

**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  
**December 11, 2019**

The regular 7:00 P.M. meeting of the Board of Directors of the Crestview Water and Sanitation District was held December 11, 2019 at the office of the District, 7145 Mariposa Street, Adams County, Colorado. The meeting was presided over by Board President, Mike Doak. Board Secretary, Danny Sweeney was present to record the minutes.

Members Present:

Mike Doak	President
Jill Martin	Vice-President
Danny Sweeney	Secretary/Treasurer
Tom Ryszkowski	Director
Victor Sanchez	Director

Also Present:

Mitch Terry	District Manager
Ron Sanchez	Metro District Representative
Ron Forman	Attorney

**THE PLEDGE OF ALLEGIANCE WAS RECITED**

**PUBLIC COMMENTS**- No one from the public was present

**METRO REPORT, RON SANCHEZ**

- Salaries and benefits comparisons with surrounding governmental entities continue
- EPA is requiring Metro Wastewater to remove 99% to 100% of the phosphorus in the waste water but in order to counter the lead service line issues Denver Water is stating that they need to add phosphorous into the drinking water. This is causing financial problems for Metro. To remove about 90% of the phosphorous it would cost about \$65 per pound. The EPA stated that they want 99%-100% removed and that brings the cost much higher.
- Pension plan, there is \$44 million of unfunded in debt, they have \$9 million interest due on the plan.

**RATES DISCUSSION**

Mr. Terry re-presented the Rates Study that was provided to the Board on November 13<sup>th</sup> by Todd Cristiano of Raftelis Financial Consulting since Director Doak wasn't present on November 13<sup>th</sup>.

Director Doak made a motion to adopt the following resolution:

**RES. # 33-19 WHEREAS THE BOARD OF DIRECTORS** has determined that present revenues are not adequate to provide for the financial needs of the District, and;

**WHEREAS** an increase in revenue can only be accomplished by increasing rates for water service, and;

**WHEREAS**, the Board has determined that it is desirable to establish conservation rates, and;

**WHEREAS**, the Board of Directors has determined the following to be a reasonable charge and necessary in order to provide the District with needed revenue and conservation incentive.

**NOW, THEREFORE, BE IT RESOLVED THAT** effective January 1, 2020, (regardless of the delivery date of the service) Appendix B, Sections, (A), (B), and (C), of the Rules and Regulation of the District be amended as follows:

(A) The following rates shall be paid monthly by consumers within the District who have facilities connected directly or indirectly to the water system of the District.

A minimum service charge for each connection shall be paid each month dependent upon the size of the meter as follows:

	<u>Meter Size</u>	<u>Minimum Charge</u>
1)	5/8"X3/4"	\$ 13.96
	3/4"	\$ 16.77
	1"	\$ 23.58
	1 1/2"	\$ 42.51
	2"	\$ 73.33
	3"	\$ 138.43
	4"	\$ 212.95
	6"	\$ 436.61

2) The volume Charge for all water consumed each month shall be as follows:

a) Single Family Residential Customers

<u>Monthly Usage</u>	<u>Charge</u>
0 – 5,000 Gallons	\$6.63/1,000 Gallons
5,001 – 15,000 Gallons	\$8.29/1,000 Gallons
Over 15,000 Gallons	\$10.36/1,000 Gallons

b) Multi-Family Residential Customers

<u>Monthly Usage</u>	<u>Charge</u>
0 – 5,000 Gallons	\$6.63/1,000 Gallons
5,000 – 10,000 Gallons	\$8.29/1,000 Gallons
Over 10,000 Gallons	\$10.36/1,000 Gallons

c) Commercial, Industrial, Educational, Parks and Recreation and Other Customers:

\$7.54 (Seven dollars, and fifty-four cents) per thousand gallons or portion thereof.

3) **CONSTRUCTION WATER:** Water for construction purposes shall be provided only upon the approval of the District Manager to construction projects within the District through connections and meters furnished by the District or approved by the District Manager as follows:

A basic charge, which includes the temporary connection fee of \$50.00 for each construction project plus, \$12.99 (Twelve dollars, and ninety-nine cents) per thousand gallons for all water used. Meters and other devices furnished by the District for construction water connections shall remain the property of the District. A refundable damage deposit shall be held by the District until the meter and other devices are returned in good condition.

(B) The rates by consumers outside the District shall be two (2) times the Rates paid by consumers within the District.

(C) Private Fire Systems – All water users within the District who have on their property unmetered fire protection sprinkler systems or other firefighting systems shall be charged a monthly rate dependent upon the size of the line servicing the said system as follows:

2"	\$ 19.36
3"	\$ 40.17
4"	\$ 68.50
6"	\$ 148.84
8"	\$ 340.83
10"	\$ 535.81

Director Sanchez seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

Director Martin made a motion to adopt the following resolution:

**RES. #34 -19 WHEREAS** the Board of Directors has determined that present revenues are not adequate to provide for the financial needs of the District, and;

**WHEREAS**, an increase in revenue can only be accomplished by increasing rates for sanitary sewer service, and;

**WHEREAS**, the Board of Directors has determined the following to be a reasonable charge and necessary in order to provide the District with needed revenue.

