, as well as all other municipalities and areas that provide water services to the public in Colorado, will be required to provide a service line inventory showing any and all lead and copper service lines. All lead and copper service line inventory forms will be required to be received by CDPHE by October 2024. The Board will schedule a meeting with Scott Thomas with Colorado Rural Water to discuss the matter as well as work with Ben Keilly with CDPHE to ensure the Town is in compliance with the new rulings. Jocelyn Ensley has completed the early approval process for small systems that gives smaller rural communities the opportunity to receive grant funds that will pay to have a third-party company perform the lead and copper inventory for the Town. Jocelyn Ensley will add this topic to the agenda to be reviewed at every meeting until it is completed.
- Jocelyn Ensley notified the Board of Proposition HH that will be on the ballot for Colorado residents to be voted on this election year. Jocelyn Ensley explained that in the case it is voted and approved by the people of Colorado the Town will need to comply with whatever outcome is determined due to it being a state matter. Jocelyn Ensley clarified that this is being brought to the Boards attention because this may modify the Towns 2024 Budget after approval later in 2024 and that she will work with the CPA to ensure that all laws and regulations are followed and that any and all changes that are necessary will be brought to the Boards attention.
- The Board read and reviewed a quote provided by Little Digger Construction to clean the head water holding ponds for the water treatment plant. Kathy MacCormack made a motion to approve the quote provided by Little Digger Construction. Chelsie Kersey seconded the motion. The motion passed unanimously.

Adjournment

At 9:20 p.m., Patrick Ryan made a motion that the Board close the regular meeting. Kathy MacCormack seconded the motion. The motion passed unanimously.



 Marty Rahl, Mayor



 Jocelyn Ensley, Town Clerk

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