



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

Regular Meeting – January 15, 2020

Board Members Present

Judy LaCrosse
Jim Maras
Jim Matchett
Andy Morris
Gary Peterson

Visitors

Staff / Consultants in Attendance

Diana Miller – District Manager
Will Parker – Semocor, Inc.

1.0 Call To Order

The Regular Meeting was called to order at 16:30.

2.0 New Business and Open Items

- 2.1 Meeting Minutes – A motion was made and seconded; (RESOLUTION 20-001) TO APPROVE THE MINUTES OF THE DECEMBER 11, 2019 REGULAR BOARD MEETING AND BUDGET HEARING OF THE PERRY PARK WATER AND SANITATION DISTRICT AS AMENDED. The motion passed unanimously.

In reference to Section 2.2, Disbursements, paragraph 7, Director Peterson noted that the text as written did not respond to his original question. The written response was modified to read as follows: *The District Manager advised that all legal documents had been executed and that 3,000 feet of sewer main had been installed and 9 manholes.*

In reference to Section 4.0, Board Member Discussion, paragraph 4, Director Morris offered that the word *to* should be added between the words start and be.

In reference to Section 5.0, Audience Participation, paragraph 1, Director Matchett asked if the term corporation stop was correctly used. Mr. Parker advised that the term was correct and that the corporation stop is a type of valve used to control flow between a main water supply line to a branch line.

In reference to paragraph 2, Director Peterson requested the status of the investigation into the irrigation pit at the Echo Hills Townhomes. Mr. Parker advised that they were able to remove the dirt from the manhole and determine that the bottom side of the two-inch meter had blown out. Mr. Parker advised that he had

engaged Fischer Enterprises to provide an estimate for adding a new shut off valve and repairing the meter and an estimate for relocating the water tap.

- 2.2 Disbursements – A motion was made and seconded; (RESOLUTION 20-002) TO RATIFY ELECTRONIC PAYMENTS DATED DECEMBER 27, 2019 IN THE AMOUNT OF \$15,876.72 WHICH WERE PREVIOUSLY DISBURSED FROM 1ST BANK. The motion passed unanimously.

A motion was made and seconded; (RESOLUTION 20-003) TO APPROVE CHECKS 12475 THRU 12501 IN THE AMOUNT OF \$147,233.62 TO BE DISBURSED FROM 1ST BANK. The motion passed unanimously.

In reference to check 12480, issued to DRC Construction Services for the District's annual sewer cleaning and inspection program, Director Peterson asked if any issues had been found. Mr. Parker advised that he had not yet received the video but that if the crew had found any problems they would have contacted him immediately.

In reference to check 12483, issued to Hill & Pollock, LLC, Director Morris requested a summary of the District's opposition to the Plum Creek Hollow Farms (PCHF) water court case. The District Manager advised that the application filed by PCHF seeks a diligence finding from the water court for conditional direct flow and storage rights on the PCHF property. The District filed a statement of opposition for two reasons: 1) to make sure that the design and construction of the proposed unusual diversion structures would not adversely impact the District's water rights, particularly as measured at the USGS (United States Geological Survey) gage in this reach of West Plum Creek; and 2) that the description of the West Plum Creek Administration Procedure that appears in PCHF's decree could be modified, as necessary, to accommodate the Gove Ditch water right.

A motion was made and seconded; (RESOLUTION 20-004) TO RATIFY CONSENT AGENDA ITEMS DATED DECEMBER 13, 2019 IN THE AMOUNT OF \$6,649.97 AND CONSENT AGENDA ITEMS DATED DECEMBER 27, 2019 IN THE AMOUNT OF \$10,325.37 AND CONSENT AGENDA ITEMS DATED JANUARY 10, 2020 IN THE AMOUNT OF \$6,782.43 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK. The motion passed unanimously.

- 2.3 Resolution Designating Location to Post Notice – The following resolution (RESOLUTION 20-005) was made and seconded;

PERRY PARK WATER AND SANITATION DISTRICT

RESOLUTION DESIGNATING LOCATION TO POST NOTICE

WHEREAS, pursuant to §§24-6-402(2)(c) and 32-1-903(2) C.R.S., notice and, where possible, the agenda of the Perry Park Water and Sanitation District ("District") Board of Directors ("Board") meetings at which the adoption of any formal action is to occur or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be posted within the boundaries of the District at least 24 hours prior to each meeting at a location designated at the first regular meeting of each year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Perry Park Water and Sanitation District as follows:

January 15, 2020

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PPW&SD

Notices of meetings (regular, special and work/study session) of the Board required pursuant to §24-6-401, *et seq.*, C.R.S., shall be posted at least 24 hours prior to each meeting at:

<https://www.ppwsd.org/>

In the event of an exigent or emergency circumstance such as a power outage or an interruption in internet service, the District will post notice of public meetings at least 24 hours prior to a meeting at the following physical location within the District:

5676 West Red Rock Drive
Larkspur, Colorado

The resolution passed unanimously.