**NOW, THEREFORE, BE IT RESOLVED THAT** effective January 1, 2020, (regardless of delivery date of the service Appendix C, Section (A) of the Rules and Regulations of the District be amended as follows:

(A) The following rates shall be paid monthly by consumers within the District who have facilities connected directly or indirectly to the sewer system of the District:

- 1) A minimum service charge for each connection shall be paid each month as follows: \$7.23 (Seven dollars and twenty-three cents).
- 2) The volume charge for all billable usage shall be \$6.20 (Six dollars, twenty cents) for each 1,000 (one thousand) gallons or portion thereof. The billable usage shall be determined by the average monthly water usage billed during the four-month period, December through March or other period as determined by the District. The average winter volume charge as determined will reflect volume and strength cost associated with normal domestic wastewater and eliminate non-sewer water usage such as irrigation. When determined, the volume charge will be applied uniformly each month.
- 3) The monthly charge for Hyland Hills Park and Recreation District seasonal parks with sanitary sewer connections shall be \$37.50.

Director Sanchez seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

Director Martin made a motion to adopt the following resolution:

**MINUTES FOR APPROVAL, September 11, 2019**

Director Doak asked if there were any corrections, deletions, or additions to the Minutes for the November 13, 2019 meeting of the Board.

There being no corrections, deletions, or additions, the Minutes for the November 13, 2019 meeting of the Board were accepted as presented.

Director Ryszkowski seconded the motion.  
AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez  
NAYS: None.  
The resolution was unanimously adopted

**DISTRICT MANAGER’S REPORT**

DECEMBER BIRTHDAYS- Happy December birthdays go out to Board President Mike Doak, Inspector Eddie Torgersen and Joe Martinez in maintenance.

2020 FINAL ASSESSED VALUATION-The Crestview Water & Sanitation District has received the Final 2019 Certified Valuation of the District from the Adams County Assessor’s office. After being supplied this information, Charlie Poysti of Poysti & Associates completed the calculations for the 2020 Mill Levy and determined that the water & sewer mill levy will be 3.146 mills and the sewer only mill levy will be 0.399 mills. The total combined property taxes to be paid to the District will be \$672,688.00 in 2020. The 2019 mill levies being paid to the District total \$649,539.00. 2020 will see an increase of \$23,149.00. The Crestview Water & Sanitation District 2020 Budget was adopted at the October 23, 2019 Budget Public Hearing. The final mill levy amounts were inserted into the 2020 Budget. The Board is required to pass a resolution to certify the 2020 Mill Levies as provided in the 2020 Budget. The Budget and Budget Message will be sent out to the Division of Local Governments, Adams County Commissioners and Adams County Clerk and Recorder on December 12, 2019 as required by state statute.

Director Ryszkowski made a motion to adopt the following resolution:

**RES. # 36 -19 BE IT RESOLVED AND CERTIFIED** to the County Commissioners of Adams County, Colorado that the tax levies to be assessed upon property within the limits of the Crestview Water and Sanitation District, excluding the Park Terrace Subdivision, for the year 2020 as determined and fixed by the Board of Directors of said District on December 11, 2019 are:

General Operating Expense: 3.146 mills

**AND BE IT FURTHER RESOLVED AND CERTIFIED** to the County Commissioners of Adams County, Colorado that the tax levies to be assessed upon property within the Park Terrace Subdivision and other sewer only customers of the Crestview Water and Sanitation District for the year 2020 as determined and fixed by the Board of Directors of said District on December 11, 2019 are:

General Operating Expense 0.399 mills

**AND BE IT FURTHER RESOLVED** that the appropriate authorities are hereby authorized and directed to extend said levies upon their tax list.

Director Martin seconded the motion.  
AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez  
NAYS: None.  
The resolution was unanimously adopted.

2020 RATES STUDY-The rates study was presented during the November 13 meeting of the Board. Raftelis Financial is recommending a 3.8% across the board increase for water for all customer classes and a 2% across the board increase for sewer for all customer classes for 2020.

2020 ELECTION-The date for the Colorado Special District biennial election is May 5, 2020. Crestview will have two directors whose terms will expire in May of 2020. The two Directors up for re-election are Jill Martin and Danny Sweeney. These two positions will be three-year terms. The three-year terms for Jill Martin and Danny Sweeney will only be three-year terms in the 2020 election to get them ready for the newly created odd year elections for special districts. Jill and Danny’s terms will be next up for election in 2023. Everett Patterson resigned from the Board in September 2019 allowing the Board to appoint Victor Sanchez to the vacated position. Victor Sanchez’s seat on the Board will also be on the ballot as a two-year term and will be on the 2022 ballot as a three-year term. Crestview voters have voted to eliminate term limits for directors so all three directors are eligible for re-election.

