

**RECORD OF PROCEEDINGS**

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**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF  
THE CRESTVIEW WATER AND SANITATION DISTRICT  
ADAMS COUNTY, COLORADO  
March 9, 2016**

The regular 7:00 P.M. meeting of the Board of Directors of the Crestview Water and Sanitation District was held March 9, 2016 at the office of the District, 7145 Mariposa Street, Adams County, Colorado. The meeting was presided over by President Lee Tomsick. District Manager Mitch Terry was present to record the minutes.

**Members Present:**

Lee Tomsick	President
Mike Doak	Vice-President
Henry Dietz	Director
Lori Sakowicz	Director

**Also Present:**

Mitch Terry	District Manager
Ron Forman	Attorney
Charlie Poysti	Poysti and Adams, LLC

**Excused Absence:**

Jill Martin	Secretary/Treasurer
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The Pledge of Allegiance was recited.

**2015 ANNUAL FINANCIAL AUDIT REPORT, POYSTI AND ADAMS, LLC –**

Charlie Poysti of Poysti and Adams, LLC presented the 2015 Annual Financial Audit Report to the Board. Mr. Poysti answered questions from Director Tomsick regarding payroll, retirement contribution calculations and audit procedures. Director Doak had a question regarding the final checking account balance.

Mr. Poysti continued on with the Skyline Vista Report and calculations for 2016.

The Board thanked Mr. Poysti for his time and for his presentation. Mr. Poysti then left the meeting.

**MINUTES FOR APPROVAL, FEBRUARY 10, 2016**

Director Tomsick asked if there were any corrections, deletions, or additions to the Minutes for the February 10, 2016 Board Meeting.

There being no corrections, deletions, or additions, the Minutes for the February 10, 2016.

Board Meeting were accepted as presented.

**DISTRICT MANAGER’S REPORT**

**GARY HILDEBRANDT RETIREMENT**

Thirty-seven year employee of the District, Gary Hildebrandt retired on February 12, 2016. Gary was instrumental in analyzing the District’s sanitary sewer system and striving to maintain a properly operating sewer system. Gary’s extensive knowledge of Crestview’s sanitary sewer system was impressive. Mr. Hildebrandt will be missed.

**MARCH BIRTHDAYS**

Happy March birthday to office clerk Savannah Sanchez.

**CHRIS SHERRICK**

Chris Sherrick joined the Crestview maintenance team on February 29, 2016 as an entry level maintenance worker. Chris comes with several years of construction experience including the operation of heavy equipment.

**PICKUP TRUCK BID OPENING**

Crestview has been showing three pickup trucks for sale at the Utility Maintenance Facility at 6410 Pecos Street since February 29, 2016. Each truck is numbered to make identification simple for the bidding process. Trucks #1 and #2 are 2006 Ford F-150 XLT 4 X 4’s that are each Kelly Blue Book valued at

\$11,600. Truck #3 is a 1996 Ford F-250 XL 4 X 2 and is valued at \$5,900. The bid opening date has been set for March 28 2016 at 2:30 P.M. at the district office at which point the bids will be opened and winners of bids will be determined. If the three highest bids are acceptable, Mr. Terry will notify the winning bidders on March 29, 2016.

2015 FINANCIAL AUDIT AND SKYLINE VISTA BILLING COMPUTATION REPORT

The 2015 annual financial audit for the Crestview Water & Sanitation District was performed by Charlie Poysti and Cherry Lofstrom of Poysti and Adams on February 4-5, 2016. Mr. Poysti will present their findings at the March 9, 2016 regular meeting of the Board. After the Board approves the Audit and the Skyline Vista billing computation report by resolution, a bound copy of the 2015 Financial Statements and the Skyline Vista billing computation report will be presented to the Board at the April 13, 2016 regular meeting.

