

**Minutes**  
**1<sup>st</sup> December meeting, Dec. 4, 2007**

The meeting was called to order at 7 p.m. Present were Directors Morey, Drennan, Saltzman, Pfohl and Watts. Superintendent Swenson and Attorney Lindholm also attended.

**Secretary's report**

The minutes of the Nov. 20 meeting were read. Mr. Morey moved that the minutes be approved. Mr. Pfohl seconded. The motion carried.

**Treasurer's report**

Checks processed for the period Dec. 4-14 were \$24,569.06. Check #14107 was paid to Colorado Special District Liability Pool for the annual insurance payment of \$10,515.38. There was also a payment of \$1296.89 to GEI Consultants for the wastewater study.

Mr. Watts moved that the treasurer's report be approved. Mrs. Saltzman seconded. The motion carried and will be filed for audit.

**Superintendent's Report**

Mr. Swenson presented a report in writing, and it is included with these minutes. Mr. Andrew Monaghan submitted to the District \$22,000 in certified funds to cover past and future expenses that the District may incur in relation to the development of Lot 21C.

The District found a meter reading of 32,600 gallons in one home and both inside and remote readings matched. The bill was \$837.43, and the homeowner was notified.

Students from the Colorado School of Mines will visit the District to get water samples for bench testing for the CORADS study.

Maxwell Builders has submitted the required insurance information requested by the District in relation to the Kum and Go project. However, the District has not yet received the surety bond certificate. The required \$100 processing fee was paid.

**Old Business**

Adoption of the 2008 District budget:

Mr. Pfohl noted that there are two changes in the budget since the budget committee meeting in September. The property tax collection has been adjusted downward to reflect lower county assessments. Expenditures were decreased to match the decrease in income. Another \$353 was added to the District's emergency reserves to meet the required 3 percent.

**Budget Resolutions**

**Resolution #07-02:** Adopting the 2008 District budget. Estimated expenditures of the general fund are \$79,519 and debt service is \$12,229 for the slip lining project. Total is

\$91,748. Estimated revenues are the same as expenditures. Sources of revenue other than general property tax are \$18,229; general property taxes, \$73,519.

Mr. Pfohl moved the resolution be approved; Mr. Morey seconded. The motion passed.

**Resolution #07-03: A resolution levying general property taxes**

General property taxes revenue requirements: \$73,519

Assessed value: \$10,423, 850

General Mill levy of 7.053 mills.

0 mills for debt service

.117 mills for the purpose of obtaining lost income from prior year's refunds and abatements

Total levy: 7.17 mills

Mr. Pfohl moved and Mr. Watts seconded the motion. The motion passed.

**Resolution #07-04: Authorizing expenditure of funds.** General fund \$79,510 for current operating expenses and debt service, \$12,229.

Mr. Pfohl moved and Mrs. Saltzman seconded the resolution. The motion carried.

**Resolution #07-05: Adopting the budget for the enterprise fund for 2008** with numbers corrected as discussed. Expenses are: Operating fund, \$418,000; capital fund, \$630,000; debt service fund, \$5,389; depreciation expense, \$118,148. Total \$1,171,537. Estimated revenues: Operating fund, \$458,566; capital fund \$72,000; unappropriated surpluses, \$640,971. From operations, \$428,600; grants, \$29,966; capital contributions, \$72,000; and unappropriated surpluses, \$640,971.

Mr. Pfohl moved approval and Mrs. Drennan seconded. The motion passed.

**Resolution #07-06: Appropriating sums of money to the various funds.** Appropriated for current operating expenses is \$541,537 and for capital expenses, \$630,000.

Mr. Pfohl moved approval and Mr. Watts seconded. The motion passed.

Mr. Pfohl moved and Mr. Morey seconded that the Board approve the budget message. The motion passed.

**Attorney Report**

Regarding the Kum and Go construction: Mr. Lindholm reported that the District doesn't have a mechanism to levy fines and suggested that the District focus on the three issues that he addressed in a letter to Steve Cohen dated Nov. 26, 2007. The issues involve interference with covers and supports for the sewer within the easement; the 1996 agreement regarding a letter of credit or performance bond equal to the projected construction costs; and the requirement that any contractor doing work near District infrastructure provide evidence of a corporate surety bond, evidence of public liability

and property damage insurance and a certificate of compliance with the Colorado Workers' Compensation Act.

As of tonight's meeting, the owner had not fully complied with the District requirements as the surety bond certificate hasn't been received. The Board asked that Mr. Lindholm write a follow-up letter to Mr. Cohen expressing the Board's ongoing concerns and dissatisfaction with progress to date.

Mr. Lindholm suggested that the District engage a professional engineer to provide oversight and advice on the construction, including blasting, and potential impacts on the District's main sewer line. Mr. Pfohl moved that Mr. Swenson be authorized to hire an engineer to provide consulting services with costs to be borne by the property owner. Mr. Morey seconded. The motion passed.

### **Old Business**

Mr. Lindholm is now authorized to do legal work regarding the Lot 21A project since funds have been placed in escrow.

The Board party has been set for Friday, Jan. 11.

Mr. Pfohl reviewed the District's personnel manual with an HR consultant and has suggested revisions. The Board will review the proposed revisions and amend the manual.

### **New Business**

There was no new business.

Mr. Watts made a motion to adjourn, and Mr. Pfohl seconded.. The meeting was adjourned at 8:16 p.m.