2.4 Resolution Calling for the 2020 Regular District Election – The following resolution (RESOLUTION 20-006) was made and seconded;

A RESOLUTION CALLING FOR THE 2020 REGULAR DISTRICT ELECTION AND APPOINTING A DESIGNATED ELECTION OFFICIAL

WHEREAS, the Perry Park Water and Sanitation District (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, C.R.S.; and

WHEREAS, the terms of office of Directors Judith E. LaCrosse, James Maras, James W. Matchett and Gary F. Peterson shall expire after their successors are elected at the regular special district election to be held on May 5, 2020 (“Election”) and have taken office; and

WHEREAS, in accordance with the provisions of the Special District Act (“Act”) and the Colorado Local Government Election Code (“Code”) (the Act and the Code being referred to jointly as the “Election Laws”), the Election must be conducted to elect three (3) Directors to serve for a term of three (3) years and one (1) Director to serve for a term of two (2) years pursuant to Section 1-13.5-111, C.R.S. which moves the regular special district elections to May of each odd-numbered years commencing in May, 2023 and, in connection therewith, adjusts the length of terms served by Directors elected in 2020 and 2022 in order to implement the new election schedule.

NOW, THEREFORE, be it resolved by the Board of Directors of the Perry Park Water and Sanitation District in the County of Douglas, State of Colorado that:

Section 1. The regular election of the eligible electors of the District shall be held on May 5, 2020, between the hours of 7:00 a.m. and 7:00 p.m. pursuant to and in accordance with the Election Laws, and other applicable laws. At that time, three (3) Directors will be elected to serve a three-year term and one (1) Director to serve a two-year term.

Section 2. There shall be one election precinct for the convenience of the eligible electors of the District, the boundaries of which shall be identical to the boundaries of the District, and there shall be one (1) polling place at the following location:

5676 West Red Rock Drive
Larkspur, Colorado

This polling place shall also be for disabled electors and for eligible electors not residing within the District. If the Designated Election Official deems it to be more expedient for the convenience of the eligible electors of the District (who are also eligible electors in other special districts with overlapping boundaries which are conducting elections on the Election day), the Election may be held jointly with such special districts in accordance with coordinated election procedures as set forth in an agreement between all participating special districts. In such event, the election precincts and polling places shall be as set forth in such agreement. The Designated Election Official is authorized to execute such agreement on behalf of the District, which agreement shall include provisions for the allocation of responsibilities for the conduct and reasonable sharing of costs of the coordinated Election.

Section 3. The Board of Directors hereby designates Micki L. Mills as the Designated Election Official for the conduct of the Election on behalf of the District and she is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Election Laws or other applicable laws. Among other matters, the Designated Election Official shall publish the call for nominations, appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, printing of ballots, and direct that all other appropriate actions be accomplished.

Section 4. Self-Nomination and Acceptance forms are available at the Designated Election Official at 390 Union Boulevard, Suite 400, Lakewood, Colorado, 80228; email: mmills@cccfirm.com. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no earlier than January 1, 2020, nor later than the close of business on Friday, February 28, 2020.

Section 5. If the only matter before the electors is the election of Directors of the District and if, at the close of business on March 3, 2020, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than March 2, 2020, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.

Section 6. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

Section 7. Any and all actions previously taken by the Designated Election Official, the Secretary of the Board of Directors, or any other persons acting on their behalf pursuant to the Election Laws or other applicable laws, are hereby ratified and confirmed.

Section 8. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 9. The provisions of this Resolution shall take effect immediately.

The resolution passed unanimously.

- 2.5 **Board Member Declaration of Conflict of Interest If Applicable** – The Board reviewed the text of Chapter II, Conflict of Interest from the Special District Association Board Member Manual. After discussion each Board Member declared that he or she did not have a conflict of interest or the appearance of a conflict of interest.
- 2.6 **Notice of Meetings to Consider Residential and Commercial Water and Sewer Rate and Fee Increases** – The Board discussed the conclusions from the District's 2019 Financial Management Plan (FMP) Update. The Board agreed that the District should move forward with the suggested 5% increase of Customer Water and

Sewer Fees as well as an additional increase to start reducing the District's reliance on water and sewer tap and development fees to fund operating expenses.