Director Doak made a motion to adopt the following resolution:

**RES # 6 - 16 WHEREAS** The Board of Directors of Crestview Water and Sanitation District has requested that Poysti and Adams, LLC perform an Annual Financial Audit for the year ending December 31, 2015, and

**WHEREAS** Poysti and Adams, LLC has performed said Annual Financial Audit and provided the Board with a Draft Audit Report and a Skyline Vista Billing Rate Computation, and

**WHEREAS** the Board has reviewed said Audit and Skyline Vista Billing Rate Computation;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Draft Annual Financial Audit for the year ending December 31, 2015 and the Skyline Vista Billing Rate Computation be accepted as presented. Director Sakowicz seconded the motion.

AYES: Directors Tomsick, Doak, Dietz and Sakowicz.

NAYS: None.

The resolution was adopted unanimously.

Director Doak made a motion to adopt the following resolution:

**RES. # 7-16 WHEREAS** the Board of Directors has determined that present revenues are adequate to provide for the financial needs of the District, and,

**WHEREAS**, a decrease in annual charges for sanitary sewer service for the Skyline Vista subdivision shall be made and,

**WHEREAS**, the Board has determined that the fair and reasonable annual charge for all customers within the Skyline Vista Subdivision for sanitary sewer service provided by the District to be \$495.20 (Four hundred, ninety-five dollars, and Twenty cents).

**NOW, THEREFORE, BE IT RESOLVED THAT** Appendix C, Section (B) of the Rules and Regulations be amended to read as follows:

The quarterly charge for all residential customers within the Skyline Vista Subdivision effective April 1, 2016, (regardless of delivery date of the service) shall be \$123.80 (One hundred, twenty-three dollars, and eighty cents).

Director Sakowicz seconded the motion.

AYES: Directors Tomsick, Doak, Dietz and Sakowicz.

NAYS: None.

The resolution was adopted unanimously.

## 2016 ELECTION

The date for the Colorado Special District biennial election is May 3, 2016. Crestview will have two directors whose terms will expire this year. The two Directors up for re-election are Lee Tomsick and Jill Martin. These two positions will be four year terms. Crestview voters have voted to eliminate term limits for directors so both directors are eligible for re-election. Four candidates were certified through the Secretary of State's website. A lot drawing to determine the order of candidates on the ballot was performed on Wednesday, March 3, 2016. Board President, Lee Tomsick was present to participate in and witness the drawing.

The Ballot order for the two 4 year terms was to be printed in this order:

Lee A. Tomsick  
Lisa Coder  
Jill K. Martin  
Danny Sweeney

On March 3, 2016 Mr. Terry received an email from Lisa Coder withdrawing her nomination. Mr. Terry called to the Department of Local Affairs after receiving Ms. Coder's email to determine if we can remove her name from the ballot.

Mr. Terry was instructed that the ballot does not need to be certified until March 4, 2016 so any changes before the March 4, 2016 would be acceptable. Lee Tomsick attested to the revised ballot showing the order as:

Lee A. Tomsick  
Jill K. Martin  
Danny Sweeney

There will be no Ballot Issues or Ballot Questions on this Ballot. To finalize the votes, the Designated Election Official (DEO) Mitch Terry, will need to appoint at least one eligible elector of the District and one current Board member to be on the Canvass Board. Since Mike Doak, Henry Dietz and Lori Sakowicz are the only Board members not running for office, one of the three is required by state statute to be on the Canvass Board. The Canvass Board will meet between May 4<sup>th</sup> & May 11<sup>th</sup> to certify the votes and election. Mike Doak will serve on the Canvas Board.

The certification of the votes is dependent on if there are any Uniformed Overseas Citizen Absentee Voters (UOCAVA) ballots that are outstanding. Only UOCAVA ballots that are received by the eighth day after the election will be counted.

Also, it is time to recruit election judges. The District generally uses three election judges for its elections. In the 2014 election, the Board passed by resolution to pay the election judges for their service to the District to hold the election in the amount of \$200.00 each for compensation for the required election judge training and Election Day duties. The election judges are required to be at the polling place (District office) from 6:30 AM to approximately 8:00 PM on May 3, 2016.

