

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MANSFIELD HEIGHTS WATER AND SANITATION DISTRICT

### HELD

NOVEMBER 3, 2021, 3:00 P.M., WAS HELD VIRTUALLY VIA ZOOM.

#### ATTENDANCE:

The special meeting of the Board of Directors of the Mansfield Heights Water and Sanitation District was called and held, as shown, in accordance with Colorado law. The following directors were in attendance:

Richard Fullerton  
David Brenman  
Candice Goldstein  
William Klingensmith  
Graham Hollis

Also present:

Sue Blair; Community Resource Services of Colorado, LLC  
Lisa Schwien, P.E.; Kennedy Jenks

#### DIRECTOR'S ITEMS

Call to Order. Director Fullerton chaired the meeting and noted a quorum of the Board was present and therefore called the meeting to order at 3:03 p.m. Upon motion duly made, seconded, and unanimously carried.

Agenda. Upon motion duly made by Director Fullerton seconded by Director Goldstein, and upon vote unanimously carried, the Board approved the agenda, as presented.

#### SYSTEM MAINTENANCE:

Update on Communication with Participating Districts: Ms. Blair reported that Devonshire suspended its sump pump inspections during COVID. Darcy Beard is now managing the Devonshire and she has indicated that they do plan to finish the inspections over the next year. There has been no movement by Cherry Hills San or Cherry Hills North to implement sump pump inspections to her knowledge. The Directors discussed practical options to force all participating districts to require sump pump inspections.

Taps North of Mansfield: Ms. Blair reported that a homeowner north of Mansfield had called Cherry Hills San as they were experiencing a sewer backup. Cherry Hills San had been billing this service and sent a crew to investigate. The tap where they thought the home was connected to Cherry Hills Sanitation main was totally clogged. A company came out to clear the line and discovered it was not the tap serving the home, and found a second

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tap on the property that tied to a Mansfield line. Ms. Blair will provide additional information when received from Cherry Hills San regarding tap fees paid, billing, etc. Ms. Schwien stated that the elevation of the utility access holes will need to be determined to see if service of 1 Cherry Blossom could be provided by Cherry Hills San. The Board authorized to survey the elevation of the manholes in question.

Discussion ensued regarding the viability of Cherry Hills San taking over service of 1 Cherry Blossom, Mansfield abandoning the 8" line that would not be used, the cost of inclusion/exclusion and process of obtaining petitions from the owners, and the lost revenue from 21 Cherry Lane.

2022 Recommended Maintenance. Ms. Schwien reviewed the 2022 maintenance plan for Basins 1, 2 and 3. Approximately 12,500 lineal feet of line would be videotaped, cleaned and jetted as needed. The engineering review cost is \$11,460. DES will perform the maintenance and their rates are not changing for 2022. Director Hollis moved that the Board approve the proposal from Kennedy/Jenks and the proposal from DES to perform the 2022 maintenance in Basins 1,2 and 3. Upon second by Director Brenman, vote was taken and motion carried unanimously

### FINANCIAL MATTERS:

Claims. Ms. Blair reviewed the claims presented for approval represented by check nos. 2398-2409 totaling \$6,916.70. In addition, claims to be ratified were presented by check nos. 2322 – 2397 totaling \$101,220.03. Following review, upon motion duly made by Director Fullerton, seconded by Director Goldstein, and upon vote unanimously carried, the ratification and approval of the claims respectively, was approved, as presented.

Unaudited Financial Statements. Ms. Blair reviewed the cash position summary dated October 2, 2021, and the Financial Statements for the period ending September 30, 2021. The Board accepted the Financials Statements as presented.

InBank: Ms. Blair recommended that the Board consider banking with InBank, closing the District's account with FirstBank. There is no charge by InBank to process bill pay for the District. Ms. Blair has been pleased with InBank's responsiveness and great customer service. Director Brenman moved that the Board authorize the District's accountant to establish an account with InBank. Upon second by Director Goldstein, vote was taken and motion carried unanimously.

