

Regular Meeting – November 12, 2012

Board Members

Tim Johnson
Judy LaCrosse
Tony Lucas
Jim Matchett
Gary Peterson

Visitors

Craig Johnston

Staff / Consultants

Alan Hill – Yates Law Firm, LLC
Diana Miller – District Manager
Scott Monroe – Semocor, Inc.

1.0 Call To Order

The meeting was called to order at 17:00.

2.0 New Business and Open Items

- 2.1 Meeting Minutes – A motion was made and seconded; (RESOLUTION 12-083) TO APPROVE THE MINUTES OF THE OCTOBER 17, 2012 REGULAR BOARD MEETING OF THE PERRY PARK WATER AND SANITATION DISTRICT AS PRESENTED. The motion passed unanimously.
- 2.2 Disbursements – A motion was made and seconded; (RESOLUTION 12-084) TO APPROVE CHECKS 10131 THRU 10148 IN THE AMOUNT OF \$64,902.10 TO BE DISBURSED FROM 1ST BANK. The motion passed unanimously.

In reference to check number 10131 issued to Yates Law Firm, LLC, Alan Hill, Director Matchett inquired into the possibility of coordinating the legal effort associated with the various water court cases with other interested entities. Mr. Alan Hill, the District's legal counsel, advised that depending on the District's interest in a water court case, the District does work with other entities from both a legal and engineering perspective to insure that the District spends only the funds necessary to protect the District's \$3.5 million water rights portfolio. Director Matchett requested that the Quarterly Update on Pending Legal Matters reflect such instances.

In reference to check number 10146 issued to TST Infrastructure, LLC, Director Peterson requested additional details on the work performed. The District Manager advised that the work was for engineering and construction monitoring for the Red Rock Drive Lift Station Improvements project.

A motion was made and seconded; (RESOLUTION 12-085) TO RATIFY CONSENT AGENDA ITEMS DATED OCTOBER 26, 2012 IN THE AMOUNT OF \$5,664.83 AND ITEMS DATED NOVEMBER 9, 2012 IN THE AMOUNT OF \$5,220.93 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

- 2.3 2013 Agreement for Services Contract - The District Manager presented the Board with the proposed Agreement for Services contract between Semocor, Inc. and the Perry Park Water and Sanitation District for water and wastewater services in 2013. She noted that the contract was the same as the previous year with the annual contract amount unchanged at \$337,332. She advised the Board that she had verified with the District's legal counsel that there were no legislative changes that needed to be incorporated into the agreement.

The District Manager described the Semocor, Inc. performance as excellent and noted that as is typical of Mr. Monroe, he continues to provide service to the District above the terms of the agreement. A motion was made and seconded; (RESOLUTION 12-086) TO EXECUTE THE AGREEMENT FOR SERVICES CONTRACT WITH SEMOCOR, INC. FOR THE YEAR 2013. The motion passed unanimously.

- 2.4 2013 Proposed Budget – The Board reviewed the 2013 proposed budget.

Director Matchett noted that the 2013 legal fees budget had increased from 2012 by 50 percent.

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 Semocor, Inc.

- 3.2 Monthly Staff Report – The members of the Board reviewed the Monthly Staff Report.

Director Matchett requested additional information on the October YTD Expense Budget report for Sludge Disposal highlighting a \$25,051 monthly expense. The District Manager advised that a \$21,292.91 invoice for sewer cleaning had been posted incorrectly to the Sludge Disposal general ledger account and that the correcting journal entry had been made and would be reflected on the November report.

As a result of a Customer request, the District Manager provided the Board with a copy of proposed EPA guidelines for community water providers associated with Radon in drinking water.

4.0 Board Member Discussion Items

Director Peterson provided the Board with a news article regarding the Castle Rock water plan. Director Peterson suggested that the District provide an update to its Customers on the status of the District's water plan. The District Manager

suggested that the Board adopt the Perry Park Water and Sanitation District Water Conservation Plan that was presented to the Board in 2011 and make the plan available to all Customers on the District's website. Director Peterson requested that an article that summarizes the District's water resources be published in the Sentinel during the first quarter of 2013.

Director Matchett advised the Board that he had requested that the District Manager research the District's eligibility for a Department of Local Affairs, Energy and Mineral Impact Assistance Program Grant that he read an article on in a recent SDA Newsletter. The District Manager advised that she had reviewed the application and project rating criteria noting that consideration criteria for the grant includes the ranking on the District's ability to pay and the readiness of the project, including a preliminary engineering report.

Director LaCrosse and Director Johnston advised that they had not been receiving the SDA Newsletter. The District Manager advised that she would follow up with the SDA to resolve.

5.0 Audience Participation

There was none.

6.0 Executive Session - A motion was made and seconded; (RESOLUTION 12-087) TO ENTER EXECUTIVE SESSION FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS AS AUTHORIZED BY §24-6-402(4)(b) C.R.S., SPECIFICALLY RELATED TO THE ECHO HILLS TANK ACCESS EASEMENTS. The motion passed unanimously.

The Regular Board meeting resumed at 19:00.

A motion was made and seconded; (RESOLUTION 12-088) TO ENGAGE SETER & VANDER WALL P.C. FOR LEGAL SERVICES TO RESOLVE THE ECHO HILLS TANK EASEMENTS DISPUTE WITH THE GREG AND MIGNON STETMAN REVOCABLE TRUST. The motion passed unanimously.

7.0 Adjournment - A motion was made and seconded; (RESOLUTION 12-089) TO ADJOURN THE REGULAR MEETING. The motion passed unanimously. The meeting adjourned at 19:06.

ATTEST:

Secretary