



Perry Park Water and Sanitation District  
5676 West Red Rock Drive  
Larkspur, Colorado 80118  
[www.ppwsd.org](http://www.ppwsd.org)

## Regular Meeting - January 19, 2022

### Board Members Present

Brian Arthurs  
Judy LaCrosse  
Tony Lucas  
James Maras  
Gary Peterson

### Visitors

Barbara Boigegrain  
Joe Brickweg - PPMD  
Robert Dinsmore  
Randy Johnson - PPMD  
Julia McCusker  
Kurt Schlegel – PPMD

### Staff / Consultants in Attendance

Alan Hill – Hill & Pollock, LLC  
Diana Miller – District Manager  
Will Parker – Semocor, Inc.  
Ashley Pollock – Hill & Pollock, LLC

### 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 22-001) TO APPROVE THE MINUTES OF THE DECEMBER 8, 2021 REGULAR BOARD MEETING AND BUDGET HEARING OF THE PERRY PARK WATER AND SANITATION DISTRICT AS PRESENTED. The motion passed 4-0. As Director Maras was not in attendance at the December 8, 2021 Meeting, he abstained from the vote.
- 2.2 Disbursements – A motion was made and seconded; (RESOLUTION 22-002) TO APPROVE ELECTRONIC PAYMENTS DATED DECEMBER 6, 2021 IN THE AMOUNT OF \$1,635.75 AND ELECTRONIC PAYMENTS DATED DECEMBER 14, 2021 IN THE AMOUNT OF \$13,688.51 WHICH WERE PREVIOUSLY DISBURSED FROM 1<sup>ST</sup> BANK. The motion passed unanimously.

A motion was made and seconded; (RESOLUTION 22-003) TO RATIFY AN ACH TRANSACTION ISSUED TO BB&T BANK FOR \$187,603.74 DATED DECEMBER 1, 2021 FOR THE ANNUAL PRINCIPAL AND INTEREST PAYMENT THAT WAS PREVIOUSLY DISBURSED FROM 1<sup>ST</sup> BANK. The motion passed unanimously.

A motion was made and seconded; (RESOLUTION 22-004) TO RATIFY AN ACH TRANSACTION ISSUED TO HUB INTERNATIONAL INSURANCE SERVICES FOR \$45,226.00, DATED JANUARY 11, 2022, FOR THE ANNUAL GENERAL

LIABILITY INSURANCE PAYMENT THAT WAS PREVIOUSLY DISBURSED FROM 1<sup>ST</sup> BANK. The motion passed unanimously.

A motion was made and seconded; (RESOLUTION 22-005) TO APPROVE CHECKS 13253 THRU 13268 IN THE AMOUNT OF \$36,168.13 THAT WERE PREVIOUSLY DISBURSED FROM 1<sup>ST</sup> BANK. The motion passed unanimously.

In reference to check 13256, issued to Dana Kepner Company, Inc., Director Peterson asked if the District had received 2022 price increase information. The District Manager advised that she had not received an across the board notification, but would follow up with Dana Kepner and provide the information when available.

In reference to check 13261, issued to Hill & Pollock, LLC, Director Maras requested additional information about "Beaver problems". The District Manager advised that the District had encountered beavers at one of their measuring devices and had requested information on the best way to address the beavers building dams which skew the water measurements.

A motion was made and seconded; (RESOLUTION 22-006) TO APPROVE CHECKS 13269 THRU 13292 IN THE AMOUNT OF \$129,392.45 THAT WERE PREVIOUSLY DISBURSED FROM 1<sup>ST</sup> BANK. The motion passed unanimously.

In reference to check 13273, issued to DRC Construction Services, Inc., Director Peterson asked if the CCTV inspection had uncovered any sewer collection system issues. Mr. Parker offered that no sewer collection system deficiencies were encountered and that all roots found had been removed.

In reference to check 13278, issued to HF PPW&S Rebates, LLC, Director Peterson requested that the District Manager provide additional information. The District Manager offered that the "rebate" constitutes the District's contribution to the Hidden Forest Development and the "rebate" would continue until all Hidden Forest lots were built out.

In reference to check 13282, issued to Openchannelflow, Director Maras requested information on the placement of the new manhole. Mr. Parker advised the "manhole" is more of a fiberglass flume and is located ahead of the influent screen.

In reference to check 13285, issued to Semocor, Inc., Director Peterson noted that the additional services portion of the check was higher than usual. The District Manager offered that the higher amount was associated with the two day water main break on Red Rock Drive.

In reference to check 13289, issued to TST Infrastructure, LLC, Director Arthurs advised that he had fulfilled his commitment from the previous Board Meeting to review consultant billings for 2021 for engineering, US Fish and Wildlife and US Army Corp. of Engineers permitting and hydrology, associated with the Gove Ditch water measurement location selection and design. Director Arthurs noted that the expenses were in line with the challenges incurred.

