

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DEER CREEK WATER DISTRICT HELD OCTOBER 14, 2021

This special meeting of the Board of Directors of the Deer Creek Water District (referred to hereafter as "Board") was convened at the District's Office 3344 Deer Creek Road, Parker, Colorado AND by telephone conference call on Thursday, the 14th day of October, 2021, at 6:30 p.m. The call-in information was listed in the meeting notice posted by the District and the public was able to attend the meeting by telephone, if they so desired.

Directors In Attendance Were:

Gary McIntyre
Dave Lunka
Jean King

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the absence of Lyle Penner was excused.

Also, In Attendance Were the Following Consultants:

David Solin; Special District Management Services, Inc. (via phone)

Evan Ela, Esq.; Collins, Cockrel & Cole, P.C. (via phone for a portion of the meeting)

Gabby Begeman; ORC Water Professionals (via phone for a portion of the meeting)

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

Disclosures of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Mr. Solin noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. No additional conflict disclosures were made at the meeting.

**ADMINISTRATIVE
MATTERS**

Agenda: Mr. Solin distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Agenda was approved, as presented.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, The Board determined that, this special meeting would be convened at the District's Office 3344 Deer Creek Road, Parker, Colorado AND by telephone conference call. The call-in information was listed in the meeting notice posted by the District and the public was able to attend the meeting by telephone, if they so desired. The Board further noted that notice of the time, date and location was duly posted and that that no objections to the manner of the meeting, or any requests that the manner of the meeting be changed by taxpaying electors within the District boundaries, have been received.

Minutes: The Board reviewed the Minutes of the April 8, 2021 Special Meeting, July 8, 2021 Special Meeting and August 18, 2021 Work Session Meeting.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board approved the Minutes of the April 8, 2021 Special Meeting and the July 8, 2021 Special Meeting, as presented and the August 18, 2021 Work Session Meeting, as amended.

**PUBLIC
INPUT/COMMENT**

There were no public comments.

**FINANCIAL
MATTERS**

Payment of Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending July 15, 2021	Period Ending Aug. 31, 2021	Period Ending Sept. 30, 2021
General	\$ -0-	\$ -0-	\$ 120.00
Debt	\$ -0-	\$ 13,306.32	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-
Enterprise	\$ 25,747.53	\$ 21,931.69	\$ 15,253.01
Total	\$ 25,747.53	\$ 35,238.01	\$ 15,373.01

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

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Financial Statements: Mr. Solin reviewed the financial statements through the period ending September 30, 2021, with the Board.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board approved the financial statements through the period ending September 30, 2021.

Billing Report: Mr. Solin reviewed with the Board the billing report for the month of September 2021.

Ready Reserves: The Board discussed options for maintaining a fund balance for Ready Reserves. No action was taken.

LEGAL MATTERS

Resolution to Amend the District's Rules and Regulations Concerning Water Rates: The Board discussed the Resolution to Amend the District's Rules and Regulations Concerning Water Rates.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board adopted the Resolution to Amend the District's Rules and Regulations Concerning Water Rates, as amended.

6.6 Acre Parcel: Attorney Ela discussed with the Board the 6.6 Acre Parcel, and possible options for use of that parcel.

OPERATION MATTERS

Field Service Report: Ms. Begeman discussed with the Board, updates on the operating status of the system.

The Board discussed the Meter Pit refurbishment and noted that the refurbishment has started and will include cleaning and vacuuming pits to 12" below meters. Extension collars will be added as needed. ERT's will be installed on the sides and lids will be painted. This will cost an estimated \$75,000 over the next two years.

Because ITRON has announced that they will no longer service the handheld model that the District uses after 2021, Director McIntyre asked that the handheld be sent to ITRON for refurbishment before year-end.

Ms. Begeman also noted that she is still working on getting a chlorine tank installed.

Annual Generator Preventive Maintenance: The Board reviewed the proposal from Cummins, Inc, for annual generator preventive maintenance.

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Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board approved the proposal from Cummins, Inc, for annual generator preventive maintenance, in the amount of \$1,820.50.

Load Bank Test: The Board reviewed the invoice for the Load Bank Test in the amount of &1,239.50.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board approved the invoice for the Load Bank Test in the amount of \$1,239.50 and directed Mr. Solin to request that Element Engineering reimburse the District for the expense.

Construction Water Hydrant Access: The Board discussed construction water hydrant access.

Following discussion, upon motion duly made by Director Lunka, seconded by Director McIntyre and, upon vote, unanimously carried, the Board directed that there will be no usage of hydrants allowed other than usage from the fire department and ORC.

Website: The Board discussed management of the District's website. The Board determined to transfer access to Ms. Ripko for all updates and postings. Director McIntyre will also keep access.

