



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

Regular Board Meeting and Budget Hearing – November 20, 2013

Board Members

Tim Johnson
Judy LaCrosse
Jim Matchett
Gary Peterson

Visitors

Daniel Cutler
Karen Cutler
Craig Johnston

Excused Absence

Tony Lucas

Staff / Consultants

Sue Byrnes – District Staff
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 16:30.

2.0 New Business and Open Items

- 2.1 Meeting Minutes – A motion was made and seconded; (RESOLUTION 13-067) TO APPROVE THE MINUTES OF THE OCTOBER 9, 2013 REGULAR BOARD MEETING OF THE PERRY PARK WATER AND SANITATION DISTRICT AS PRESENTED. The motion passed unanimously.
- 2.2 Purported Property Damage Associated with Water Main Break on Fox Circle – Mr. Daniel Cutler and Ms. Karen Cutler attended the Board meeting to discuss damages to their property that they believe were related to a recent water main break on Fox Circle. The Cutlers provided two detailed invoices from Service Master and Home Depot. The Cutlers described the efforts that they had taken to minimize costs associated with the cleanup. The District Manager and Mr. Monroe described the water main break and what they had determined after the District was contacted by the Cutlers. The District Manager summarized that the District had not procured supplemental insurance for these types of scenarios because of the high cost, but instead had agreed that the Board would make a determination in these types of instances on a case by case basis. After discussion, a motion was made and seconded; (RESOLUTION 13-068) TO EXECUTE A SETTLEMENT AND MUTUAL RELEASE DOCUMENT WITH THE CUTLERS AND ISSUE A PAYMENT IN THE AMOUNT OF \$4,599.73 TO THE CUTLERS. The motion passed unanimously.

2.3 Disbursements – A motion was made and seconded; (RESOLUTION 13-069) TO RATIFY ELECTRONIC PAYMENTS DATED OCTOBER 16, 2013 IN THE AMOUNT OF \$5,995.25 AND ELECTRONIC PAYMENTS DATED OCTOBER 24, 2013 IN THE AMOUNT OF \$5,312.55 AND ELECTRONIC PAYMENTS DATED NOVEMBER 6, 2013 IN THE AMOUNT OF \$4,780.29 AND ELECTRONIC PAYMENTS DATED NOVEMBER 13, 2013 IN THE AMOUNT OF \$153.94 WHICH WERE PREVIOUSLY DISBURSED FROM 1ST BANK. The motion passed unanimously.

Director Johnson highlighted electronic payment number 159, dated October 16, 2013, issued to I. R. E. A. for period 9/11 thru 10/8 in the amount of \$2,308.69 and check number 10483, dated November 20, 2013, issued to the same, for period 10/9 thru 11/7 in the amount of \$2,632.03 both for the Waucondah Wastewater Treatment Plant seemed very high. The District Manager advised that the demand charges for the plant were a significant portion of the bill and that when a plant runs continuously, there is minimal opportunity to reduce demand charges.

A motion was made and seconded; (RESOLUTION 13-070) TO APPROVE CHECKS 10467 THRU 10476 IN THE AMOUNT OF \$28,807.46 WHICH WERE PREVIOUSLY DISBURSED FROM 1ST BANK. The motion passed unanimously.

In reference to check 10470 issued to I.R.E.A., Director Peterson inquired as to why a check was being issued instead of an electronic payment. The District Manager advised that electronic payments are being generated only when payments become due between Board meetings.

In reference to check 10474 issued to TST Infrastructure, LLC, Director Matchett, requested additional detail on the Echo Hills Tank Road – Concept Design. The District Manager advised that this charge was associated with resolving the Echo Hills Tank access easement issue. She indicated that the District's legal counsel had requested a high level engineering estimate of what it would cost to construct an access road that would be limited to pickup trucks and foot traffic as opposed to a road that would accommodate large vehicles. A discussion ensued regarding the potential ramifications of eminent domain.

In reference to check 10476 issued to Your Bond Connection, Director Matchett requested clarification on its purpose. The District Manager offered that a blanket surety bond must be filed for each Director with the clerk of court and Division of Local Government. She added that a fidelity bond must be filed for the Treasurer.