A motion was made and seconded; (RESOLUTION 22-007) TO RATIFY CONSENT AGENDA ITEMS DATED DECEMBER 10, 2021 IN THE AMOUNT OF \$10,011.93

AND CONSENT AGENDA ITEMS DATED DECEMBER 24, 2021 IN THE AMOUNT OF \$7,213.03 AND CONSENT AGENDA ITEMS DATED JANUARY 7, 2022 IN THE AMOUNT OF \$7,053.73 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK. The motion passed unanimously.

- 2.3 2022 ELECTION RESOLUTION – A motion was made and seconded; (RESOLUTION 22-008) to pass the following resolution:

**A RESOLUTION CALLING FOR THE 2022 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, Brian Arthurs, and Anthony Lucas shall expire after their successors are elected at the regular special district election to be held on May 3, 2022 (“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 two (2) Directors to serve for a term of three (3) years and one (1) Director to serve for a term of one (1) year 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.

**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:

1. The regular election of the eligible electors of the District shall be held on May 3, 2022, 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, two (2) Directors will be elected to serve a three-year term and one (1) Director to serve a one-year term.
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.

3. The Board of Directors hereby designates Crystal Schott 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.

4. Self-Nomination and Acceptance forms are available at the Designated Election Official at 165 Union Boulevard, Suite 785, Lakewood, Colorado 80228; email: cschott@cogovlaw.com. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no earlier than January 1, 2022, nor later than the close of business on Friday, February 25, 2022.

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 1, 2022, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than February 28, 2022, 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.

6. Applications for absentee ballots may be filed with the Designated Election Official's office no later than the close of business on the Tuesday immediately preceding the election (Tuesday, April 26, 2022).

7. 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.

8. 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.

9. 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.

10. The provisions of this Resolution shall take effect immediately.

The motion passed unanimously.

2.4 RESOLUTION DESIGNATING POSTING LOCATION – A motion was made and seconded; (RESOLUTION 22-009) to pass the following resolution:

**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:

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 motion passed unanimously.

- 2.5 District Systems Report - The members of the Board reviewed the monthly operations report for December which was prepared by Mr. Parker.

Director LaCrosse requested an update on the recent water main break on Red Rock Drive. Mr. Parker advised that the initial call describing a water main break was received on January 4, 2022 at approximately 9:30pm. The repair was completed on January 6, 2022, with one residence remaining out of service until January 10, 2022. There were a number of challenges that were met in completing the repair; weather, swollen pipe, emergency locate response time and the availability of emergency response crews.

- 2.6 Monthly Staff Report - The members of the Board reviewed the Monthly Staff Report that was presented by the District Manager.

- 2.7 Rate Increase Discussion – Director Peterson requested that information be compiled to reflect price increases on categories such as parts, chemicals,

equipment and utilities. Additional discussion was deferred until the next Board Meeting.

2.8 Board Member Discussion Items – There was none.

2.9 Audience Participation – There was none.

**3.0 Perry Park Metropolitan District** – Members of the Perry Park Metro District were present to discuss an extension to the Gravel Pit lease. The Metro District confirmed that mining on the property owned by the Perry Park Water and Sanitation District had ceased as of the end of 2018, reclamation had been completed, and the property has been released from any Mined Land Reclamation Board requirements. The Perry Park Water and Sanitation District Board indicated a willingness to extend the lease for purposes of a slash/mulch collection area, as has been done in the past. Attorneys Hill and Pollock will prepare an extension to the Gravel Pit lease for review by the District Manager and the Board.

Members of the Perry Park Metro District were also present to discuss having the Water and Sanitation District provide augmentation water for the Metro District's Gateway Pond. Negotiations have been occurring between counsel for the Metro District and Hill & Pollock. The Metro District will not be able to obtain a Substitute Water Supply Plan or water court decree until it has a lease for augmentation water. After discussion on the terms of any lease, focused on the accounting and administration of the Gateway Pond water use, and reimbursement by the Metro District of Perry Park Water and Sanitation District expenses (both for preparation of the lease and administrative expenses), Hill & Pollock were directed by the Perry Park Water and Sanitation District Board to prepare a revised draft lease incorporating the terms discussed at the meeting.

**4.0 Executive Session** – A motion was made and seconded; (RESOLUTION 22-010) TO ENTER AN EXECUTIVE SESSION FOR CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC ENTITY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS AS AUTHORIZED BY §24-6-402(4) (a) AND (b) C.R.S., SPECIFICALLY LEGAL ADVICE REGARDING THE SANDSTONE RANCH EASEMENTS. The motion passed unanimously.

The Regular Board Meeting resumed.

The District Manager requested that each Board Member, provide direction on the Dakota Well redrill project to her via individual e-mail.

**5.0 Adjournment** - A motion was made and seconded; (RESOLUTION 22-011) TO ADJOURN THE REGULAR MEETING. The motion passed unanimously. The meeting adjourned at 17:57.

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Secretary, James Maras