Meter Pit Assessments and Plans for Future Refurbishing: The Board discussed creating an inventory list detailing meter pit assessments and plans for future refurbishing. No action was taken.

ERT's for Well Meters: The Board discussed ERT's for well meters. No action was taken.

Well Controls: The Board discussed well controls. No action was taken at this time.

Communication Process: The Board discussed the communication process by and among Board members, and with the District's consultants. The Board directed that Mr. Solin be the point of contact as the person responsible for District matters.

OTHER MATTERS

Budget Hearing Meeting: The Board discussed scheduling a special meeting for the 2022 Budget Hearing. The Board determined to schedule the meeting for November 11, 2021 at 6:30 p.m.

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ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: 
Secretary

DEER CREEK WATER DISTRICT

RESOLUTION NO. 2021-10-01

**A RESOLUTION ADOPTING INCREASES TO CERTAIN SERVICE FEES AND
REVISING APPENDIX A TO THE DISTRICT RULES AND REGULATIONS –
SCHEDULE OF FEES**

WHEREAS, Deer Creek Water District (“District”) is a special district created pursuant to Article 1, Title 32, C.R.S. (“District Act”), and is authorized to provide, among other activities, the ownership and operation of a domestic water supply system and related activities, services and facilities within and without the District; and


WHEREAS, the Board desires to revise its fee schedule contained in Appendix A to the District Rules and Regulations to increase certain service fees to correspond to the actual costs incurred by the District for providing such services; and

WHEREAS, the Board has properly publicized its intention to consider an increase in the subject service fees as required by Section 32-1-1001(2)(a), C.R.S. and the Board has determined that the proposed increase is necessary to account for its actual costs in providing the subject services as necessary to promote the health, safety, prosperity, security, and general welfare of the customers of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District that service fees for calls to notify and disconnect or reconnect users of the water system shall be increased as shown on the attached revised Table A-1 (Schedule of Fees), a part of Appendix A to the District’s Rules and Regulations.

THE FOREGOING RESOLUTION was adopted this 14th day of October, 2021, at a regular meeting of the Board of Directors of the Deer Creek Water District by a vote of the Board recorded as four (4) in favor and none (0) opposed, and is hereby certified as the final Resolution of the Board by me as Secretary of the Board.

DEER CREEK WATER DISTRICT

By: 

David Solin, Secretary

**Table A-1
Other Fees and Charges**

Category of Fee	Amount	Notes
Residential Tap Fee	Increases Monthly (see Table A-2)	Effective 6/11/2020
Residential Base Fee (Monthly)	\$7.50	Effective 1/1/2010
Residential Usage Fee	\$2.95 per 1,000 gallons	Effective 1/1/2010
Commercial Tap Fee	Increases Monthly (see Table A-2)	Effective 6/11/2020
Commercial Base Fee (Monthly)	1" Tap \$20 1.5" \$66 2" \$120 3" \$180 4" \$440	Effective 1/1/2014
Commercial Usage Fee	\$2.95 per 1,000 gallons	Effective 1/1/2014
Monthly Specific Water Activity Fee (Residential and Commercial Accounts)	Water Tank Repair \$4.50 Water Tank Repair \$4.00 Capital Improvements \$49.00	Effective 4/1/2016 until 4/1/2023 Effective 11/1/2017 until 4/1/2023 Effective 4/1/2018
Service/Inspection Calls	\$95.00 per hour	Effective 10/14/2021
Unauthorized Connection Fee	Applicable Tap Fee PLUS accrued Service Charges and Penalties	
Delinquent Notice Letter service fee	\$30	Effective 10/14/2021
Disconnect Notice Posting	\$250	Effective 10/14/2021
Connect/Disconnect Service Fee	Connect \$250 Disconnect \$250	Effective 10/14/2021
Transfer Fee	\$50	One-time charge to new subscribers to water service in the District
Service Disconnect for Remodel and/or Construction	\$50	
Existing Utility Stub Abandonment Fee	See Service/Inspection Calls Fee	
Unauthorized Water Use Charges	\$1,000 for each violation	
Unauthorized Hydrant Use	\$1,000 for each violation	
Water System and/or Meter Tampering	\$1,000 for each violation	
Liens for Unpaid Charges	\$500	

Returned Check Fee	\$50	Effective 10/14/2021
Late Payment Charge	\$25	Effective 10/14/2021
For service work during normal working hours. One hour minimum charge.	\$95 per hour	Effective 10/14/2021
For Service work before 8:00 a.m. or after 5:00 p.m., Monday through Friday, or at any time on Saturday, One hour minimum charge.	\$145 per hour	Effective 10/14/2021
For Service work on Sundays and Legally Recognized, Holidays, Two hour minimum charge	\$190 per hour	Effective 10/14/2021
Hydrant Meters - Deposits, rates and charges	Not available at this time	

