

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

January 22, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:30 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jerilyn DeCoteau, Jeff Mason and Cathy Proenza

**Guests:** David Levin & Alan Brown

**Staff:** Pete Salas and Leslie Lacy

**Minutes:** Jerilyn moved to approve the November 20, 2014 minutes, Ken seconded the motion and it pass with no objections.

### **Public Hearing:**

Leslie Lacy started by commenting that it was her understanding that all members of the LID were notified of the public hearing and that copies of the proposed rule changes were provided. It was affirmed that this was the case.

Leslie read the memorandum that had been previously prepared for the Board and which outlined the proposed rules and regulation changes. Leslie explained the rationale for the proposed changes. The group decided to review the changes section by section and allow members of the public to comment on each change as the desire.

Alan Brown commented on the issue of the Plant Investment Fee the issue of new development as well as, additions to existing residents. Alan questioned what the PIF's are for in light of the fact that an initial fee had been charged. The question was about what the fees would be used for. It was explained that the PIF's were to ameliorate the impact on the system and that fees collected would be placed in a capital improvement fund.

There was a question regarding the "tapping fee" and the details involved in what the tapping work consists of and what specifically the fee pays for. There was considerable discussion regarding fees, budget designations, capital reserve fund, non-compliant ratepayers and other tangential issues. After considerable discussion it was suggested that the concerns raised be discussed at another time. After more discussion it was decided that the language would remain the same and that this issue would be taken up after the approval of the rules and regulations discussion.

The group came back to the rules and reg's and Jeff moved to recommend the changes as outlined, Ken seconded the motion and all voted in favor.

## Staff Updates:

- Monthly Ramey Activity Report & Budget Review - Pete referred the group to the activity reports and invoices in their packet. Pete referred specifically to the November report that was not available at the time of the November meeting. It appeared that the November activity was fairly routine and relatively normal.

Pete then referred to the December activity reports indicating that it was quite extensive. Pete mentioned that December was a very expensive month due to the SBR pump failures at the plant and the need to have Ramey on-site several days and the cost to repair pumps. Pete indicated that the staff would be meeting with the Finance division to discuss the budget because the budget was now over budget. Pete explained that since the plant was over budget, he would need to go to the Board and ask for a supplement to increase the budget and to be able to cover outstanding 2014 expenses.

The group reviewed and discussed the budget issues and the need to revisit the discussion on long term equipment replacement issues. A question came up regarding where the funds would come from and if the money would come out of the \$27,000 + in the capital reserve fund. The group discussed the reserve fund and what how it was structured to pay for capital costs.

Cathy referred back to the December report and the number of visits made. Cathy concern was whether there would be more charges due to the additional site visits that don't seem to be accounted for on the invoice. Part of the concern was that the December expenses might be greater than what was indicated on the December invoice. Pete indicated that he thought it might have something to do with the SBR pump failure and the need to monitor the discharge to the creek.

The group reviewed the write up of the plant site visit with Wayne Ramey and his staff regarding the SBR pump, alarm failure and subsequent discharge into the creek. There was a brief discussion regarding plant equipment failures and some of the reasons for equipment failures including the grinder pumps. This led to a discussion regarding people flushing inappropriate items into the sewer system and how we can better inform residents about rules relative to what is disposable. It was mentioned that there have been previous discussions in this regard and maybe sending a notice with the water bills. Pete mentioned that there was a flyer on file and that he would send it out to committee members for their review.

Jeff referred back to the invoices and expressed concern regarding the charge for additional annual insurance. Pete explained that the group had discussed this issue last year and that it was part of the contractual agreement with Ramey. Jeff asked for some additional clarity in this regard and that perhaps it could be conspicuously included in the budget.

**Other Business:** Pete reviewed the items for next agenda including; tap fees, past equivalency letter, do's & don'ts letter, insurance update and budget update. Pete also mentioned that the February budget update should provide a good idea of what the final 2014 expenditures are. In addition, Pete mentioned the need to review the 2014 budget and how it might inform the discussions on possible rate increases.

Pete mentioned that he had submitted a grant application to deal with the discharge pipe issue and that it the odds of obtaining it were not great.

**Public Comment:**

**Billing Services:** David asked about whether there would be an RFP for billing services. Pete said that the contract wasn't up this year and would not be dealt with until it ends in 2017. David expressed concerns about payment methods including automatic withdrawal which he did not feel could be done with the current system. The group had a brief discussion on auto pay ideas and what David might do in this regard.