The Board must adopt a resolution to have an election on May 5, 2020. The enclosed resolution will set the date and time for the election, establish the whole District as one precinct with the office as the polling place, name Mitchell T. Terry as the Designated Election Official for this election cycle, establish mail-in ballot application submittal dates, detail nomination procedures for candidates, provide for cancellation of the election, establish severability of the resolution, repeal any acts, orders or resolutions in conflict with the resolution and set the effective date.

One of the first responsibilities of the D.E.O. is to publish notice of election and call for nominations. Although this information has been provided to all of our customers in the transparency notice, it also must be published between January 26, 2020, and February 20, 2020 in a local newspaper. Enclosed is a copy of the "Call for Nominations" notice that will be published in the Westminster Window in the February 6th edition. Nomination forms are now available at the District office. Self-nomination applications must be returned no later than 4:00 PM, Friday, February 28th. Mail-in ballot applications will be accepted at any time through April 28, 2020 or cancellation of the election. A mail-in ballot will be provided to any applicant that is an eligible elector who cannot or chooses not to vote at the polling place on Election Day.

Director Ryszkowski made a motion to adopt the following resolution:

**RES. #38-19 WHEREAS** the terms of office of Directors Jill Martin, Danny Sweeney and Victor Sanchez shall expire after their successors are elected at the Regular Special District election ("Election") to be held on May 5, 2020, and take office, and;

**WHEREAS**, in accordance with Article 13.5 of Title 1, C.R.S. the election must be conducted to elect 2 Director(s) to serve for a term of three (3) years and 1 Director to serve for a term of two (2) years.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Crestview Water and Sanitation District in Adams County, State of Colorado that;

1. The regular election of the eligible electors of District shall be held on May 5, 2020, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, TABOR and other applicable laws. At that time, 2 Directors will be elected to serve a three (3) year term and 1 Director will be elected to serve a two (2) year term.

2. The district shall consist of one election precinct for the convenience of the eligible electors of the District, the boundaries of which are identical to the boundaries of the District, and there shall be one polling place at the following location:

Situated in Adams County, State of Colorado, the polling place located at 7145 Mariposa Street shall also be the polling place for disabled electors and for eligible electors not residing within the District.

3. The Board of Directors hereby designate Mitchell T. Terry as the Designated Election Official of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of the Resolution and the Act, Code, 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, and printing of ballots, and direct that all other appropriate actions be accomplished.

4. Applications for mail-in voter's ballots may be filed with the Designated Election Official at: 7145 Mariposa Street, Denver CO 80221 not earlier than January 1, 2020, nor later than 4:00 P.M. on April 28, 2020.

5. Self-Nomination and Acceptance forms are available at the Designated Election Official's office located at the above address. All candidates must file a self-nomination and Acceptance form with the Designated Election Official no earlier than January 1, 2020 nor later than 4:00 P.M. on February 28, 2020. Interested candidates, who miss the February 28, 2020 deadline, may still apply to run for director by filing an affidavit of intent to be a write-in candidate no later than 4:00 P.M. on Monday, March 2, 2020.

6. If the only matter before the electors is the election of Directors of the District and if, at 4:00 P.M. on March 2, 2020, there are not more candidates than offices to be filled at the Election, including candidates timely filing of affidavits of intent to be a write-in no later than March 2, 2020, 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 Article 13.5 of Title 1, C.R.S. The Notice and this resolution, signed by the Board Secretary, shall be filed with the Division of Local Government.

7. Severability. 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 or the Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code 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.

Effective Date. The provisions of this Resolution shall take effect immediately.

Director Sanchez seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

2019 WATER MAIN REPLACEMENT PROJECT- All of the 2019 Water Main Replacement project replacements have been completed as of September 30, 2019. A final cost report for the 2019 Water Main Replacement project shows the cost for the project was \$666,618.94. The 2019 WMR project was 5,001 linear feet for a per foot cost of \$133.30. The pipeline crew has performed an emergency replacement of 560 linear feet of water main in Vallejo Street from 76<sup>th</sup> avenue to the north. The pipeline crew will begin replacing the District's sewer force main in 68<sup>th</sup> avenue east of Pecos Street once the directional drilling portion of the project is complete sometime in 2020. Crestview's engineer is seeking directional drilling companies for proposals.

MIDTOWN FILING 9- Filing 9 is moving forward with more and more of the tall condos being built at the southwest corner of 68<sup>th</sup> & Pecos. All water & sewer tap fees have been paid for filing 9.

