



Perry Park Water and Sanitation District
5676 West Red Rock Drive
Larkspur, Colorado 80118
www.ppwsd.org

Regular Meeting - April 17, 2024

Board Members Present

Brian Arthurs
Tony Lucas
James Maras
Jim Matchett
Gary Peterson

Visitors

Mike Centola
Lynn Greene
Julia McCusker

Staff / Consultants in Attendance

Michael Gerstner – TST Infrastructure, LLC
Alan Hill – Curtis, Justus, & Zahedi, LLC
Diana Miller – District Manager
Will Parker – President, Semocor, Inc.

1.0 Call To Order

The Regular Board Meeting was called to order at 14:00.

2.0 New Business and Open Items and Operational Status

- 2.1 Meeting Minutes – A motion was made and seconded; (RESOLUTION 24-027) TO APPROVE THE MINUTES OF THE MARCH 20, 2024, REGULAR BOARD MEETING OF THE PERRY PARK WATER AND SANITATION DISTRICT (PPWSD) AS AMENDED. The motion passed unanimously.

Director Peterson noted that a name was incorrect in Section 2.9.

- 2.2 Disbursements – A motion was made and seconded; (RESOLUTION 24-028) TO APPROVE ELECTRONIC PAYMENTS DATED MARCH 21, 2024 IN THE AMOUNT OF \$8,394.91 WHICH WERE PREVIOUSLY DISBURSED FROM 1ST BANK. The motion passed unanimously.

A motion was made and seconded; (RESOLUTION 24-029) TO APPROVE CHECKS 14091 THRU 14108 IN THE AMOUNT OF \$235,264.26 TO BE DISBURSED FROM 1ST BANK. The motion passed unanimously.

In reference to check 14102, issued to Mountain Peak Controls, Director Peterson requested additional information on the Description *Well Drives*. The District Manager advised that these were VFDs (Variable Frequency Drives) for the ground water wells on the east side of the District. The District Manager added that the VFD is used to control the speed of the pump by adjusting the frequency of the electrical power supplied. The District Manager added that this was associated with the Water

System Automation / SCADA project on the east side of the District. Mr. Parker added that these VFDs were purchased a year ago and the pricing has since gone up 30%.

In reference to check 14106, issued to TST Infrastructure, LLC, Director Lucas requested clarification on what effort is required for a Map Book Update. Mr. Gerstner advised that the map book update includes moving water and sewer mains and valves based on GIS (Geographic Information System) mapping data that did not exist at the time the original maps were created and analysis based on current information of future locations for water and sewer mains. These map updates allow the District to provide more accurate information to prospective vacant lot inquiries.

In reference to the same check, Director Arthurs expressed his frustration with the cost of the *Gove Ditch Metering Flume Construction* project and the precursors associated with the effort. Mr. Gerstner provided a status update. He advised that the Contractor is nearing completion of the required infrastructure to utilize the Gove Ditch water rights. Work remaining includes ditch regrading, electrical equipment installation, and rip rap installation. Mr. Gerstner estimated that the time remaining until work is completed is one to two months. Director Arthurs reiterated his frustration at the cost of the project and his relief that the project was close to completion.

A motion was made and seconded; (RESOLUTION 24-030) TO RATIFY CONSENT AGENDA ITEMS DATED MARCH 29, 2024, IN THE AMOUNT OF \$8,701.47 AND CONSENT AGENDA ITEMS DATED APRIL 12, 2024 IN THE AMOUNT OF \$8,378.52 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK. The motion passed unanimously.

2.3 District Property – 1802 Silverheels Drive – Director Peterson advised the Board that he wanted to make sure that all Board members had the opportunity to provide feedback on the Definitions of Working Relationships and Exclusive Right to Sell Listing Contract before they were executed. The District Manager offered that she had provided the documentation to the other Board members prior to the Board meeting. The District Manager advised that she had received feedback from two Board members, Directors Maras and Peterson. The District Manager offered that she had followed up with Mr. Caterina and that no large trees would be cut down and that Mr. Caterina’s contract was a standard Colorado real estate contract and that he had discounted his commission rate. The Board discussed the agreements and additional information. A motion was made and seconded; (RESOLUTION 24-031) TO AUTHORIZE DIRECTOR PETERSON TO EXECUTE THE DEFINITIONS OF WORKING RELATIONSHIPS AND EXCLUSIVE RIGHT TO SELL LISTING CONTRACT. The motion passed 4-0. Director Peterson abstained from the vote as he was included in the Resolution.

2.4 Legal Updates - Attorney Alan Hill updated the Board on the status of possible water service to three potential lots owned by Phoenix Larkspur, which include a consolidation of lots in the Meribel subdivision. Phoenix Larkspur is interested in including within the District’s boundaries. Its attorney has been informed that the District’s attorney fees associated with the possible water service (approximately \$30,000) must be paid to the District prior to any substantive inclusion discussions

proceeding. The inclusion process would include an updated feasibility study by TST, review by the District of HOA (Homeowners Association) documents and covenants, Phoenix Larkspur obtaining easements, negotiation of an inclusion agreement, and consideration by the Board of an inclusion petition. In addition, concern was expressed by the Board about future applications for additional taps being sought for any property included within the District, due to the inclusion fee and cash-in-lieu of water dedication fee being based on one tap per lot. Attorney Hill indicated that language will be included in the inclusion agreement to address this concern. Phoenix Larkspur is apparently focusing on its consolidation of lots through Douglas County and will contact the District when it is ready to move forward on an inclusion.