**Equivalency Schedule:** Alan brought up the equivalency schedule and requested that there be an annual update of equivalencies for rate paying properties in the District. Alan gave a brief background on how the schedule was developed at the beginning of the plant service. Alan's expressed concern about the District not collecting all the funds that are due, because of possible non-compliance by some ratepayers. The group had lengthy discussion regarding this issue, sharing their thoughts and concerns as well as, how they might tackle the issue of non-compliance.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

February 26, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:30 pm by Ken Sheldon.

**Members Present:** Jeff Mason Kevin Tone and Cathy Proenza

**Guests:** David Levin, Alan Brown & Ramey Staffer Randy Martinez

**Staff:** Pete Salas

**Minutes:** Cathy moved to approve the January 22, 2015 minutes, Jeff seconded the motion which passed with no objections.

### **Monthly Activity Report:**

Pete went over the activity report mentioning that he had just received the report that day and that it appeared to be a relatively normal report with no extraordinary activities occurring at the plant. Someone commented that there were no emergencies for once.

The group reviewed the regular Ramey invoice which appeared to be in line with the activity report. Pete mentioned that the other invoices in the packet had to do with equipment maintenance and repair. Pete also mentioned that a supplemental request to the Commissioners had been submitted to cover the over expenditure from 2014.

Kevin had a question relative to the additional invoices and where the amounts are located in the budget spreadsheet. Pete indicated that his assumption was that they are included in operational costs and would appear in the next month's budget sheet under 2015 expenses. Kevin asked about the pumps and how they are working. Randy said that he thought the pump was running in almost new condition. The issue of the trees at some locations, one just over the bridge (Angela's tree) and another on Barber Lane hanging out and hitting the sludge hauling truck causing some minor damage to the trucks. There was a brief discussion relative to the tree branch obstruction and who to contact to trim them. It was mentioned that one tree was in the road right-of-way and that it belongs to the Artesian water company. Jeff requested that the Artesian company be contacted and informed of the situation.

### **Budget Update:**

The group moved on to the budget and several members expressed some confusion due to the lack of red indicating an overage. Pete mentioned that a supplemental amount had been added in to the budget and that's why there appeared to be a positive number in the budget. It was mentioned that there is a need to examine the budget from an operation side and a capital expense side. It was mentioned that the operation section of the budget seemed to be okay and that revenues

were sufficient as it relates to operations. The question asked whether the district is in pretty good shape as it relates to plant operation. There was general agreement that if there were no capital expenses then revenues would be sufficient to meet the operational needs.

Pete mentioned that the next month's discussion would include a discussion of how to proceed with the suspended discussion on whether there is a need to have a change in rates. The process would include development of a timeline and how the committee wants any process to work in order to have a decision by the committee in May. A decision in May would allow the Board to consider in June and have any rate change information conveyed to the ratepayers in July. There was a brief discussion relative to the budget balance and have as much info as possible when the rate discussion happens.

### **Discharge Line Extension Project:**

The group then discussed the work plan for the discharge line project. Pete mentioned that the group needed to decide what the desire of the group is in terms of the scope of the project. The question, does the group want to just extend the line or move the line so that it is further downstream than the current location? It was generally agreed that we stay with the original concept of just extending the line to a location where it meets the creek. Kevin indicated that this might be a good opportunity to incorporate the other minor needed fixes at the plant itself so there are no additional issues with the discharge of solids to the creek. The fixes would include raising the pumps of the ground, minor valve and piping, and pipe sealing to prevent penetration from one tank to another. Randy indicated that the valve work had already been done and that the other work shouldn't be too difficult or expensive.

There was a brief discussion on what the next steps are in terms of state expectations to meet the grant requirements. It was decided that what was needed was the design work for the project. Kevin referred the group to the plant drawings and indicated what the design work might look like. Kevin briefly explained what the work might look like as it relates to the current engineering design. Kevin indicated that his firm might be able to draw up the documents to meet the needs of the State. It was suggested that the committee would then pay Kevin's firm for the work which he indicated could be done for the available \$2,000. The question came up regarding whether there might be a conflict of interest if the committee were to give Kevin's firm the work. Pete indicated that the only example he could give was from his work with the Niwot LID in which a committee member's newspaper would receive advertising payments from vendors who had received funding from the LID. Pete indicated that when this appeared to be the case, the LID member would abstain from the vote to avoid a conflict of interest. Pete indicated that this was his initial opinion. Jeff suggested that Pete figure out what to do in this regard to get the project started.

