

TOWN OF RYE
RECORD OF PROCEEDINGS
September 13, 2023

Call to Order/Roll Call

Marty Rahl called the Regular Monthly Board Meeting to order at 5:00 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; Markus Buck, Trustee; Chelsie Kersey, Trustee; Sandra Steele, Trustee; Patrick Ryan, Trustee; Jocelyn Ensley, Town Clerk; Sheriff Dave Lucero; Christopher Martinez, Resident. Those absent were: Kathy MacCormack, Trustee.

Regular Meeting

Mayor Rahl welcomed Sheriff Dave Lucero to the Town of Rye and thanked him for coming to speak with the Board of Trustees and community.

Sheriff Dave Lucero opened his presentation stating that he recently held a meeting in Colorado City where many residents came and participated and stated that he is never too busy to meet with the community and he will continue to hold meetings and help answer any questions the community has. He provided a "real time" view of the call screen on his computer which shows current calls being made through dispatch and assigned to local deputies. He then provided a geographical map of the "real time" dispatched calls and all locations of on duty, active/unactive deputies. He stated that at the meeting in Colorado City there was a lot of feedback from residents that there aren't any deputies present within the Greenhorn Valley community. After that meeting, he felt compelled to run a report that showed all calls, reports, and deputy activity in the Southern District that specifically covers Beulah, Colorado City and Rye. The report provided evidence of a deputy within the Southern District 24 hours a day and verified that at least one deputy will continue to cover the Southern District 24 hours a day on top of local deputies in the area that are available for emergency situations when and/or if needed. Sheriff Lucero explained that Pueblo County is the backup Emergency Operations Center for the State, behind Denver, and that in the case that Denver could not handle or cover an emergency situation they are prepared to handle any State emergency situation if ever activated. This includes direct contact with the Pentagon but reiterated that this is only in the case that Denver "pulls the switch" and activates Pueblo County to take over. Sheriff Lucero stated that he has been in law enforcement for over 24 years starting in Lamar and 18 years total in the sheriff's office. Sheriff Lucero then presented a customized report pulled specifically within the Town of Rye incorporated boundaries. He discussed the calls and reports that have come in between January 2023-June 2023 and stated that June 2023 had the peak criminal activity calls for the year for calls relating anywhere from traffic reports to domestic incidents. He reviewed 10 traffic complaints that had been reported from January 2023- June 2023. The Board explained that speeding is one of the most heavily discussed issues by Town residents and that they were surprised that more calls have not been reported. Sheriff Lucero emphasized that all residents need to feel empowered to call for all suspicious activity and traffic complaints, because without the reporting he is unable to receive the data that is needed for the Pueblo Sheriff's Department to analyze. He stated examples of citizen reporting that helped lead to deputies being able to charge individuals for

crimes that had been committed and that without citizens reporting the activity, it could have taken longer to catch these criminals. He then went on to explain that the Town of Rye is relatively safe compared to other local communities and shared a report showing only 2 Assault charges in the Town in 2022 and 2 Assault charges in the Town in 2023. He then stated that there is a nationwide staffing shortage and that locally he believes this comes down to the legislature that has been passed in the State. He then stated that his campaign promise was to bring back a dedicated traffic control unit to Pueblo County, which due to the staffing shortage has proved to be difficult. His solution in the meantime has been to deputize 8 Pueblo County Officers and give them the authority to help cover these additional traffic control stops. He hopes to eventually be able to fulfill his promise and provide a full-time, full traffic control unit. Sheriff Lucero went on to say that the new jail is underway and is expected to be completed within the next 18 months to 2 years. Sheriff Lucero then pivoted the conversation to speak about safety concerns surrounding District 70 Schools. He logged into a program that is available on all deputy MDC's (Mobile Data Computers) and at all OP Center's and proceeded to show the Board live feeds of Rye Elementary School cameras including the entire outdoor premises, all classrooms, all hallways, all entrances/exits, lunchrooms, gym, all offices, etc. This gives law enforcement the advantage of having a "Big Brother" eye in the case of an emergency or in circumstances that they need to review criminal activity in schools. He reiterated that these camera systems are installed in all District 70 schools including Rye Elementary, Craver Middle School and Rye High School. Sheriff Lucero then showed a report on what it would cost the Town to have one stationed deputy in the Town 24 hours a day, the cost exceeded \$83,000 per year. He stated with the data he has showing relatively low confirmed criminal activity he does not believe that kind of support is needed at this time but with reports generated monthly showing all calls/reports and criminal activity he is able to dispatch additional deputies if and when it ever becomes a need as well as providing additional information to the community through social media to notify locals of criminal activity and crime alerts. Mayor Rahl informed Sheriff Lucero of the recent conversations surrounding Colorado City and the Development of a 20-year build out proposal to the community that includes a new Sheriff's station. The Sheriff stated that while they have kept the office in Colorado City for emergency purposes, such as a homicide where they would need to bring someone in for questioning, the need for brick-and-mortar offices is not needed in the area due to deputies being able to perform all of their work from their vehicles. Sheila Henderson asked about the possibility of installing traffic cameras for ticketing speeders in the area. Sheriff Lucero stated that it is unfortunately not a reliable source of ticketing unless the area is considered highly trafficked with high accident ratings. He stated that if residents call in to report traffic incidents such as speeding and provide details such as the make, model, and license plate of the vehicle as well as the name of the driver, if available, they can help perform a citizen arrest that results in these drivers being ticketed but it does require the caller to sign the ticket and show up to the court date. Sheila Henderson asked if due to being close to both Rye Elementary and Rye High School would it be possible to request the entire boundary of the Town of Rye be considered a School Zone so that speed limits can be lowered, and higher ticket fees can be assessed. Sheriff Lucero stated that would be a question for CDOT. Sheriff Lucero closed out his presentation stating that if anyone in the Town of Rye is interested in the reports or information, he provided in the meeting to contact him directly and he will provide it to them.

