

Regular Meeting – January 19, 2010

Board Members

Mike Hayes
Craig Johnston
Tony Lucas
Jim Matchett
Gary Peterson

Visitors

Trisha Peterson

Staff / Consultants

Sue Byrnes – District Staff
Diana Miller – District Manager
Scott Monroe – Semocor, Inc.

1.0 Call To Order

The 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 10-001) TO APPROVE THE MINUTES OF THE DECEMBER 15, 2009 REGULAR BOARD MEETING OF THE PERRY PARK WATER AND SANITATION DISTRICT AS AMENDED. The motion passed unanimously.

The District Manager advised the Board that in paragraph 4.2 the first two words in second sentence were changed from “He noted” to “They noted”.

- 2.2 Water/Sewer Permits – No new permits were approved.

Three (3) permits were issued in 2009.

- 2.3 Disbursements – A motion was made and seconded; (RESOLUTION 10-002) TO APPROVE CHECKS 19895 THRU 19908 IN THE AMOUNT OF \$24,503.47 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

Director Peterson requested clarification on check number 19905 issued to SPWRAP for Platte Water Annual Assessment for 2008 and 2009. He noted that an additional disbursement was included on the January 19, 2010 Check Summary report. The District Manager advised the Board that the District had not paid their annual assessment since 2007. The payments bring the District’s account status to

active. SPWRAP (South Platte Related Activities Program) is a Colorado nonprofit corporation established by Colorado water users for the purpose of representing water users' interests and partnering with the State of Colorado to implement the Platte River Recovery Implementation Program (PRRIP) in central Nebraska. She added that membership is essential for the District as they move forward with their reservoir storage plans.

Director Hayes noted the check number 19907 issued to TEC contained an item for Wiens Property Well Easements and that those locations most likely would not produce ground water for the District.

A motion was made and seconded; (RESOLUTION 10-003) TO APPROVE CHECKS 19909 THRU 19924 IN THE AMOUNT OF \$20,684.79 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

Director Lucas requested clarification on vendor USA Blue Book associated with check number 19922. The District Manager explained that USA Blue Book provides a variety of products including specialized equipment for water and wastewater operations, laboratory equipment, pumps and sampling supplies.

A motion was made and seconded; (RESOLUTION 10-004) TO APPROVE CHECKS 19925 THRU 19940 IN THE AMOUNT OF \$62,261.44 TO BE DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

Director Lucas requested the status of the Larkspur IGA (Inter Governmental Agreement) for waste water treatment and the East Plum Creek well easement acquisition. The District Manager advised the Board the progress on both was minimal due to the lack of response from the Town of Larkspur. She indicated that she had submitted the requested status letter to the Town, but had not received a response. She indicated that she had spoken with the Town Manager and that he had let her know that he was extremely busy and would get back with her as soon as possible. Director Peterson suggested that a follow up letter be sent to the Town regarding the well easements that emphasized the District's interest. Director Matchett added that with the resources that the District has already spent, he did not want the District's efforts to obtain the easements to diminish. Director Peterson further suggested that the District Manager submit a letter to the Chatfield Watershed Authority that details the actions the District has taken over the past few years and the resources that the District has expended related to the Larkspur IGA.

A motion was made and seconded; (RESOLUTION 10-005) TO RATIFY CONSENT AGENDA ITEMS DATED DECEMBER 25, 2009 IN THE AMOUNT OF \$4,942.39 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

A motion was made and seconded; (RESOLUTION 10-006) TO RATIFY CONSENT AGENDA ITEMS DATED JANUARY 8, 2010 IN THE AMOUNT OF \$4,956.71 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