Randy said that he would contact some of the firms who do work at the plant and see about what it might cost to get the sealing and other miscellaneous small repair work done. Pete said he would contact the grants person at the State and check on the grant requirements relative to deliverables in the grant award notice. Kevin will contact the Corp of engineers to see what they might require. Pete said he would get with the county Land Use department and initiate the county permitting process. It was reiterated that Pete check with the State to verify the grant schedule.

There was a brief discussion regarding the ongoing discharge issues irrespective of the line extension project. Randy reviewed the measures that had been initiated to mitigate the discharge problems. Jeff asked whether in Randy's the committee was on the right track with regard to discharge issues. Randy indicated that in his opinion the mitigation efforts were being put in place would have a positive impact on the discharge issues experienced at the end of last year.

There was question regarding effluent flow as it relates to Biological Oxygen Demand readings for the plant. Randy mentioned that measuring instruments are all highly calibrated and that there were no issues. Kevin asked about some of the measurement indications on the activity data chart. Randy indicated that there were a few effluent draw samples that registered high and that it possibly was the result of grabbing solids into the sample. Randy stated that the 2 year rolling averages were below what might be considered problematic and he explained some of the detail involved in the sampling process.

### **Consumer Info – Inappropriate sewer disposal items:**

The committee asked Randy for his thoughts on keeping inappropriate items out of sewer system in order to prevent damage to the system. Randy indicated that apparently during some initial grinder pump repairs appeared to be the result of inappropriate items being sent down the drains to the sewer line. These items were the cause of damage to the pumps and that this was an issue that needed to be monitored. There was a brief discussion regarding customer responsibility for helping to maintain the system and what liability residents have as it relates to improper disposal of items into the system. There was a general agreement that ratepayers needed to be informed of the rules as it relates to improperly disposing of certain items and the penalty for doing so. Jeff indicated that he would like to see another distribution of the "What you need to know" brochure to District customers. Several members made suggestions for changes to the brochure and the timing for mailing to customers.

Alan Brown asked a question about enforcement of the rules as it relates to pump damage caused by residents. Alan mentioned an incident where a grinder pump was fouled due to a diaper being flushed down the sewer and there was no penalty for doing so. The concern was that there was no enforcement of this type of system misuse and Alan expressed a feeling that enforcement needs to happen. The main issue is that when there are equipment failures of this type, caused by residents and no enforcement occurs, all ratepayers then foot the bill. There was a brief discussion and Pete read the clause in the rules that allows the District to penalize the ratepayer responsible for the damage. There was general agreement that enforcement is needed and should be pursued when possible.

### **EQR Verification Process:**

The group moved on to the EQR verification process. Pete mentioned that Alan had been doing some work on the verification of EQR's for the committee and also that County Attorney Leslie Lacy had agreed to draft a letter to ratepayers. Cathy indicated that some ideas had been expressed by the group previously and asked about whether that input was to be included. Pete mentioned that the previous input would be relayed to Leslie for inclusion in a draft letter. Cathy

expressed the notion that ratepayers needed to be aware of the need to admit to violations and to come forward during a grace period. It was generally agreed that this was the case.

Alan then reviewed the spreadsheets which contained EQR data and fees for the associated operation and maintenance charges. Alan and David had studied the data for potential inconsistencies with what they knew to be the case. Alan indicated that there appeared to be only a few inconsistencies and appeared to be in violation. Alan explained the previous verification process and how it was determined the appropriate EQR as reported by the residents. One of the concerns expressed by Alan was regarding the identification numbers for each account. Alan indicated that previous lists were organized alphabetically. Another concern was regarding multiple uses for individual property accounts and the need to account for the uses – residential vs. business. Jeff mentioned that during the last verification process each account was sent a letter with the recorded EQR and a request to verify the EQR.

The group reviewed the spreadsheet and asked about a few of the accounts where members were aware of resident changes with some questions raised relative to whether the accounts had been adjusted. There was a discussion about various accounts and some surprise expressed relative to a few accounts. It was noted that there were a couple of properties where there was no viable residence yet O & M charges were still being assessed. Pete indicated that this was the case with regard to the Spaulding property which was part of the system yet the property was not hooked up to a grinder pump. Jeff expressed concern that some folks were not paying the correct amount and that he had asked on other occasions for SDMS to update the list. There were three residents that were of particular concern to him – Alan's property, Theo Barychewski and Susie/Eric Johnson and requested that we check on these.