Audience Participation

Christopher Martinez addressed the Board in regard to a water leak on his property resulting in an excessively high-water bill for the month of July 2023. He provided all of the details surrounding his investigation to try to find the water leak which included contacting local plumbers, contractors, and performing water usage test around his home. The Board informed Mr. Martinez that if he is able to find the leak, get the leak fixed and submit proof to the Town that the issue has been resolved, before the end of October 2023, that he will qualify to submit a Water Credit Application. Chelsie Kersey recommended contacting the LDS missionary group to see if they are available to help him locate the leak.

Consent Agenda Items

- Sheila Henderson made a motion to approve the August 9, 2023- Regular Monthly Board Meeting Minutes. Markus Buck seconded the motion. The motion passed unanimously.
- The ORC Water Treatment Plant End of Month Report was reviewed by the Board. No updates were made available as the water treatment plant has been running smoothly with relatively no problems.
- The Water and Sewer Monthly Meter Usage (Billing Register) was reviewed. The Board instructed Jocelyn Ensley to contact account #33 and notify them that there may be a water leak on the property based upon higher than usual usage in the month of August. Account #121 is also believed to have a water leak, the Board approved getting it fixed prior to the winter months settling in.
- 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.
- Markus Buck 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

- Jocelyn Ensley asked the Board if they had any questions, concerns, complaints, or thoughts about the 2023 Town Square Fair. Sheila Henderson stated that kids on bikes seemed to disturb walking patrons and that no bikes, scooters, or skateboards need to be stated on social media for the 2024 event. Jocelyn Ensley stated that there were believed to be 1000+ attendees and that all Food Trucks reportedly ran out of food. She ensured that she would contact additional food trucks for the 2024 Town Square Fair as the event seems to grow each year.
- The second reading of Ordinance 2023-6 Sidewalk Responsibility was read aloud by Marty Rahl. Sheila Henderson made a motion to approve Ordinance 2023-6 Sidewalk Responsibility, an

Ordinance Establishing the Responsibility of Sidewalk Construction & Maintenance in the Town of Rye. Sandra Steele seconded the motion. The motion passed unanimously. Jocelyn Ensley stated that she will mail out the Ordinance to all residents in the September 2023 monthly billing for transparency, awareness, and notification to all property owners.