- 2.4 Posting Location for 24 Hour Agenda – As per §24-6-402(2)(c) C.R.S. a motion was made and seconded; (RESOLUTION 10-007): TO DESIGNATE THE POSTING LOCATIONS FOR 24-HOUR NOTICE AGENDAS TO BE THE DISTRICT OFFICE, THE LARKSPUR FIRE DEPARTMENT #2 AND THE LARKSPUR ELEMENTARY SCHOOL. The motion passed unanimously.
- 2.5 Execute Agreement with Hidden Forest Development, LLC To Collect and Pay Rebate – The Board reviewed the agreement which was prepared by the District's legal counsel Alan Hill and to be paid for by Hidden Forest Development, LLC. Director Johnston and Director Matchett expressed concern that the administration fee be limited to \$100.00. The District Manager clarified that funds would be collected and held in the District's existing bank account so no expense would be incurred from opening and maintaining a separate account. Director Peterson commented that any similar agreement that is made in the future should have an expiration date set. Mr. Scott Monroe requested that the resolutions that were made in 2004 be reviewed to insure that specific language associated with the District's ability to increase the fees be allowed and that if the language was not in the original resolutions that the language be incorporated into this agreement. Mr. Monroe summarized the benefit that the District had received from the original agreement with Hidden Forest Development, LLC which included water and sewer infrastructure and collected fees from lots not previously developable. A motion was made and seconded; (RESOLUTION 10-008) TO CONDITIONALLY EXECUTE THE AGREEMENT WITH HIDDEN FOREST DEVELOPMENT, LLC TO COLLECT AND PAY REBATES FOR THE LOTS DESCRIBED IN THE AGREEMENT UPON VERIFICATION OF THE FEE INCREASE LANGUAGE IN THE 2004 RESOLUTIONS. The motion passed unanimously.
- 2.6 Approve or Reject Scope of Work for Pleasant Park Ditch Change of Water Rights submitted by Spronk Water Engineers, Inc. – The Board reviewed the Scope of Work and Cost Estimate for Pleasant Park Ditch Change of Water Rights submitted by Spronk Water Engineers, Inc. The Board also reviewed the general terms and conditions associated with the agreement. Director Peterson was pleased with the duration of the agreement, approximately four months. Director Matchett suggested that the agreement was open ended. The terms and conditions were not agreeable to Director Hayes. In Paragraph 3, he requested that the final sentence "Engineer makes no warranty, either express or implied with respect to its services" be removed. He requested that in Paragraph 4 the language be modified so that if the Engineer terminates the agreement the District would not incur any additional fees, costs or expenses. He requested that Paragraph 6 related to liability limitation be removed in its entirety. The District Manager will follow up with Spronk Water Engineers, Inc. and the District's legal counsel Alan Hill. The Board agreed that the item should be moved to the next Board meeting.

3.0 Staff and Consultant Reports

- 3.1 Perry Park Water and Sanitation District Systems Report – The members of the Board reviewed the monthly operations report which had been submitted by Semcor, Inc. To add clarity to the report Director Peterson suggested that under the Water Systems heading, "* November 2009 is the beginning of the water year" be added. Director Johnston requested that the moon phase associated with the water breaks on Fox Circle be investigated.

3.2 Monthly Staff Report – The members of the Board reviewed the Monthly Staff Report which had been submitted by the District Manager.

The members of the Board reviewed the monthly Project Status Report which had been submitted by the District Manager.

Mr. Monroe provided a summary of the actions that he and the District Manager had taken during the previous year associated with the District's alluvial wells being reclassified to ground water under the influence of surface water. He added that options have been laid out that range in costs between \$100,000 to \$1,000,000. He advised the Board that he and the District Manager would be meeting with the State and after that meeting they would be better able to recommend to the Board the treatment option that best meets the District's needs and the anticipated costs associated with the treatment change.

4.0 Old Business/Immediate Issues

There was none.

5.0 Audience Participation

There was none.

6.0 Adjournment - A motion was made and seconded; (RESOLUTION 10-009): TO ADJOURN THE REGULAR MEETING. Passed unanimously. The meeting adjourned at 18:13.

ATTEST:

Secretary