

**CHERRY HILLS HEIGHTS
WATER AND SANITATION DISTRICT
BOARD OF DIRECTORS – MEETING MINUTES**

Date: Monday, October 4, 2021

Time: 5:00 – 7:00 pm

Location: Virtual Meeting on Ring Central

Board Members Present: Toby Ralston (Treasurer), Jonah Staller (Secretary), Melissa Grossman (At-Large), Cam Keshavarz (At-Large)(after 5:30 pm).

Residents/Audience: None

MEETING CALLED TO ORDER: at 5:07 pm. Jonah Staller volunteered to take minutes.

REVIEW OF MINUTES: August 16, 2021 meeting minutes: Toby moved to approve with change to Item 5 under Old Business to reflect he had talked to Peters Lawn Service and that they had agreed to do weed and feed treatment in the park every other month or so. Melissa seconded. Approved unanimously.

TREASURER’S REPORT:

1. Presentation of Bills. Toby presented the list of bills approved and paid for the period August 17 through October 4, 2021 (**see attached**). Checks totaled \$146.28. Electronic withdrawals and phone payments totaled \$737.37. Amounts were for various items including park maintenance, Xcel Energy charges (related to park irrigation system), water charges, bank fees, sewer locate notice charges, and weed and pest control. Deposits totaled \$396.55.

DRAFT 2022 BUDGET AND DRAFT AMENDMENTS TO 2021 BUDGET

1. Presentation/discussion of draft amendments to 2021 budget.

Toby presented a spreadsheet showing expenditures to date and projected expenditures through the end of the year. He noted that while some expenditures exceed original estimates, others are likely to be less. The overall expenditures may exceed the overall budget, but it may not be by much. Some expenses from now until year-end are hard to quantify, for example potential snow removal charges. After Cam joined the meeting, the Board confirmed that we are unlikely to incur significant legal or election expenses related to the Hampden wall during the rest of 2021. Toby posed questions that require input from our attorney. First, we need to know whether a budget amendment is required for each line item in the budget or only for the overall amount. Second, how should we be handling the uncertainty in projecting some categories through the end of the year? Is it okay if the amended budget ends up higher than we ultimately spend in 2021? **Action:** Toby will ask Tim Flynn, the District’s attorney, for answers to these questions and will prepare a revised proposed amended budget for 2021 that we can notice and then consider at our December 6th meeting.

2. Presentation/discussion of draft 2022 budget

Toby presented a draft 2022 budget with estimated total expenses of about \$29,000. Board members discussed various aspects of the budget and raised questions. Members noted that expenses continue to increase at higher than the official inflation rate for certain items. The draft budget includes \$7,500 for sewer maintenance in 2022, consistent with our three-year cycle for scoping and cleaning the lines. Jonah wondered whether we should increase the amount for management from \$2,500. The consensus was that we first need to develop a more detailed scope of possible needs and costs. Board members agreed that over time it would be good to transfer many or most of the operational tasks currently being conducted

by volunteer Board members to a manager or management company. Another question was whether, if we're looking at doing an election next year for the wall and/or other ballot measures, do we need to budget for it or can we access reserves from last year or the year before from an election that we budgeted for but that did not occur. Looking forward, another question was how to best budget for an expense like sewer maintenance, which historically we have done once every three years, when TABOR restricts taxing increases on a year-over-year basis. **Action:** Toby will ask Tim Flynn for answers to our questions about election and sewer maintenance expenses and will prepare a revised budget for 2022 that we can notice and then consider for adoption at our December 6th meeting.

OLD BUSINESS:

- 1. Status – Rules for Sewer Construction, Connection and Use. Status of related action items.** The Board adopted final rules at its August 16, 2021 meeting. Melissa has created a link to the rules on the District's website, at cherryhillsheightswsd.colorado.gov. Jonah drafted an email to neighbors about the rules and emailed it to the rest of the Board for comment. Jonah said he is working on changes to various parts of the website to make sure the language accurately reflects that we now have rules. He is still considering needed changes to the emergency language. He mentioned that we should send a copy of the rules to Jim Landry, our Operator in Responsible Charge. **Action:** Jonah will send a copy of the rules to Jim Landry. He will complete draft changes to website language and share with Melissa and other interested Board members. After getting feedback from others, he will revise and send out the email to neighbors about the rules.
- 2. Status - Hampden Wall Process.** Cam re-sent the wall survey to neighbors. He received 43 responses. 24 respondents were in favor of the wall, 16 were against and three were not sure. Cam shared the results with the Board. For those favoring the wall, aesthetics, property values and noise reduction were cited reasons. For those opposed, costs and lack of likely benefits to property values and noise were cited reasons. The purpose of the survey was to get an idea whether it makes sense for the Board to place a measure on the ballot next year to decide whether the District should finance and construct a masonry wall along Hampden to match the wall along University. Cam has formed a committee to help develop better information on costs, alternative wall types, noise impacts, etc. Jonah asked if CDOT might consider installing a guard rail outside of the wall, noting his concern about potential insurance costs as well as the ongoing safety risk. Cam said he had thought about this and noted the new guard rail to the east along the bike underpass. He thought it made sense to explore further. There was discussion of costs of a May election versus a November election. Cam said he could research. There was discussion of the appropriate split of costs between the four perimeter owners along Hampden and non-perimeter owners and consensus that we need better cost and financing numbers. The Board will need to vote on whether to prepare a ballot measure and conduct an election. **Actions:** Cam will continue working to get more information on costs, will research May versus November election costs and options, and will investigate guard rail potential. He will report on any information developed by his committee.
- 3. Status – Trees on University. Status - excess insurance repayment.** Heather from American Arbor Care (AAC) checked on the trees and said she would arrange for fertilization to boost the health of the trees that aren't looking that great. Jonah has been checking the watering of the trees and discovered that someone had changed the controller to water every day, not just for the trees, but for the park lawn as well. As a result, the soil around the trees was wetter than appropriate and our water bill will be excessive. Jonah readjusted the controller to reduce watering to three days and 30 minutes per tree. He also bought a lock and installed it on the controller box.