Pete mentioned that with regard to Theo, her O & M payments were stopped at her request due to Land Use determining that her resident was uninhabitable. Alan and David both expressed concerns that this was not the appropriate course of action to take since there were many residents in the same situation and that they were still being charged. Pete indicated that he was not familiar with the history of the community of the community in this regard and that he did what he thought was right at that moment. David and Alan were both upset that there had been a deviation from the policy that was in place and the apparent inequity in allowing a resident to not pay regardless of their situation. By David's calculation there was a deficiency of 3.75 EQR's for which there is no O & M charges being assessed at the rate of \$522 per quarter.

Pete indicated that this was another opportunity to update our records and get things in order. Alan made a request to that the lists be updated and that the verification spreadsheet be updated annually. Pete said he thought it was a good idea and time to get the info updated.

Meeting adjourned at 8:20 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

March 18, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:30 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason and Cathy Proenza

**Guests:** David Levin & Alan Brown

**Staff:** Pete Salas

**Minutes:** Cathy moved to approve the February 26, 2015 minutes, Jeff seconded the motion and the motion passed with no objections.

**Monthly Activity Report:** Pete referred the group to the monthly report and mentioned that he only just received the report that day. Pete indicated that the report seemed to be without incidents and consisted of primarily routine plant visits. Pete mentioned that the only thing out of the ordinary had to do with the sludge hauling which happened in two consecutive weeks. Pete said he called Ramey to inquire as to the timing of the sludge hauls, specifically in back to back weeks in light of the fact that there was a sludge haul in January. Ramey's staff person, Randy Martinez indicated that there had been a continual sludge build up at the bottom of the tanks over the years and that it required several hauls to get most of it out. Randy indicated that this was something that should be done every few years.

Pete indicated the primary concern was budgetary and he wanted some assurances that there would be no additional out of ordinary hauling expenses. Randy indicated that the regular schedule would be adhered to for the rest of the year. Pete indicated that if that were the case, we should be within expectations.

Pete mentioned that the only other thing was a visit that he requested to check out a grinder pump location for a lot that is being considered for a residential building. Pete explained that there appeared to be some confusion relative to whether there was an accessible grinder pump for the lot under consideration. The lot in question was 15 Eldorado Springs drive and involved a few issues related to access by the lot owner. Pete and Ken provided some of the background regarding the lot owner and some of the problems the owner was facing in trying to get permitted for the house. There was a brief discussion and it was generally agreed that there was nothing the Advisory Committee could do in this regard.

**Budget Update:** Pete reviewed the budget sheets provided by the Finance Office stating that one spreadsheet was an unaudited 2014 budget and one was the year-to-date 2015 budget spreadsheet. Pete reiterated that the 2014 budget had been over spent and that a supplemental taken from the fund balance was appropriated to cover the overage. As a result of the supplemental, there was a plus balance for 2014. The group raised several questions regarding

the location of expenses on the spreadsheet. Pete reminded the group that this was the latest iteration of the spreadsheet which was developed to more accurately reflect the difference between operating expenses and capital expenses. After careful review and discussion it was generally agreed that things seemed to make sense and provide an accurate portrayal of the financial condition of the district.

Pete then mentioned that the monthly Ramey invoice appeared to be in line with the activity report in terms of plant visits and lack of unusual repair costs. There was a comment regarding a lack of pump repairs or other related expenses. The group briefly discussed the pumps with David providing some insights in this regard.

### **Consumer Info – Inappropriate sewer disposal items:**

Pete referred the group to the “What You Need to Know” pamphlet. Pete mentioned that the document was in a Word File and could be changed as the group saw fit. Pete referred to the changes that had been incorporated in the document as requested by the group at the last meeting. There were a couple more changes suggested including hook string and dental floss. Pete also said that the emergency contact info was confirmed by Ramey staffer Randy Martinez. It was suggested that the pamphlet be mailed to District customers be included in a future billing as an insert. Pete said he would plan to have SDMS include it in the 2<sup>nd</sup> quarter billing. Alan Brown had a question regarding the emergency numbers included in the pamphlet. Pete reiterated that this was the number provided by Ramey. There was a brief discussion and a general consensus that the number was valid for emergency situations.