The required notice of election will be published in the Westminster Window on March 24, 2016. The notice has also been placed on the District's website.

Director Doak made a motion to adopt the following resolution:

**RES. # 8- 16** BE IT RESOLVED THAT the Board of Directors, Crestview Water & Sanitation District will pay a fee of \$200 to each election judge for the required election judge training as well as the duties of election judge set forth for the May 3, 2016 election.

Director Sakowicz seconded the motion.

AYES: Directors Tomsick, Doak, Dietz and Sakowicz.

NAYS: None.

The resolution was adopted unanimously.

## SEWER AVERAGING FOR 2016

The annual review of customer water usage to calculate each account's sewer flows and charges for 2016 will begin next week. Crestview uses water consumption readings from December, January, February and March to evaluate the amount of sewer that each account in the District creates. The four months mentioned are basically considered to be indoor water usage months. By taking the water meter readings from the previously mentioned months per account, adding them then dividing by four, we can calculate

how many gallons are deposited into the District's sewer system. Once the average usage is calculated, the amount of flow is calculated per 1000 gallons and charged accordingly. A service charge of \$6.90 and a charge of \$5.92 per 1000 gallons created will be added together to become the monthly charge for the following twelve months.

For example, a typical single family residence may use;

December	4000
January	5000
February	4000
March	<u>5000</u>
Average	4500 gallons per month

Service Charge	\$ 6.90
Monthly Usage 4.5 (1000) X \$5.92 =	<u>\$26.64</u>
Total sewer monthly charge would become	\$33.54

#### MIDTOWN AT CLEAR CREEK SUBDIVISION

Midtown is in final review for filing 8. Filing 8 will be located at 66<sup>th</sup> & Pecos Street. Filing 8 will be the final residential portion of the subdivision within Crestview's service area.

#### CLEAR CREEK VILLAGE TOD

There has been no communication with the District over the past couple months. It is my understanding that the developer is still performing engineering to be able to serve water to the development and keep the flows adequate for the existing Crestview customers in the area.

#### CLEAR LAKE SUBDIVISION

The water and sewer plans for the Clear Lake Estates subdivision have been provided to Crestview for review. Representatives of the development are hopeful to start building homes by mid-summer.

#### POMPONIO TERRACE

The water and sewer plans for the Pomponio Terrace subdivision were provided to Crestview on March 3<sup>rd</sup> for our review. The plans were also provided to RG and Associates for their concurrent review. Pomponio Terrace is also hopeful to start building homes by mid-summer.

Denver Water February purchase  
33,557,000 gallons  
1,082,484 gallons per day  
Average since 2006 is 33,644,800

#### BILLS -

Director Doak made a motion to adopt the following resolution:

**RES #9-16 BE IT RESOLVED THAT** the Bills be paid.

Director Tomsick seconded the motion.

AYES: Directors Tomsick, Doak, Martin, Dietz and Sakowicz.

NAYS: None.

The resolution was adopted unanimously.

#### OFFICE DATA and FINANCIAL REPORT

The Office Data and Financial Reports were accepted as presented.

#### UNFINISHED BUSINESS

#### Public Information

Election information is on the website.

Notice of Election will be advertised in the Westminster Window on March 24, 2016.

#### Metro Report

No new information to report.

**NEW BUSINESS**

Mr. Terry proposed a change to the quarterly sewer only account delinquent charges to become equitable in comparison to the monthly water/sewer customers.