Table A-2 Increasing Tap Fee Schedule for Residential Taps and 1-inch Commercial Taps

Residential Tap Fees				Commercial Tap Fees			
8/1/2018	\$ 16,188	1/1/2021	\$ 18,073	8/1/2018	\$ 52,854	1/1/2021	\$ 58,509
9/1/2018	\$ 16,253	2/1/2021	\$ 18,138	9/1/2018	\$ 53,049	2/1/2021	\$ 58,704
10/1/2018	\$ 16,318	3/1/2021	\$ 18,203	10/1/2018	\$ 53,244	3/1/2021	\$ 58,899
11/1/2018	\$ 16,383	4/1/2021	\$ 18,268	11/1/2018	\$ 53,439	4/1/2021	\$ 59,094
12/1/2018	\$ 16,448	5/1/2021	\$ 18,333	12/1/2018	\$ 53,634	5/1/2021	\$ 59,289
1/1/2019	\$ 16,513	6/1/2021	\$ 18,398	1/1/2019	\$ 53,829	6/1/2021	\$ 59,484
2/1/2019	\$ 16,578	7/1/2021	\$ 18,463	2/1/2019	\$ 54,024	7/1/2021	\$ 59,679
3/1/2019	\$ 16,643	8/1/2021	\$ 18,528	3/1/2019	\$ 54,219	8/1/2021	\$ 59,874
4/1/2019	\$ 16,708	9/1/2021	\$ 18,593	4/1/2019	\$ 54,414	9/1/2021	\$ 60,069
5/1/2019	\$ 16,773	10/1/2021	\$ 18,658	5/1/2019	\$ 54,609	10/1/2021	\$ 60,264
6/1/2019	\$ 16,838	11/1/2021	\$ 18,723	6/1/2019	\$ 54,804	11/1/2021	\$ 60,459
7/1/2019	\$ 16,903	12/1/2021	\$ 18,788	7/1/2019	\$ 54,999	12/1/2021	\$ 60,654
8/1/2019	\$ 16,968	1/1/2022	\$ 18,853	8/1/2019	\$ 55,194	1/1/2022	\$ 60,849
9/1/2019	\$ 17,033	2/1/2022	\$ 18,918	9/1/2019	\$ 55,389	2/1/2022	\$ 61,044
10/1/2019	\$ 17,098	3/1/2022	\$ 18,983	10/1/2019	\$ 55,584	3/1/2022	\$ 61,239
11/1/2019	\$ 17,163	4/1/2022	\$ 19,048	11/1/2019	\$ 55,779	4/1/2022	\$ 61,434
12/1/2019	\$ 17,228	5/1/2022	\$ 19,113	12/1/2019	\$ 55,974	5/1/2022	\$ 61,629
1/1/2020	\$ 17,293	6/1/2022	\$ 19,178	1/1/2020	\$ 56,169	6/1/2022	\$ 61,824
2/1/2020	\$ 17,358	7/1/2022	\$ 19,243	2/1/2020	\$ 56,364	7/1/2022	\$ 62,019
3/1/2020	\$ 17,423	8/1/2022	\$ 19,308	3/1/2020	\$ 56,559	8/1/2022	\$ 62,214
4/1/2020	\$ 17,488	9/1/2022	\$ 19,373	4/1/2020	\$ 56,754	9/1/2022	\$ 62,409
5/1/2020	\$ 17,553	10/1/2022	\$ 19,438	5/1/2020	\$ 56,949	10/1/2022	\$ 62,604
6/1/2020	\$ 17,618	11/1/2022	\$ 19,503	6/1/2020	\$ 57,144	11/1/2022	\$ 62,799
7/1/2020	\$ 17,683	12/1/2022	\$ 19,568	7/1/2020	\$ 57,339	12/1/2022	\$ 62,994
8/1/2020	\$ 17,748	1/1/2023	\$ 19,633	8/1/2020	\$ 57,534	1/1/2023	\$ 63,189
9/1/2020	\$ 17,813	2/1/2023	\$ 19,698	9/1/2020	\$ 57,729	2/1/2023	\$ 63,384
10/1/2020	\$ 17,878	3/1/2023	\$ 19,763	10/1/2020	\$ 57,924	3/1/2023	\$ 63,579
11/1/2020	\$ 17,943	4/1/2023	\$ 19,828	11/1/2020	\$ 58,119	4/1/2023	\$ 63,774
12/1/2020	\$ 18,008	5/1/2023	\$ 19,893	12/1/2020	\$ 58,314	5/1/2023	\$ 63,969