

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HOLLY HILLS WATER AND SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WATER UTILITY ENTERPRISE
HELD
JANUARY 16, 2019**

A Regular Meeting of the Board of Directors of the Holly Hills Water and Sanitation District and the Board of Directors of the Water Activity Enterprise (referred to hereafter as "Board") was convened on Wednesday, the 16th day of January, 2019, at 7:00 p.m., at the Skyline Firehouse, 6000 E. Yale Avenue, Denver, Colorado 80222. The meeting was open to the public.

Directors In Attendance Were:

Raymond V. Henney
Irina Bovee
Marie Sullivan
Scott Kemmeries

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Timothy J. Flynn, Esq.; Collins Cockrel and Cole, P.C.

Will Raatz; W2 Engineers, LLC (arrived at 7:30 PM)

David E. Diver, Joseph W. Gootee, Rick Harmon, Linda Rhea, Thomas E. Thomasson, William E. Wells, Sr. – Members of the Public

**ADMINISTRATIVE
MATTERS**

19.001 Agenda: Mr. Beck reviewed the proposed Agenda.

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

19.002 Consider appointment of Director: Attorney Flynn discussed the history of the District with the candidates present and the position of Director. The Directors introduced themselves to the candidates present. Mr. Diver, Mr. Gootee, Mr. Harmon, Ms. Rhea, Mr. Thomasson and Mr. Wells all addressed the Board and discussed their personal qualifications and desires to hold the position as Director on the Board. Following the individual presentations, each of the Directors asked

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each of the candidate's questions regarding their candidacy. Following the discussions the Board decided to defer the selection of a new Director to consider the candidates before voting. All candidates were thanked for their interest and attendance at the meeting and then they left the meeting.

19.003 Minutes: The Board discussed the minutes of the November 29, 2018 Special Meeting.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Bovee and, upon vote, unanimously carried, the minutes of the November 29, 2018 meeting were approved as presented.

PUBLIC COMMENT

19.004 Public Comment: There were no public comments.

LEGAL MATTERS

19.005 OCCT/Denver Water Update: Attorney Flynn reported that there are no updates at this time.

19.006 District By-Laws: Attorney Flynn will provide the final draft of the By-Laws and the Resolution to adopt the By-Laws at the February 20, 2019 meeting.

19.007 Consumer Data Privacy Act: Attorney Flynn discussed the provisions of the act and will review the SDMS contract to ensure that the companies policies are in compliance with the CDP Act.

19.008 Resolution No. 2019-01-1; Designating the Location for Posting Open Meetings Law Notices: Attorney Flynn reviewed Resolution No. 2019-01-1; Designating the Location for Posting Open Meetings Law Notices with the Board.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Sullivan and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-01-1; Designating the Location for Posting Open Meetings Law Notices. A copy of the adopted Resolution attached hereto and incorporated herein by this reference.

19.009 DRC Construction Services, Inc. Contract: Attorney Flynn discussed the current contract with DRC and reported that he would be modifying the contract based on the projections provided in the 2019 proposal received from DRC and to include the added services to check manholes more frequently.

FINANCIAL MATTERS

19.010 Ratification of Claims: Mr. Beck reviewed with the Board the claims for the period ending December 12, 2018 as follows:

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General Fund:	\$ 3,610.95
Capital Projects Fund:	\$ 0.00
Enterprise Fund:	\$ 1,145.00
Total:	<u>\$ 4,755.95</u>

Following discussion, upon motion duly made by Director Henney, seconded by Director Kemmeries and, upon vote, unanimously carried, the claims paid for the period ending December 12, 2018 were ratified.

19.011 Approval of Claims: Mr. Beck reviewed with the Board the claims for the period ending January 16, 2019 as follows:

General Fund:	\$ 4,884.00
Capital Projects Fund:	\$ 0.00
Enterprise Fund:	\$ 0.00
Total:	<u>\$ 4,884.00</u>

Following discussion, upon motion duly made by Director Sullivan, seconded by Director Bovee and, upon vote, unanimously carried, the claims paid for the period ending January 16, 2019 were approved.

19.012 Unaudited Financial Statements: Mr. Beck reviewed the cash position as of January 16, 2019 and the unaudited financial statements of the District as of December 31, 2018.

Following discussion, upon motion duly made by Director Henney, seconded by Director Sullivan and, upon vote, unanimously carried, the unaudited financial statements for the period ended December 31, 2018 were approved.

19.013 2019 Rate Increase: Attorney Flynn and Mr. Beck discussed the proposed rate increase that was included in the 2019 budget and the setting of the February 20, 2019 Regular Meeting as the date to have a public hearing regarding the increase. Mr. Beck will publish the 30 day notice of the hearing with the Transparency Notice to meet the posting requirements.

OPERATIONS

19.014 Grease Trap Inspections and Operations: Mr. Beck discussed the operations reports received from DRC and the new inspection program that DRC is enacting to more closely monitor the manholes that caused the sewage backup in 2016.

CAPITAL PROJECTS

19.015 2018 Capital Projects: Mr. Raatz discussed the 2019 CIP with the Board and stated that he would discuss the previously received bid from C&L Water

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Solutions with the company to determine if they can still perform the project and he will report back to the Board in February.