Director Doak made a motion to adopt the following resolution:

**RES. #10-16 BE IT RESOLVED THAT**, The Board of Directors of the Crestview Water and Sanitation District desires to amend the Rules and Regulations of the Crestview Water & Sanitation District Part III – Water Rules and Regulations, Article IV – Water Charges, Section E - Termination of Service for Delinquency, and Part IV – Sewer Rules and Regulations, Article III – Sewer Charges, Section F – Actions and Charges on Delinquency in Payment, paragraph 4, and Appendix E, Restoration Fees, and

**WHEREAS**, the District’s Rules and Regulations Part III – Water Rules and Regulations, Article IV – Water Charges, Section E – Termination of Service for Delinquency reads “Water service shall be terminated by the District upon an account being in a delinquent status for 20 days beyond the due date. (45 days after billing date)” and,

**NOW THEREFORE BE IT RESOLVED THAT, effective March 10, 2016 The Crestview Water and Sanitation District** Rules and Regulations Part III – Water Rules and Regulations, Article IV – Water Charges, Section E –Termination of Service for Delinquency be amended to read;

“Water service shall be terminated by the District upon an account being in a delinquent status for 20 days beyond the due date (45 days after billing date) and the District reserves the right to recover all of said administrative and maintenance costs incurred by the District in enforcing its rights since the delinquency occurred. All charges shall be paid to the District even if disconnection has not actually occurred; including an administrative delinquent fee of \$15.00 after the account has been delinquent for 20 days beyond the due date., and

**WHEREAS**, the District’s Rules and Regulations Part IV – Sewer Rules and Regulations, Article III – Sewer Charges, Section F – Actions and Charges on Delinquency in Payment, paragraph 4 reads;

“4. The right to recover all of said administrative and maintenance costs incurred by the District in enforcing its rights since the delinquency occurred. All charges shall be paid to the District even if disconnection has not actually occurred; including an administrative late fee of \$25.00 after the account has been delinquent for 20 days beyond the due date.” And,

**NOW THEREFORE BE IT RESOLVED THAT, effective March 10, 2016 The Crestview Water and Sanitation District** Rules and Regulations Part IV – Sewer Rules and Regulations, Article III – Sewer Charges, Section F – Actions and Charges on Delinquency in Payment, paragraph 4 be amended to read;

4. The right to recover all of said administrative and maintenance costs incurred by the District in enforcing its rights since the delinquency occurred. All charges shall be paid to the District even if disconnection has not actually occurred; including an administrative delinquent fee of \$15.00 per monthly billed accounts and \$45 per quarterly billed accounts after the account has been delinquent for 20 days beyond the due date., and

**WHEREAS**, the District’s Rules and Regulations Appendix E, Restoration Fees reads;

“1. The following fees shall be paid by the consumer within the District for restoration of service in addition to all delinquent charges and any other charges due the District following termination of services in accordance with these rules:

- A. First termination in a twelve month period - \$ 30.00
- B. Second termination in a twelve month period - \$ 60.00
- C. Third and subsequent termination in a twelve month period - \$ 100.00

2. The following charge shall be paid by the Consumer within the District if any damage is done to the meter, yoke, piping, meter pit, locks or other devices used in termination of service in addition to all delinquent charges and any other charges due the District.

\$250.00 or actual expenses incurred by the District attributed to restoration of service, whichever is greater.” and,

**NOW THEREFORE BE IT RESOLVED THAT, effective March 10, 2016 The Crestview Water and Sanitation District** Rules and Regulations Appendix E, Restoration Fees be amended to read;

1. A \$25.00 restoration fee, per delinquency and termination of water service, shall be paid by the consumer within the District for restoration of service in addition to all delinquent charges and any other charges due the District following termination of services in accordance with these rules.
  
2. The following charge shall be paid by the Consumer within the District if any damage is done by the Consumer to the meter, yoke, piping, meter pit, locks or other devices used in termination of service in addition to all delinquent charges and any other charges due the District.

\$250.00 or actual expenses incurred by the District attributed to Consumer caused damage by the act of self-restoration of service, whichever is greater.”

Director Sakowicz seconded the motion.

AYES: Directors Tomsick, Doak, Dietz and Sakowicz.

NAYS: None.

The resolution was adopted unanimously.

There being no further new business to come before the Board, a motion was made and seconded to adjourn the meeting. Director Tomsick adjourned the meeting at 8:22 P.M.

Respectfully submitted,

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Mitch Terry, District Manager