- 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. Sheila Henderson made a motion to assess the first round of violation fees due to the account holder not responding to the first violation letter by the required time frame and the property not being brought into compliance within the required timeframe. Chelsie Kersey seconded the motion. The motion passed unanimously. The Board instructed Jocelyn Ensley to send a second notification of 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 explaining 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 quote from Little Digger Construction for the installation of (2)-2in meters. Sheila Henderson made a motion to approve the quote provided from Little Digger Construction for the installation of (2)-2in meters. Chelsie Kersey seconded the motion. The Motion passed unanimously.
- Jocelyn Ensley advised the Board that sewer cleaning and CCTVing has been scheduled for September 26th and September 27th. This will allow the Town to assess any damage to current sewer lines and budget for any repairs that may be needed in 2024. Jocelyn Ensley stated that she will see if Matt Smith is available on these days to assist with the matter. Markus Buck stated that he can be available to assist if needed.
- Jocelyn Ensley presented a timeline of communication with account #55 in regard to Ordinance 2022-10 IP Program & Grease and Oil Management Program. The Board reviewed all notifications and correspondence ranging from December 2022 through September 2023 requesting compliance with Ordinance 2022-10, including a social Media post from account #55 stating the opening of the establishment on September 5, 2023. On September 11, 2023, confirmation from the Pueblo County Health and Environmental Department stated that the establishment is not approved for licensing and that no approval had been given to open the establishment. The Board reviewed emails from account #55 submitted on September 6, 2023, and September 11, 2023, showing a grease interceptor to be installed at the property. The Board then reviewed Sections F, G, H, and T of Ordinance 2022-10. The Board denied the submittal of the grease trap interceptor sent by email on September 6, 2023, and September 11, 2023, due to it not meeting the requirements of Ordinance 2022-10. The Board then assessed violations per Ordinance 2022-10 Section F-b-4, Section F-c-4, and Section H-b-3 and per Ordinance 2022-10 Section T-c-1 the Board agreed to assess a \$100 violation fee per day starting retroactively on September 5, 2023, unless, within five (5) business days of receipt of the violation notification account #55 provides in writing a submittal of plans and specifications for a grease trap interceptor that meets the requirements of Ordinance 2022-10 or submit a variance request that meets the requirements of Ordinance 2022-10. Jocelyn Ensley disclosed to the Board that she currently resides at a property owned and managed by the same property owner of account #55 and believes it is a conflict of interest to be involved in further communication

with the parties in regard to Ordinance 2022-10 violations until there is a resolution to the matter. The Board agreed and emphasized that moving forward all correspondence will need to be directed to Mayor Rahl and/or the Board of Trustees in regard to Ordinance 2022-10 violations until the matter is resolved. Mayor Rahl stated that she will personally draft a letter outlining the Board's findings and send it by certified mail to account #55 on September 14, 2023.

- Jocelyn Ensley informed the Board that the tiny home project for account #116 has successfully completed building two additional homes. Water and Sewer connections were installed by Little Digger Construction on June 28, 2023. Jocelyn Ensley stated that all applicable efficiency fees have been added to the account for billing purposes and that the Owner did not provide any additional information pertaining to any other future buildings at this time. The Board instructed Jocelyn Ensley to contact the Rye Fire Department and request a follow-up to ensure all buildings are in compliance with the previously agreed upon terms and request a report to be submitted to the Board.
- Jocelyn Ensley updated the Board on the heater replacement project at Town Hall. All three heaters have been successfully replaced, which included upgraded electrical connections. All three heaters were funded through donations provided by San Isabel Electric and Basin Power Electric Cooperative. A letter will be submitted to San Isabel Electric in regard to the completion of the project so that future donation requests can be considered.

Reports

CPA Update:

- Jocelyn Ensley stated that she will begin drafting the 2024 Budget with the CPA in the coming weeks and asked the Board if there are any upcoming projects that need to be included for 2024 year other than current existing projects. The Board agreed that meter replacement costs should continue into the 2024 budget. The Board is also interested in starting the process of having a study completed to build a wastewater treatment plant. Jocelyn Ensley stated that she will reach out to Element Engineering to request a quote from them for a study to be performed and that this cost can be offset through grant funding and will need to be included in the 2024 Budget in the case that the Town is able to lock in funding and move forward with the study.

Attorney Update:

- Jocelyn Ensley updated the Board on instructions and changes in process from the attorney on holding Executive Sessions. All Executive Sessions will be run by the attorney prior to adding them to the agenda and verbiage will be given from the attorney.

Trustee Updates:

- Sheila Henderson stated that planning of the first annual 2023 Tree Lighting Ceremony will need to begin. The Board reviewed the calendar and tentatively scheduled the event for Saturday, December 2, 2023. Jocelyn Ensley stated that she will add the topic to next month's regular monthly agenda for further discussion.

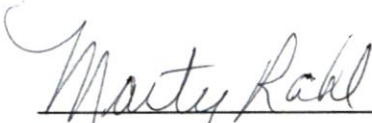
Staff Updates: N/A

New Business

- The Board read and reviewed the CIRSA 2024 Property/Casualty Insurance Quote. The Board discussed the tree limbs near the roof of Town Hall and instructed Jocelyn Ensley to get a quote from Terry Golly to remove them. Mayor Rahl instructed Jocelyn Ensley to get more information in regard to water lines ruptures and sewer backup. Jocelyn Ensley stated that she will request an extension from CIRSA to submit the approval of the quote in October 2023.
- The Board read and reviewed the Franchise Agreement renewal for CableCo. Patrick Ryan made a motion to approve the Franchise Agreement renewal between the Town of Rye and CableCo that will be good through April 30, 2027. Sheila Henderson seconded the motion. The motion passed unanimously.

Adjournment

At 9:05 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 Ensley, Town Clerk

**The Next Regular Session meeting will be held on
October 11, 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).