Jonah clipped the suckers on the London Plane trees. AAC has wrapped the tree trunks for winter.

Toby has calculated the excess insurance payment on the trees. **Action:** Toby will determine how to repay the excess insurance payment.

4. **Question – Should we trim the Lindens in 2021 or defer to 2022? \$490.** The Board agreed we should trim the trees in 2021. **Action:** Jonah will contact Heather at AAC to schedule.
5. **Status – Insurance – possible alternatives re insurance agency.** Renewal occurs at the end of the year. We learned at a prior meeting that we may be able to secure the insurance without the broker and decided that we should try to take advantage of this at the next renewal if it will reduce the cost. **Action:** Melissa will resend her previous email about this to Toby.
6. **Status – Irrigation, park trash, landscape maintenance.** Javier Perez removed most of the slats from the neighbor's fence from the park, but some remain. **Action:** Jonah will ask Javier to get the rest of the slats or may just remove them himself.

Javier trimmed the shrubs and grasses along University some more and did some weeding.

Jonah left a message for Randy Ingraham at Ingraham's Lawn Service that we'd like him to shut down our irrigation system this fall. Jonah has not heard back. **Action:** Jonah will try to reach Randy again and schedule the shutdown.

7. **Status – Trash at Hampden & University.** Cam picked up the trash at the corner. Thanks Cam! Jonah noted that he had received an appreciative email from Leslee Breene. Cam would like to pick up more along Hampden, but the traffic makes it dangerous. Probably not a good idea.
8. **Status – Preparation of lists of District tasks for exploring hiring a manager.** Still need to work on this.

NEW BUSINESS:

1. **Upcoming Deadlines.** The Board needs to adopt a 2022 budget and make any amendments to the 2021 budget at its December 6th meeting. Because the budget will be less than \$50,000, notice of budget consideration and availability may be posted at three neighborhood locations rather than published. The District must certify the mill levy to the board of county commissioners by December 15, 2021. The adopted budget must be filed with the Division of Local Government by January 31, 2022.

By January 1, 2022, we must file a map of District boundaries with the County assessor and the Division or state that there are no changes. By January 15, 2022, we need to update our transparency notice. May 3, 2022 is the next regular election and John's, Toby's and Melissa's seats will on the ballot.

2. **Other business.** None.
3. **Visitor comments/remarks.** None.
4. **Adjourn.** The meeting was adjourned at 7:23 pm.

Cherry Hills Heights Water & Sanitation District
Treasurer's Report
For the Period of August 17 through October 4, 2021

Checks Issued (\$146.28):

- 1) #762 – UNCC - **\$2.64** (Sewer Locates – August)
- 2) #763 – Peters' Construction - **\$66.00** (August Mowing)
- 3) #764 – Jonah Staller - **\$75.00** (Reimburse Javier Perez – 9/4 Landscaping Assistance)
- 4) #765 – UNCC - **\$2.64** (Sewer Locates – September)

Electronic Withdrawals & Phone Payments (\$737.37)

- 1) Online Payments to American Arbor Care:
 - a. **\$75.00** – for weed treatment on Univ. on 8/5/21 [65085]
 - b. **\$90.00** – for tree treatment on Univ. on 8/24/21 [65351]
 - c. **\$90.00** – for weed treatment on Univ. on 9/22/21 [65752]
 - d. **\$75.00** – for tree treatment on Univ. on 9/27/21 [65838]
- 2) Denver Water
 - a. **\$376.93** – for July/August Bill
- 3) Xcel Energy – Electronic Bank Payments – **\$22.44** (July/Aug and Aug/Sept Bills)
- 4) US Bank – Bank Fees - **\$8.00** (August Fees)

Deposits - \$396.55

- 1) **\$396.15** – Mill Levy Tax Revenue on 8/10/21 from Arapahoe County (Electronic Deposit)
- 2) **\$0.40** – Interest received on Bank Deposits (August) – US Bank