A motion was made and seconded; (RESOLUTION 13-071) TO APPROVE CHECKS 10477 THRU 10489 AND CHECKS 10491 THRU 10497 IN THE AMOUNT OF \$129,343.61 TO BE DISBURSED FROM 1ST BANK. The motion passed unanimously.

In reference to check 10481 issued to Fischer Enterprises, Inc., Director Peterson requested additional details. Mr. Monroe advised that the repair on Sentinel Rock Terrace was due to a bad tap and both repairs on Fox Circle were due to limited bedding of pipe subjected to ground movement. Mr. Monroe noted that the breaks on Fox Circle were in original sections of pipe.

In reference to check 10491 issued to Stanek Constructors, Inc. and check 10492 issued to TST Infrastructure, LLC, Director Johnson noted that both include the item Wauconda WWTP Influent Screen Improvements. The District Manager clarified that in June 2013 the Board had authorized the installation of a mechanical bar screen at the Wauconda Wastewater Treatment Plant to eliminate upstream surcharging. She added that TST Infrastructure, LLC is performing the engineering and construction administration for the project and Stanek Constructors, Inc. is the construction contractor. She noted that the District had not yet received a bill for the mechanical screen.

A motion was made and seconded; (RESOLUTION 13-072) TO RATIFY CONSENT AGENDA ITEMS DATED OCTOBER 11, 2013 IN THE AMOUNT OF \$5,220.94 AND ITEMS DATED OCTOBER 25, 2013 IN THE AMOUNT OF \$5,666.84 AND ITEMS DATED NOVEMBER 8, 2013 IN THE AMOUNT OF \$5,220.94 WHICH WERE PREVIOUSLY DISBURSED FROM WELLS FARGO BANK WEST. The motion passed unanimously.

- 2.4 Adopt 2014 Budget - A motion was made and seconded; (RESOLUTION 13-073) TO OPEN THE 2014 BUDGET HEARING. The motion passed unanimously.

The Board reviewed the proposed 2014 Budget. Director Peterson highlighted the 2014 budget for legal fees, which estimates a significant reduction from the 2013 estimated budget amount. Director Johnson requested the details comprising the 2014 budget amount for Computer software/support. The District Manager advised that the budget item is for software only, including annual renewals for the District's accounting systems, billing systems, meter reading system, virus protection software and internet domain and hosting services.

THE RESOLUTION TO SET MILL LEVIES (RESOLUTION 13-074), THE RESOLUTION TO ADOPT BUDGET (RESOLUTION 13-075) AND THE RESOLUTION TO APPROPRIATE SUMS OF MONEY FOR THE PERRY PARK WATER AND SANITATION DISTRICT (RESOLUTION 13-076) were made and seconded. The full text is attached. The motions passed unanimously.

The Budget Hearing was adjourned and the regular meeting resumed.

- 2.5 Pleasant Park Ditch Water Court Case – Mr. Alan Hill, the District's legal counsel provided the Board with a summary of Findings of Fact, Conclusions of Law and Decree of Case No. 10CW263 (Pleasant Park Ditch Change). In summary, the District and the State and Division Engineers came to an Agreement on October 11, 2013, prior to the start of Water Court. The findings conclude an average annual consumptive use associated with one-half interest in the Pleasant Park Ditch of a net of 61 acre feet, which will be incorporated into the District's water rights portfolio.

The District provided feedback to Mr. Hill.

- 2.6 Audience Participation – There was none.

- 2.7 Executive Session – A motion was made and seconded; (RESOLUTION 13-077) to enter Executive Session for conferences with an attorney for the public entity 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 Town of Larkspur, Exclusion of Property. The motion passed unanimously.

The regular Board Meeting resumed.

- 2.8 Continuation - A motion was made and seconded; (RESOLUTION 13-078) TO CONTINUE THE REGULAR MEETING ON DECEMBER 4, 2013. The motion passed unanimously. The meeting was continued at 20:01.

ATTEST:

Board Member