

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DEER CREEK WATER DISTRICT HELD NOVEMBER 12, 2020

Due to the COVID-19 pandemic, the special meeting of the Board of Directors of the Deer Creek Water District (referred to hereafter as "Board") was convened by telephone conference call on Thursday, the 12th day of November 2020, 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
Lyle Penner
Dave Lunka
Ted Stutz

Also, In Attendance Were the Following Consultants:

David Solin, Shad Ortiz (for a portion) and Jim Ruthven (for a portion); Special District Management Services, Inc.

Nick Marcotte; Element Engineering LLC

Jean King; Resident

**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.

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

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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 Stutz and, upon vote, unanimously carried, The Board determined that, due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the meeting would be held by conference call and encouraged public participation via telephone. The Board further noted that notice of the time, date and location was duly posted and that that no objections to the telephonic manner of the meeting, or any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries, have been received.

Minutes: The Board reviewed the Minutes of the September 10, 2020 Regular Meeting and the September 16, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Penner, seconded by Director McIntyre and, upon vote, unanimously carried, the Board approved the Minutes of the September 10, 2020 Regular Meeting and the September 16, 2020 Special Meeting, as presented.

Resolution No. 2020-11-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Locations for Posting of 72-Hour and 24-Hour Notices: The Board discussed Resolution No. 2020-11-01; Designating Location to Post 24-Hour Notices.

Mr. Solin reviewed the business to be conducted in 2021 to meet the statutory compliance requirements. The Board, determined to meet on January 14, 2021, April 8, 2021, July 8, 2021 and October 14, 2021 at 6:30 p.m. at the Water Facility Maintenance Building, 3344 Deer Creek Drive, Parker, CO 80138.

Following review, upon motion duly made by Director McIntyre, seconded by Director Penner and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-11-01; Resolution Designating Location to Post 24-Hour Notices. A copy of the Resolution is attached hereto, and incorporated herein, by this reference.

**PUBLIC
INPUT/COMMENT**

Ms. King discussed the District Website, road repairs and construction parking concerns with the Board.

**OPERATION
MATTERS**

Operators Report: There was no Operator's report.

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Engineers Report: Mr. Marcotte updated the Board on construction matters.

Field Service Report: Mr. Ortiz discussed with the Board the meter and ERT matters.

FINANCIAL MATTERS

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

Fund	Period Ending Sept. 14, 2020	Period Ending Oct. 15, 2020
General	\$ -0-	\$ -0-
Debt	\$ 13,306.32	\$ -0-
Capital	\$ 630,948.99	\$ 280,087.45
Enterprise	\$ 16,842.90	\$ 18,020.40
Total	\$ 661,098.21	\$ 298,107.85

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

Financial Statements: The Board reviewed the financial statements through the period ending September 30, 2020.

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, 2020.

Billing Report: The Board reviewed the billing report for the month of October.

2020 Audit: The Board reviewed the engagement letter from Haynie & Company, Inc. to perform the 2020 Audit.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board approved the engagement of Haynie & Company, Inc. to perform the 2020 Audit.

2020 Budget Amendment: The President opened the public hearing to consider an Amendment to the 2020 Budget and discuss related issues

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2020 Budget and the date, time, and place of the public hearing was made in a newspaper having general circulation within the District.

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No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-11-02; Resolution to Amend the 2020 Budget. A copy of the Resolution is attached hereto and incorporated herein by this reference.

2021 Budget Hearing: The President opened the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2021 Budget and the date, time, and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Mr. Solin reviewed the estimated 2020 expenditures and the proposed 2021 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2020-11-03 to Adopt the 2021 Budget and Appropriate Sums of Money and to Set Mill Levies (for the General Fund at 8.880 mills, for a total mill levy of 8.880 mills). Upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, Resolution was adopted, as discussed and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2020. Mr. Solin was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Elbert County, not later than December 15, 2020. Mr. Solin was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2021. Copies of the adopted Resolutions are attached to these Minutes and incorporated herein by this reference.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director McIntyre, seconded by Director Lunka and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

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OTHER MATTERS

There were no other matters.

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: _____
Assistant Secretary