

## Regular Meeting – May 20, 2008

### Board Members

Mike Hayes  
Craig Johnston  
Tony Lucas  
Jim Matchett  
Gary Peterson

### Visitors

Nancy Aitken  
John Aitken  
Tamara Gilida – Icenogle, Norton  
Phil Hayward  
Judy LaCrosse  
Patricia Peterson  
Martin Redeker

### Staff / Consultants

Sue Byrnes – District Staff  
Diana Miller – District Manager  
Scott Monroe – Semocor, Inc.  
Alan Hill – Tienken & Hill, LLP

### 1.0 Call To Order

The meeting was called to order at 16:34.

### 2.0 New Business and Open Items

#### 2.1 The following Oaths of Office were taken:

I, Michael E. Hayes, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, 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.

I, Craig R. Johnston, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, 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.

I, Gary F. Peterson, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, 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.

- 2.2 Board Positions – A motion was made and seconded; (RESOLUTION 08-045): TO NOMINATE DIRECTOR MIKE HAYES TO THE POSITION OF PRESIDENT OF THE BOARD OF THE PERRY PARK WATER AND SANITATION DISTRICT. Passed unanimously.

A motion was made and seconded; (RESOLUTION 08-046): TO NOMINATE DIRECTOR CRAIG JOHNSTON TO THE POSITION OF VICE PRESIDENT OF THE BOARD OF THE PERRY PARK WATER AND SANITATION DISTRICT. Passed unanimously.

A motion was made and seconded; (RESOLUTION 08-047): TO NOMINATE DIRECTOR TONY LUCAS TO THE POSITION OF SECRETARY OF THE BOARD OF THE PERRY PARK WATER AND SANITATION DISTRICT. Passed unanimously.

A motion was made and seconded; (RESOLUTION 08-048): TO NOMINATE DIRECTOR JIM MATCHETT TO THE POSITION OF TREASURER OF THE BOARD OF THE PERRY PARK WATER AND SANITATION DISTRICT. Passed unanimously.

- 2.3 Meeting Minutes - A motion was made and seconded; (RESOLUTION 08-049): TO APPROVE THE MINUTES OF THE MAY 6, 2008 REGULAR BOARD MEETING OF THE PERRY PARK WATER AND SANITATION DISTRICT AS PRESENTED. Passed unanimously.

- 2.4 Water/Sewer Permits – The following permits had already been approved:

Permit #	Builder/Owner	Property Address
1387	Premier Homes/PP Ridge	4416 Echo Butte Lane
1388	Premier Homes/PP Ridge	4418 Echo Butte Lane
1389	Premier Homes/PP Ridge	4397 Echo Court
1390	Premier Homes/PP Ridge	4399 Echo Court
1391	Premier Homes/PP Ridge	4471 Echo Drive
1392	Premier Homes/PP Ridge	4473 Echo Drive
1393	DBO Construction	6577 Winged Foot Court

Eleven (11) permits have been issued year to date.

- 2.5 Disbursements – A motion was made and seconded; (RESOLUTION 08-050): TO APPROVE CHECKS 18974 thru 18990 IN THE AMOUNT OF \$18,906.20 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. Passed unanimously.

Director Matchett requested additional information on Laser Utility Bills. Staff Member Sue Byrnes provided the Board with a sample of the stock form that utility bills are printed on.

A motion was made and seconded; (RESOLUTION 08-051): TO APPROVE CHECK 18991 IN THE AMOUNT OF \$500.00 FROM WELLS FARGO BANK WEST. Passed unanimously.

Director Hayes requested further explanation of check 18991. The District Manager advised that Mr. Phil Hayward had requested an update to the 2004 Apache Court Feasibility Study. After feedback from the District's engineer she advised Mr. Hayward that his most recent proposal was not in compliance with the District's Master Plan and therefore not acceptable to the District. The check issued was a refund of his \$500.00 feasibility study deposit.

A motion was made and seconded; (RESOLUTION 08-052): TO APPROVE CHECKS 18992 thru 19002 IN THE AMOUNT OF \$229,308.14 FROM WELLS FARGO BANK WEST. Passed unanimously.

The District Manager provided a status update of the Sageport Clarifier project.

A motion was made and seconded; (RESOLUTION 08-053): TO RATIFY CONSENT AGENDA ITEMS DATED MAY 2, 2008 IN THE AMOUNT OF \$4,594.82 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. Passed unanimously.

- 2.6 Spruce Mountain Metropolitan District – Request for Consent to Overlap – Ms. Tamara Gilida and Mr. Martin Redeker representing the proposed Spruce Mountain Metropolitan District provided the Board and audience with an overview of the proposed Spruce Mountain Metropolitan District service plan, highlighting the purpose of the proposed District, its boundaries, and its inability to provide water and sanitary service. Director Hayes requested clarification on the Perry Park Water and Sanitation District's responsibilities for water and sanitary service in the event that the proposed District or any similar funding entity went bankrupt. Mr. Alan Hill the District's legal counsel and Ms. Gilida legal counsel for the Spruce Mountain Metropolitan District outlined the Perry Park Water and Sanitation District's responsibilities if such an event occurred. After discussion a motion was made and seconded; (RESOLUTION 08-054) TO CONSENT TO THE OVERLAP OF THE PERRY PARK WATER AND SANITATION DISTRICT AND THE SPRUCE MOUNTAIN METROPOLITAN DISTRICT AS DECLARED IN THE ATTACHED RESOLUTION. Passed unanimously.
- 2.7 Apache Court Water and Sewer Service – Mr. Phil Hayward provided his thoughts to the Board on the District's authority to insure that infrastructure and mainline extensions were constructed in a manner that was consistent with the District's Master Plan. Mr. Hayward did not request that the Board grant an exception to its Master Plan for his most recent project proposal.

### **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 Semacor, Inc.

Director Matchett commented on the improvement of renewable water utilization from 2007 to 2008.

Director Peterson requested that the District and Semocor, Inc. review a recent Small District Association (SDA) article which details best practices for water and sanitary service districts and that they provide a detailed account of each item at an upcoming Board Meeting.

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

The Board reviewed the Water and Sewer Service, Fire Protection Feasibility/Impact Study for Shrine Circle. After a brief discussion, a motion was made and seconded; (RESOLUTION 08-055) TO ACCEPT THE SHRINE CIRCLE FEASIBILITY STUDY. Passed unanimously.

The Board reviewed a letter from the District to The Engineering Company (TEC) regarding appropriate notification prior to accessing properties in the District. After a brief discussion the Board agreed that the content of the letter was appropriate and should be sent to TEC.

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

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

**4.0 Old Business/Immediate Issues**

The District Manager asked each Board member if they were aware of any possible conflicts of interest that they may have that should be declared in a public meeting. Each Board Member stated that they had no conflicts of interest.

Director Peterson requested that the District's legal counsel provide a summary of appropriate Board conduct related to legislative and quasi-judicial actions that Boards may need to act on during their terms. Mr. Hill discussed different scenarios that Board members may encounter and appropriate responses that they should take to insure the integrity of the process.

**5.0 Audience Participation**

None.

**6.0 Adjournment** - A motion was made and seconded; (RESOLUTION 08-056): TO ADJOURN THE REGULAR MEETING. Passed unanimously. The meeting adjourned at 18:07.

ATTEST:

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Secretary