Alan asked if there was anything that could be included to ameliorate concerns regarding odors from the grinder pump. David provided a possible solution involving manually pumping all the liquid out of the pump. The group discussed the possibility of having David Levin perform this task on a regular basis, perhaps every 2 or 3 years. David said he would talk to Wayne Ramey’s office and see if they would agree that this type of maintenance be done. David said he thought it might take around 3 hours to do all the pumps in the District. After additional discussion it was generally decided that this deserved consideration and should be discussed at some time in the future as time permits. This type of expense should be included in any analysis of future O & M expenses.

### **EQR Verification Process:**

Pete distributed a copy of the latest customer equivalency spreadsheet provided by the Finance Office per SDMS billings. Pete indicated that though there wasn’t time to review for accuracy during the meeting but that he wanted Alan and David to have copies so they could begin a review and make changes as they deemed appropriate. Pete indicated that the information gleaned might be helpful when the discussion regarding a potential rate increase is initiated. Pete then provided the group with a new verification letter that County Attorney Leslie Lacy had drafted for the Committee’s review and which incorporated previously provided input from the group.

Alan asked what the next steps should be once the review was complete. Pete said that after the equivalency review was complete the letter would be sent to all customers informing them of what Committee determined to be the ratepayer's equivalency and asking them to confirm or deny the information. The information will be based on what is on record or what the Committee believes is the actual equivalency based on a logical analysis by the group. The group discussed the composition of the letter and what type of pushback the committee might encounter as a result of the letter's distribution. There was a lengthy discussion about the letter with the general consensus that the letter be as clear as possible.

There was some additional discussion regarding names on the equivalency spreadsheet including an observation that one of the people listed on the equivalency spreadsheet was a tenant and not the owner of the property. It was agreed that any inaccuracies be noted when Alan and David performed their analysis of the spreadsheet.

Cathy suggested that if the letter is on a Word document, it could be circulated so that each member including Alan, have an opportunity to make suggested changes. Pete suggested that the letter be circulated one member at a time to minimize confusion as changes are suggested.

#### **Discharge Line Extension Project:**

Pete mentioned that he had contact a couple of engineering companies and that FEI, formerly Franchetti Engineering was the only one that responded. Pete was informed that based on the workplan outlined by the State, that they wouldn't be able to do the work given the funds available. Pete indicated that it was basically what Kevin had said about the State requirements. If the State was going to require a new set of engineering drawings the cost was going to be more than what was originally anticipated.

Pete gave a rather lengthy talk about his conversations with the Grants manager at the State Water Quality Control Division Office regarding the draft work plan and what if any, leeway there might be regarding engineering requirements. The gist of the conversation was that if they could not provide some relief in this regard, the Division might be able to provide some additional funds to assist with the cost of a new set of engineering drawings. The grants manager indicated that it was not their intent to make this any more complicated than necessary and that they would consider allowing some flexibility. Pete indicated that he would continue discussion with both the grants manager and a State project engineer and report back to the group at the next meeting.

Pete also indicated that in addition to the State requirements, there are other permits that need to be obtained in order to complete the project. Pete said he would be working with the County Land Use staff and the Parks and Open Space Department flood plain staff person about permitting for the project. There are a number of things that still needed to be done but that the lynch pin was the engineering requirements.

#### **New Business:**

Rate Discussion – Pete brought up the issue of consideration of a rate increase for the District and the need to pick up where they left off last fall. Pete outline the timeline for making a decision and indicated that it was his hope that the committee could make a decision on whether to proceed or not at the April committee meeting. Pete mentioned that he had sent the committee the information provided to the group when they last discussed the issue. Pete requested that the group review the information and indicate what if any, additional information they might need.

Pete said that at the April meeting the group could review all the information and decide on moving forward. If at the April meeting, the committee decides to move forward, they could then set a public process in place to inform the community and get feedback on what the rate increase might look like. The Advisory Committee in May would then vote on a rate increase as a recommendation to the Commissioners which would allow the Commissioners to consider the recommendation at their June meeting. If the Board agrees with the recommendation, the new rate would go into effect in July.

The committee then discussed their availability for the April meeting and agreed to try to find a date that would work for everyone since it would be beneficial for everyone to be at the table for the discussion.