WESTMINSTER STATION/POMPONIO TERRACE- The engineers for the Westminster Station Development presented a set of plans for review on January 16<sup>th</sup> to redirect flows from 76<sup>th</sup> avenue and Zane Street from flowing west into the Zuni Street sewer main to flow east to the Pecos Street collector main. By redirecting these sewer flows, it allows the Westminster Station development to build and connect all 245 planned homes within the development without having to create a new sewer outfall south of the development. Filings 3 & 4 water plans are now at Denver Water for their review. Once Denver Water provides their review comments back to Crestview, Crestview will pass those comments on to the Westminster Station engineers so they can make any needed changes to the plans.

Denver Water November purchase  
36,370,000 gallons  
Average since 2006 is 35,224,000 gallons

MERRY CHRISTMAS EVERYONE!

Enc.

2020 Budget  
2020 Budget Message  
Publication of Call for Nominations for February 6, 2020  
RES 2020 Mill Levy certification  
RES 2020 Water Rates Increase  
RES 2020 Sewer Rates Increase  
RES Park Terrace Sewer Rates 2020  
RES To Conduct 2020 Election  
RES Sewer Reserve fund transfer \$25,000  
RES employee incentive award

Director Sanchez made a motion to adopt the following resolution:

**RES. # 37-19 WHEREAS** the Board of Directors has determined that present revenues are adequate to provide for the financial needs of the District, and,

**WHEREAS**, the Board has determined that the fair and reasonable annual charge for all customers within the Park Terrace Subdivision for sanitary sewer service provided by the District to be \$370.00 (Three hundred seventy dollars, and zero cents).

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

The monthly charge for all residential customers within the Park Terrace Subdivision effective January 1, 2020, (regardless of delivery date of the service) shall be \$30.83 (Thirty dollars, and eighty-three cents).

Director Ryszkowski seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

Director Ryszkowski made a motion to adopt the following resolution:

**RES # 39-19 THE CRESTVIEW WATER AND SANITATION DISTRICT BOARD OF DIRECTORS** has established a sewer system reserve fund for the purpose of unscheduled capital replacements and capital additions, and,

**WHEREAS**, Raftelis Financial Consultants has completed a cash flow study of the District's sewer system finances and has recommended that additional funds be added to the sewer system reserve fund to address increased replacement costs, and

**WHEREAS, THE BOARD** has determined and concluded that a transfer of \$25,000 from the existing general fund to the sewer system reserve fund is in the best interest of the District and that adequate funds are available in the general fund and a transfer of \$25,000 will not adversely affect the operation of the District.

**NOW, THEREFORE, BE IT RESOLVED THAT** \$25,000 be transferred from the existing general fund to the sewer system reserve fund and that the transfer be made in December, 2019.

Director Doak seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

**BILLS**–

Director Sweeney made a motion to adopt the following resolution:

**RES # 41-19** - BE IT RESOLVED THAT the Bills be paid.

Director Martin seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

**OFFICE DATA**

The Office Data was accepted as presented.

**FINANCIAL REPORT**

The Financial Report was accepted as presented.

**UNFINISHED BUSINESS**

The purchase of additional bonds.

Director Martin made a motion to adopt the following resolution:

**RES. # 42-19** **WHEREAS** the Board of Directors of the Crestview Water and Sanitation District has determined that it is desirable for the District to seek maximum possible investment income on its accumulated funds, and

**WHEREAS**, with advice of legal counsel, the Board has determined that an investment through Time Value Investments, Inc., of Seattle, Washington (TVI) in bonds approved in the Colorado Revised Statutes is a permissible and appropriate investment for a Colorado Special District; and

**WHEREAS**, the Board has determined that such investment may provide additional investment income beyond what is being obtained through current investments;

**NOW, THEREFORE, BE IT RESOLVED THAT** the District will make an investment in approved bonds through TVI as described above in the initial amount of \$3,000,000 (THREE MILLION DOLLARS).

Director Ryszkowski seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted

**NEW BUSINESS**

Director Martin made a motion to adopt the following resolution:

**RES. #40-19 BE IT RESOLVED THAT** the Crestview Water and Sanitation District employees be given an incentive award of \$600 net, per employee in recognition of the hard work and dedicated service to the District over the last twelve months, and;

**BE IT RESOLVED THAT** the award is made in December 2019, in addition to the regular payroll, and;

**BE IT FURTHER RESOLVED THAT** the award is not intended to set a precedent. It is given in recognition of the hard work and dedicated service of Crestview employees during the past year.

Director Ryszkowski seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Ryszkowski, and Sanchez

NAYS: None.

The resolution was unanimously adopted.

Mr. Terry thanked the Board on behalf of all the District employees.

There being no further new business to come before the Board, a motion was made by Director Martin and seconded by to adjourn the meeting. Director Doak adjourned the meeting at 8:40 P.M.

Respectfully submitted,

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Danny Sweeney, Secretary