

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
SEPTEMBER 18, 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 18th day of September, 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
Thomas Thomasson
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, by telephone for a portion of the meeting

**ADMINISTRATIVE
MATTERS**

19.108 Agenda: Mr. Beck reviewed the proposed Board Meeting Agenda.

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

19.109 Minutes: The Board discussed the minutes of the August 21, 2019 Regular Meeting.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Sullivan and, upon vote, unanimously carried, the minutes of the August 21, 2019 meeting were approved, as presented.

RECORD OF PROCEEDINGS

PUBLIC COMMENT **19.110 Public Comment:** There were no public comments.

LEGAL MATTERS **19.111 OCCT/Denver Water Update:** Attorney Flynn reported that Denver Water has filed for a variance from the Lead and Copper Rule with the U.S. Environmental Protection Agency (EPA) to avoid having to use orthophosphate for corrosion control purposes. The EPA will not conduct a comment period as originally expected. Any and all comments regarding the variance need to be delivered to Denver Water, who will forward them to the EPA. Recent problems with the use of lead filter kits in Newark, New Jersey may have an impact on the EPA's willingness to grant the variance. The EPA is expected to make a decision before the end of the year. If the variance is granted, it will become effective on or before March 2020.

19.112 Discussion regarding the establishment of a website and online posting of meeting notices: Director Kemmeries reported that he had reviewed a number of other District websites including SIPA sites and was still reviewing and would come back with a recommendation in October. Mr. Flynn noted that his office has prepared a memo regarding the low-cost statewide internet portal authority ("SIPA"), which he will distribute prior to the next Board meeting.

FINANCIAL MATTERS

19.113 Approval of Claims: Mr. Beck reviewed with the Board the claims for the period ending September 18, 2019 as follows:

General Fund:	\$ 8,082.46
Capital Projects Fund:	\$ 0.00
Enterprise Fund:	\$ 1,617.72
Total:	<u>\$ 9,700.18</u>

Following discussion, upon motion duly made by Director Thomasson, seconded by Director Kemmeries and, upon vote, unanimously carried, the claims for the period ending September 18, 2019, were approved.

19.114 Unaudited Financial Statements: Mr. Beck reviewed the unaudited financial statements for the period ending August 31, 2019, and the cash position statement dated as of August 31, 2019. The Board also discussed the accounts receivables and how a few commercial accounts are billed on actual consumption and the rest are billed on average winter consumption. The Board tabled further discussion until the October 16, 2019 meeting.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Sullivan and, upon vote, unanimously carried, the unaudited financial

RECORD OF PROCEEDINGS

statements for the period ending August 31, 2019, and the cash position statements dated as of August 31, 2019, were accepted, as presented.

19.115 Update on Metro Wastewater Fees: Mr. Beck updated the Board on the treatment fees and 23.6% increase over 2019 and the effects on the 2020 Budget.

19.116 Delinquent Accounts Public Hearing: All accounts that are subject to certification received written notice at least 10 days prior to the date of this meeting. Accordingly, legal counsel noted that the Board had jurisdiction to conduct the Public Hearing regarding the certification of delinquent accounts. Mr. Beck then opened the Public Hearing and it was noted that no members of the public or any customers appeared to object to the District's certification of the delinquent accounts and the Public Hearing was closed.

Attorney Flynn then distributed and reviewed Resolution No. 2019-09-01 Certifying Delinquent Accounts for Collection to the City and County of Denver Treasurer and Resolution No. 2019-09-02 Certifying Delinquent Accounts for Collection to the Arapahoe County Treasurer with the Board.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Bovee and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-09-01 Certifying Delinquent Accounts for Collection to the City and County of Denver Treasurer.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Bovee and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-09-02 Certifying Delinquent Accounts for Collection to the Arapahoe County Treasurer.

Any of the delinquent accounts that pay before the final date the certification resolutions need to be delivered to the respective counties will be removed from the delinquent account list. Copies of the Resolutions, as finalized, will be attached to these minutes and are incorporated herein by this reference.

OPERATIONS

19.117 Grease Trap Inspections and Operations: Mr. Beck reported that per Mr. Carroll there are no updates on the system. Mr. Beck also reported that the new Torchy's Taco's Restaurant has a tentative opening date of November 13, 2019.

CAPITAL PROJECTS

19.118 2019 Capital Projects: Mr. Raatz joined the meeting via speakerphone and discussed the status of the 2019 Capital Projects bid package. Following discussion, the Board determined to issue the bid on a unit-price basis, and not as a lump sum

RECORD OF PROCEEDINGS

bid, and to not solicit bids, and issue the bid package until early 2020 so that the project can commence in early spring.