2022 Budget Hearing. Chairman Fullerton opened the public hearing to consider the proposed 2022 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget and the date, time and place of the public hearing

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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.

Ms. Blair reviewed the 2022 proposed budget with the Board.

Following discussion, the Board considered the adoption of the Resolution to Adopt the 2022 Budget and Appropriate Sums of Money and Set Mill Levies (for the General Fund at 0.000 mills, for a total mill levy of 0.000 mills).

Upon motion duly made by Director Fullerton, seconded by Director Goldstein and, upon vote, unanimously carried, the 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, 2021. Ms. Blair was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Arapahoe County and the Division of Local Government, not later than December 15, 2021. Ms. Blair was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022.

2020 Budget Amendment: The Board reviewed the proposed 2020 budget amendment. Ms. Blair reported that publication was made in a newspaper having general circulation within the District. Chairman Fullerton opened the public hearing. There was no public present to comment on the amendment, the public hearing was closed. Director Brenman moved that the Board approve the 2020 budget amendment as presented. Upon second by Director Klingensmith, vote was taken, and motion carried unanimously. The Board directed Ms. Blair to file the amendment with DOLA.

2021 Budget Amendment: The Board reviewed the proposed 2021 budget amendment. Ms. Blair reported that publication was made in a newspaper having general circulation within the District. Chairman Fullerton opened the public hearing. There was no public present to comment on the amendment, the public hearing was closed. Director Brenman moved that the Board approve the 2021 budget amendment as presented. Upon second by Director Klingensmith, vote was taken, and motion carried unanimously. The Board directed Ms. Blair to file the amendment with DOLA.

Certifying Delinquent Accounts Public Hearing. Chairman Fullerton opened the public hearing to certify the delinquent accounts.

It was noted that those homeowners being certified were notified of the hearing and their delinquency via certified mail. No homeowners were present, no public comments were received, and the public hearing was closed.

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Director Fullerton moved to approve the certification of the listed homeowners as delinquent and to submit the list to the county for collection. Upon a second, by Director Goldstein, a vote was taken, and the motion carried unanimously.

### **ADMINISTRATIVE MATTERS:**

2021 Administrative Resolution. Ms. Blair presented the 2022 Annual Administrative Resolution to the Board for approval. Following review, upon motion duly made by Director Fullerton, seconded by Director Goldstein, and upon vote unanimously carried, the 2022 Annual Administrative Resolution was approved, as presented.

May 3, 2022 Regular Election/Resolution. Ms. Blair reported that the terms of office for Directors Fullerton, Goldstein and Hollis will expire in May 2022. Following review of the 2022 Election Resolution, upon motion duly made by Director Fullerton, seconded by Director Goldstein, and upon vote unanimously carried, the 2022 Election Resolution was approved, as presented.

Resolution to Establish Electronic Board Meeting Policy. Ms. Blair presented a Resolution for Board consideration to establish an electronic board meeting policy. Following review, upon motion duly made by Director Brenman, seconded by Director Klingensmith, and upon vote unanimously carried, the Resolution was approved, as presented.

Website Requirements. The District will need to expend monies to develop an ADA approved website pursuant to new legislation. Ms. Blair explained a SIPA website and the long waiting list. After discussion, the Board authorized CRS to develop a website that is in compliance with new requirements.

Hillcrest Annual Report. The Board reviewed the Annual Report received from Hillcrest Water & Sanitation District. Director Klingensmith was questioning how the letter was developed and stated his disagreement with comments made within the report. Ms. Blair stated that the Hillcrest Board does review and edit the letter on a yearly basis prior to it being delivered to the participating districts.

Minutes. Following review, upon motion duly made by Director Fullerton, seconded by Director Hollis, and upon vote unanimously carried, the October 15, 2020, minutes were approved as presented.

**OTHER BUSINESS:** None presented.

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**ADJOURNMENT:** There being no further business to come before the Board, the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

DocuSigned by:  
*Sue Blair*

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Secretary for the Meeting