A discussion was had about the District's two conditional water storage decrees (125 acre-feet each for the Gravel Pit Reservoir and Waucondah No. 2 Reservoir), and the recent diligence decree entered for the Gravel Pit rights. The next diligence applications are due for the Waucondah No. 2 Reservoir and Gravel Pit Reservoir in 2029 and 2030, respectively. Additional discussion occurred about the value of these conditional storage rights, and the added efficiency in having a reservoir to store and manage the District's senior ditch rights, likely on the District's property on Bear Creek.

An update was provided on the Perry Park Metropolitan District's efforts to have Gateway Pond designated as a fire suppression pond, which would obviate the need for an augmentation plan (and the District providing augmentation water).

The initial draft of the District's updated rules and regulations has been sent to the District Manager, and it was suggested that a work/study session for the Board eventually be scheduled to review and comment on them.

- 2.5 Water Pressure Gore Drive – The Board reviewed and discussed the six-month e-mail string between the District Manager and resident Mr. Matt Amaturio regarding water pressure on Gore Drive. The Board also reviewed e-mails from Mr. Centola and Mr. Gerstner related to the same subject. Mr. Mike Centola also a resident attended the Board meeting to express the concerns regarding pressure changes and calculated pressure results. Mr. Centola requested that the District perform additional diligence to confirm that relevant water mains and hydrants are not leaking or blocked.

The Board agreed on two items. Mr. Parker is going to bring in a leak detection company that the District frequently works with, to perform leak detection analysis in surrounding areas. Mr. Gerstner is going to collect GPS (Global Positioning System) elevation data for modeling purposes in your direct area. This should provide a more precise pressure representation. As soon as the results are available, they will be provided to Mr. Centola and Mr. Amaturio.

- 2.6 District Systems Report – This was rescheduled until the May 15, 2024 Board Meeting.

- 2.7 Monthly Staff Report – The members of the Board reviewed the Monthly Staff Report that was presented by the District Manager. Director Lucas had two general ledger account balance questions.

The District Manager advised the Board that she had been contacted by Mr. Brett Patrick with the Bear Ridge development regarding a potential security requirement reduction as the project was getting closer to completion.

The Board reviewed the request and a cost estimate prepared by TST of remaining work based on Douglas County LID (Local Improvement District) costs and costs presented from Nordstrom, Mr. Patrick's contractor. Mr. Gerstner in attendance at the Board meeting, provided a status of the construction completed and expressed concern that water and sewer mains installed to date had not been tested. The Board then discussed the consideration they had already given. With that and the lack of testing completed, they declined Mr. Patrick's request.

- 2.8 Board Member Resignation - The members of the Board reviewed a letter of resignation submitted by Director Matchett. As Director Matchett was planning to move out of the District soon, he would lose his eligibility to be a Board Member. The Board thanked him for his years of service to the District and wished him the best in the future.
- 2.9 Nominations for Vacated Board Position – Director Peterson advised the Board and Audience that the District is requesting nominations for the vacated Board position. Director Peterson noted that there were none. Director Peterson then nominated Ms. Julia McCusker for the Board position. Director Peterson highlighted the high volume of participation by Ms. McCusker in Board Meetings over the past few years as well as her background in finance specifically, her work with rural water and wastewater systems.

Ms. McCusker graciously accepted the nomination made by Director Peterson.

A motion was made and seconded; (RESOLUTION 24-032) TO ACCEPT THE NOMINATION OF MS. MCCUSKER TO THE BOARD OF DIRECTORS OF THE PERRY PARK WATER AND SANITATION DISTRICT. The motion passed unanimously. The Board congratulated Ms. McCusker.

Director Peterson then administered Ms. McCusker's Oath of Office.

"I, Julia McCusker, do affirm that I will support the Constitution of the United States, the Constitution of the State of Colorado, and the laws of the State of Colorado, and will faithfully perform the duties of the office of Director of the Perry Park Water and Sanitation District upon which I am about to enter."

- 2.10 Audience Participation – There was none.
- 2.11 Board Member Discussion Items – Director Maras provided an update to the Board on the recent Douglas County Water Commission meeting. Director Maras advised the Board that representatives from Arapahoe, Elbert and El Paso counties

attended the Douglas County Water Commission meeting to discuss the Water Plans that they had developed.

Director Peterson expressed his gratitude and congratulations to Mr. Alan Hill who had acted as legal counsel in excess of twenty-five years for the District. The Board thanked him for his service to the Perry Park Water and Sanitation District and wished him the best in the future.

3.0 Adjournment - A motion was made and seconded; (RESOLUTION 24-033) TO ADJOURN THE REGULAR MEETING. The motion passed unanimously. The meeting adjourned at 16:21.

Anthony Lucas, Vice President