EXECUTIVE SESSION

19.119 Executive Session: Not required.

OTHER BUSINESS

19.120 Other: Mr. Beck discussed the new 2020 Rate Sheet for the Arapahoe County Sheriff and the preliminary 2020 budget information. Review and consideration to be discussed at the October Meeting. The Board will consider the adoption of the 2020 Budget at the November 20, 2019 meeting and at that time will also hold a public hearing to consider the increase in service fees and the adoption of any increase in service rates.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Kemmeries, seconded by Director Sullivan and, upon vote, unanimously carried, the meeting was adjourned at approximately 8:25 p.m.

Respectfully submitted,

By: 

Secretary for the Meeting

RESOLUTION NO. 2019-9-1

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

**A RESOLUTION CERTIFYING DELINQUENT ACCOUNTS FOR
COLLECTION BY THE DENVER COUNTY TREASURER**

WHEREAS, the Holly Hills Water and Sanitation District (“District”) operates pursuant to the Special District Act, § 32-1-101, C.R.S., et seq., within a portion of Arapahoe and Denver Counties, Colorado; and

WHEREAS, the District has adopted rates, fees, tolls, penalties, assessments and charges for sanitary sewer services furnished or to be furnished by the District; and

WHEREAS, the District is empowered by § 32-1-1101(1)(e), C.R.S., to collect any delinquent rates, fees, tolls, penalties, assessments and charges by certification thereof to the applicable County Treasurer; and

WHEREAS, notice of the public meeting at which this Resolution will be considered for adoption has been given to the affected parties, including the property owner or owners, by certified mail return receipt requested; and

WHEREAS, the adoption of this Resolution will serve a public use and promote the public health, safety and general welfare of the inhabitants of the District, and the people of the State of Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Holly Hills Water and Sanitation District, Arapahoe and Denver Counties, Colorado that:

Section 1. The District hereby certifies to the Denver County Treasurer that the delinquent accounts for the properties located in Denver County, Colorado as listed on Exhibit A and attached hereto and incorporated herein by this reference, are for rates, fees, tolls, penalties, assessments and charges levied solely for sanitary sewer service, including availability of such service, if applicable, and that each account has been delinquent for at least six (6) months and is in excess of \$150 per account.

Section 2. The District hereby requests that the Denver County Treasurer collect the delinquent accounts set forth on Exhibit A at the earliest possible date and in the same manner as property taxes, pursuant to § 32-1-1101(1)(e), C.R.S., and

understands that the Treasurer may add an additional penalty to be paid by the property owner or affected party to defray the cost of collection.

ADOPTED this 18th day of September, 2019.

HOLLY HILLS WATER AND
SANITATION DISTRICT

By: Raymond V. Henney
Raymond V. Henney, Chairman

Attest:

Marie E. Sullivan
Marie E. Sullivan, Secretary/Treasurer

EXHIBIT "A"

List of Delinquent Account(s) for Collection by the Denver County Treasurer for 2019

<u>Owner</u>	<u>Property Description</u>	<u>Amount Claimed</u>	
Roger Morales & Brenda Prime 3120 S. Holly Place Denver, CO 80222	Lot 13, Blk 21, Gaiser Holly Ridge 2nd Filing County of Denver, State of Colorado Assessor Parcel No. 06323-06-013-000	Past Due	\$ 364.98
		Collection Fee	\$ 200.00
		<u>Total</u>	<u>\$ 564.98</u>
Shailendra Chauhan & Priya Madan 3130 S. Holly Place Denver, CO 80222	Lot 12, Blk 21, Gaiser Holly Ridge 2nd Flg County of Denver, State of Colorado Assessor Parcel No. 06323-06-012-000	Past Due	\$ 612.50
		Collection Fee	\$ 200.00
		<u>Total</u>	<u>\$ 812.50</u>
Craig Jeffrey and Kerri Liljegren 6462 E. Bethany Place Denver, CO 80222	Lot 25, Blk 14, Gaiser Holly Ridge County of Denver, State of Colorado Assessor Parcel No. 06322-02-025-000	Past Due	\$ 301.36
		Collection Fee	\$ 200.00
		<u>Total</u>	<u>\$ 501.36</u>

RESOLUTION NO. 2019-9-2

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

A RESOLUTION CERTIFYING DELINQUENT ACCOUNTS FOR
COLLECTION BY THE ARAPAHOE COUNTY TREASURER

WHEREAS, the Holly Hills Water and Sanitation District (“District”) operates pursuant to the Special District Act, § 32-1-101, C.R.S., et seq., within a portion of Arapahoe and Denver Counties, Colorado; and