EXECUTIVE SESSION

19.016 Executive Session: Not required.

OTHER BUSINESS

19.017 Selection of Director: The Board discussed all of the candidates who were present and submitted their applications for the vacant Director position.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Sullivan and, upon vote, unanimously carried, the Board appointed Mr. Thomas Thomasson to fill the vacant director position until the next regular election to be held in May 2020. Mr. Beck was directed to contact all of the candidates and thank them for their interest.

ADJOURNMENT

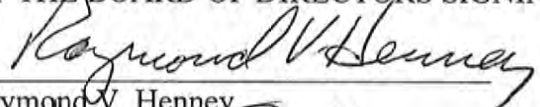
There being no further business to come before the Board at this time, upon motion duly made by Director Henney, seconded by Director Sullivan and, upon vote, unanimously carried, the Board approved the adjournment of the January 16, 2019 Regular Meeting.

Respectfully submitted

By: 

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 16, 2019 MINUTES OF THE HOLLY HILLS WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


Raymond V. Henney


Irina Boyce


Marie E. Sullivan

Scott K. Kemmeries

RESOLUTION NO. 2019-01-1

**HOLLY HILLS WATER AND SANITATION DISTRICT
ARAPAHOE AND DENVER COUNTIES, COLORADO**

**A RESOLUTION ESTABLISHING THE DATE, TIME AND LOCATION FOR THE
REGULAR MEETINGS OF THE BOARD OF DIRECTORS OF THE HOLLY HILLS
WATER AND SANITATION DISTRICT AND DESIGNATING THE LOCATION FOR
POSTING NOTICE OF DISTRICT MEETINGS IN COMPLIANCE WITH THE OPEN
MEETINGS LAW AND SPECIAL DISTRICT ACT**

WHEREAS, pursuant to Section 32-1-903 C.R.S., the Board of Directors (“Board”) of the Holly Hills Water and Sanitation District (“District”) is required to meet regularly at a time and in a place to be designated by the Board; and

WHEREAS, Section 24-6-402(2)(c) C.R.S., requires that the Board annually designate one or more places within the boundaries of the District as the place where notice of Board meetings, together with a meeting agenda, when available, shall be posted at least 24 hours prior to the convening of such meeting for the purpose of complying with the notice provisions of the Colorado Open Meetings Law; and

WHEREAS, pursuant to Section 32-1-903(2) C.R.S., the District is required to post in at least three public places within the limits of the District, and in addition, in the office of the County Clerk and Recorder of Arapahoe and Denver Counties, Colorado notice of the time, place and location of the District’s regular and special Board meetings; and

WHEREAS, pursuant to Section 32-1-903(1), C.R.S., all regular and special meetings of the Board shall be held at locations which are within the boundaries of the District or which are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the meeting location does not exceed twenty miles from the District boundaries unless such requirement is waived by the Board pursuant to Section 32-1-903(1)(a), C.R.S.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
THE HOLLY HILLS WATER AND SANITATION DISTRICT OF ARAPAHOE AND
DENVER COUNTIES, COLORADO AS FOLLOWS:**

Section 1. Regular Meetings. That the Board shall meet regularly during calendar year 2019 on the third Wednesday of each month at 7:00 p.m. at the Skyline Firehouse, 6000 E. Yale Avenue, Denver, Colorado 80222, or at such other location as may from time to time be designated by the Board.

Section 2. Special Meetings. Special meeting may be called by any director by informing the other directors of the date, time and place of such special meeting, and the purpose for which it is called, and by posting notice as provided herein at least 72 hours prior to said meeting.

Section 3. Change of Meeting Dates. That until circumstances change and a future resolution of the Board so designates, the location of all special and regular meetings of the Board shall appear on the agenda of said special and regular meetings.

Section 4. Location for Open Meeting Law Postings. Skyline Firehouse, 6000 E. Yale Avenue, Denver, Colorado 80222 is hereby designated as the location for posting notices of Board meetings for purposes of complying with the notice provisions of the Open Meetings Law, Section 24-6-401, *et seq.*, C.R.S.

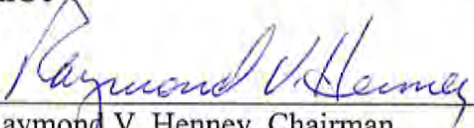
Section 5. Posting Locations for Regular Meetings. Notices of the Board's regular meetings for 2019 shall be posted in the Arapahoe and Denver Counties Clerk and Recorder's Office pursuant to Section 32-1-903, C.R.S. and at the following three locations within the District's boundaries:

- (a) Skyline Firehouse, 6000 E. Yale Avenue, Denver, Colorado 80222;
- (b) Holly Hills Elementary School, 6161 E. Cornell Avenue, Denver, Colorado 80222;
- (c) Holly Ridge Primary School, 3301 S. Monaco Parkway, Denver, Colorado 80222.

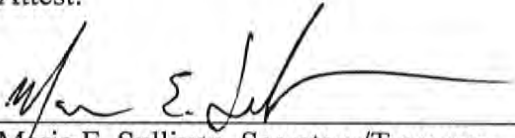
Section 6. Representative Authorized to Post. Any member of the District's Board of Directors or any designee of the Board is hereby authorized to post notice of the District's meetings as required by statute.

APPROVED AND ADOPTED this 16th day of January, 2019.

HOLLY HILLS WATER AND SANITATION
DISTRICT

By: 
Raymond V. Henney, Chairman

Attest:


Marie E. Sullivan, Secretary/Treasurer