The following resolution was made and seconded; (RESOLUTION 20-007)

NOTICE OF MEETING TO CONSIDER
RESIDENTIAL AND COMMERCIAL WATER AND SEWER RATE AND FEE
INCREASES INCLUDED IN THIS RESOLUTION
PERRY PARK WATER AND SANITATION DISTRICT

NOTICE IS HEREBY GIVEN pursuant to Section 32-1-1001(2)(a), C.R.S., to the customers of the Perry Park Water and Sanitation District ("District"), and all other interested persons that the Board of Directors of the District shall consider increasing the District's residential and commercial water and sewer rates and fees included in this resolution at open public meetings to be held on Wednesday, February 19, 2020 and on Wednesday March 18, 2020, at the hour of 4:30 p.m., at 5676 Red Rock Drive, Larkspur, Colorado.

NOTICE IS FURTHER GIVEN that any interested party may appear at said time and place for the purpose of providing input, comments or objections to the Board regarding this matter. Following is the possible water and sewer rate and fee increases:

SCHEDULE OF PROPOSED WATER AND SEWER RATES AND FEES

RESIDENTIAL (Bimonthly Billing Cycle)

COMMERCIAL (Monthly Billing Cycle)

Water Base Rate: \$55.13

Water Base Rate: \$55.13

Plus:

Plus:

Gallons		Rate per 1,000 Gallons
1,000	10,000	\$2.21
11,000	33,000	\$6.13
34,000	66,000	\$7.88
67,000	133,000	\$10.04
Over 133,000		\$13.38
Minimum Daily Water Rate		\$0.92

Gallons		Rate per 1,000 Gallons
1,000	9,000	\$2.21
10,000	45,000	\$6.92
46,000	100,000	\$8.87
101,000	200,000	\$11.31
Over 200,000		\$15.06

Capital Improvement Fee: \$16.54

Capital Improvement Fee: \$8.27

Sewer Base Rate: \$76.07

Sewer Base Rate: \$42.45

			Rate per 1,000 Gallons
Minimum Daily Sewer Rate	\$1.27	Restaurants	\$6.34
		Other Commercial	\$3.71

Water Base Bill: \$71.67 - Reflects an Increase in Residential Fees of \$3.42
 Water and Sewer Base Bill: \$147.74 - Reflects an Increase in Residential Fees of \$7.04

This is a 5% fee increase as recommended by the District’s 2019 Financial Management Plan (FMP) which can we found at www.ppwsd.org on the home page. Additionally, the District’s financial planner has recommended that the District eliminate their reliance on tap and development fees for operating expenses. As a result, a new water and sewer tap and development reliance elimination fee is being contemplated.

The resolution passed unanimously.

- 2.7 Sageport 2018 and Bannock 2019 LID (Local Improvement District) IGA (Intergovernmental Agreement) – The Board reviewed the IGA. The District Manager read an e-mail from the District’s legal counsel advising the Board that the agreement had been reviewed and no changes were necessary, and that the Board could move forward with the agreement execution. At the conclusion of discussion a motion was made and seconded; (RESOLUTION 20-008) TO EXECUTE THE SAGEPORT 2018 AND BANNOCK 2019 LOCAL IMPROVEMENT DISTRICT INTERGOVERNMENTAL AGREEMENT WITH BOARD OF COMMISSIONERS OF THE COUNTY OF DOUGLAS.

As Director Maras is the owner of lots included in the Sageport 2018 LID he abstained from voting. The motion passed 4-0.

3.0 Operational Status

- 3.1 Perry Park Water and Sanitation District Systems Report – The members of the Board reviewed the monthly operations report which was prepared by Mr. Parker.
- 3.2 Monthly Staff Report – The members of the Board reviewed the Monthly Staff Report that was presented by the District Manager.

4.0 Board Member Discussion

Director Maras advised the Board that he is a member of the Colorado Rural Water Association and that their annual conference will be February 10 thru February 13 and that he attends annually.

5.0 Audience Participation – There was none.

6.0 Adjournment - A motion was made and seconded; (RESOLUTION 20-009) TO ADJOURN THE REGULAR MEETING. The motion passed unanimously. The meeting adjourned at 17:56.

Secretary, Judy LaCrosse