WHEREAS, the District has adopted rates, fees, tolls, penalties, assessments and charges for sanitary sewer services furnished or to be furnished by the District; and

WHEREAS, the District is empowered by § 32-1-1101(1)(e), C.R.S., to collect any delinquent rates, fees, tolls, penalties, assessments and charges by certification thereof to the applicable County Treasurer; and

WHEREAS, notice of the public meeting at which this Resolution will be considered for adoption has been given to the affected parties, including the property owner or owners, by certified mail return receipt requested; and

WHEREAS, the adoption of this Resolution will serve a public use and promote the public health, safety and general welfare of the inhabitants of the District, and the people of the State of Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Holly Hills Water and Sanitation District, Arapahoe and Denver Counties, Colorado that:

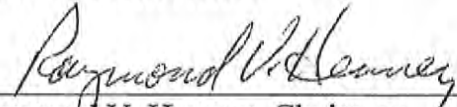
Section 1. The District hereby certifies to the Arapahoe County Treasurer that the delinquent accounts for the properties located in Arapahoe County, Colorado as listed on Exhibit A and attached hereto and incorporated herein by this reference, are for rates, fees, tolls, penalties, assessments and charges levied solely for sanitary sewer service, including availability of such service, if applicable, and that each account has been delinquent for at least six (6) months and is in excess of \$150 per account.

Section 2. The District hereby requests that the Arapahoe County Treasurer collect the delinquent accounts set forth on Exhibit A at the earliest possible date and in the same manner as property taxes, pursuant to § 32-1-1101(1)(e), C.R.S., and

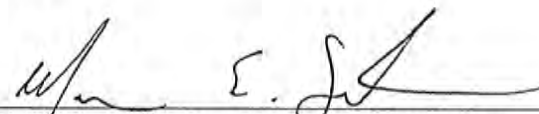
understands that the Treasurer may add an additional penalty to be paid by the property owner or affected party to defray the cost of collection.

ADOPTED this 18th day of September, 2019.

HOLLY HILLS WATER AND
SANITATION DISTRICT

By: 
Raymond V. Henney, Chairman

Attest:


Marie E. Sullivan, Secretary/Treasurer

**Holly Hills Water and Sanitation District's Delinquent Certification
to Arapahoe County for Collection 2019**

County Use Only

	<u>PIN</u>	<u>Owner Name</u>	<u>Situs Address</u>	<u>Full Legal Description</u>	<u>Amount Certifying</u>	<u>County Fee</u>	<u>Total</u>
22860.01	031278732	Glasspool, Ryan & Devonna	3040 S HOLLY PL	Lot 12, Block 24, Gaiser Holly Hills	\$ 421.80	\$ 126.54	\$ 548.34
26330.02	031277507	Blue, John and Sara	2841 S. Kearney St	Lot 21, Block 22, Gaiser Holly Hills	\$ 578.24	\$ 173.47	\$ 751.71
30480.01	031278082	Sweeney, Thomas	2846 S. Ivanhoe St	Lot 10, Block 20, Gaiser Holly Hills 2 nd Sub Filing	\$ 501.36	\$ 150.41	\$ 651.77
28760.01	031280958	Gillette, Neil and Sharon	3183 S MONACO CIR	Lot 38, Blk 11, Gaiser Holly Ridge, Co of Arapahoe	\$ 461.58	\$ 138.47	\$ 600.05
2380001	031273099	Lee, Robert & Clara	2610 S. Holly St	Lot 11, Block 12, Holly Hills Amended	452.27	\$ 135.68	\$ 587.95
3106001	031279721	Beyene, Nigisti and Yehdego	3080 S. Kearney St	Lot 9, Block 27, Gaiser Holly Hills	693.16	\$ 207.95	\$ 901.11
3190001	031279411	Mescall, Beth Anne	3055 Robin Way	Lot 29, Block 25, Gaiser Holly Hills Subdivision	483.62	\$ 145.09	\$ 628.71
3344002	031279593	Hansen, Andrew and Emilee	3098 Robin Way	Lot 9, Block 26, Gaiser Holly Hills Sub	389.12	\$ 116.74	\$ 505.86
3386001	031276055	Berg, Senada	2521 S. Jasmine Place	Lot 14, Block 5, Holly Hills Sub	657.8	\$ 197.34	\$ 855.14
3442002	031278252	Will, Anthony	5620 E. Cornell Ave	Lot 27, Block 20, Gaiser Holly Hills 2 nd Subdivision	496.94	\$ 149.08	\$ 646.02