**Other Business:**

David asked for a few minutes to indulge in a polemic. David brought up the issue of what happens when a house is put on the market and the advertisement indicates that the residence has more bathrooms/baths than they are currently being charged for. The group had a brief discussion on the issue with no resolution.

There being no further business, the meeting adjourned at 8:35 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

May 28, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:33 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason, Kevin Tone and Cathy Proenza

**Guests:** David Levin

**Staff:** Pete Salas

**Minutes:** Cathy moved to approve the March 18, 2015 minutes, Jeff seconded the motion and the motion passed with Kevin abstaining.

Kevin brought up the issue that Randy Martinez mentioned regarding sludge build up at the plant. Kevin suggested that we need to keep up with the sludge removal and that at those times when the group meets with Wayne Ramey this topic be addressed. It was suggested that Pete contact Wayne and let him know that this should be taken care of as a standard operating procedure.

**Monthly Activity Report:** Pete referred the group to the committee packet and the Ramey monthly activity report. Pete indicated that there were a number of invoices which should correspond to the activities listed in the monthly activity report. There was a question regarding a reference to replacement of an E-One at 102 Artesian Dr. David Levin indicated that he had responded to this issue and provided an explanation of what had occurred with the pump at this location. Cathy had a question regarding a couple of the invoices dated 4/22 and was concerned that they appeared to be for the same repairs. The group reviewed the details and after some discussion seemed to be satisfied that the work was necessary and mostly preventative in nature. Pete provided a little more detail and explained that there was a new person in the budget office so there was a slight delay in his receiving of the invoice but things were now running smoothly.

Pete mentioned that there had been a compliance visit to the plant and that he along with Randy Martinez was on site for the visit. Pete indicated that he didn't understand much of the discussion but that everything appeared to be okay. Pete said he requested that he be sent a copy of the report.

The group reviewed the flow data and Kevin indicated that some of the numbers related to BOD's and plant capacity loading. Kevin was concerned that something might be wrong with the data and there was a need for clarification. There was a brief discussion and Pete was directed to contact Wayne and ask for some clarification on the data.

**Budget Update:** Pete referred the group to the budget spreadsheet sent to the previous Friday. Pete mentioned the correlation between the invoices and the expenses listed in the Capital

Expense portion of the spreadsheet. There was a discussion regarding the various components of the budget with Pete providing explanations on the formatting and what the balances represent. Cathy expressed regarding why the apparent growth in capital expenses in 2014 and thus far in 2015 as opposed to 2012 and 2013. Pete explained that the 2014 expenses were primarily due to the line break that year and 2015 expenses were related to equipment repairs and maintenance. Pete mentioned that he had requested from Wayne an update Capital Equipment Replacement spreadsheet but had not yet received it. Pete said he would again ask for an updated sheet which would take into account what had been replaced since the original spreadsheet.

Kevin mentioned that Wayne was doing the right thing in saying that we are going to have to spend money for preventative maintenance but it seemed that there appeared to be an inordinate amount spent so far this year. Kevin referred to several expense items and when they had been incurred. It appeared that most of the costs were related to labor costs to repair and not for replacement purposes. It was generally agreed that these are expenses that are necessary.

Jeff asked about what might be done to be more proactive in terms of assessing the current condition of the plant and equipment. Pete mentioned that at a past meeting there was a discussion regarding the possibility of having someone come in and do such an assessment. It was suggested that perhaps an independent firm might be contacted to do an assessment. There was a concern regarding the cost of having an independent firm do this work. Kevin suggested that before that happens, Pete contact Wayne again and pressure him to provide an updated replacement spreadsheet to get a better picture of anticipated plant equipment needs. It was generally agreed that an updated capital replacement spreadsheet was essential for the discussion regarding a potential rate increase. Pete indicated that he would contact Wayne again to let him know the need at hand and would copy the group when that happens.

There was a brief discussion regarding other possible sources of revenues including some additional funds which might be forthcoming after the verification process occurs. This prospect was viewed as not being a significant amount and not a cure for potential cost increase.

**Discharge Line Extension Project:** Pete provided a brief update of the project indicating that the County had provided everything that the State had requested and that the only hold up at this point was the Fish and Wildlife Division review. It was noted that we are now in the mountain stream run-off season and that any work would not be able to be performed until the fall.

David brought up the subject of grinder pump replacement as suggested by the Ramey spreadsheet and the experimental pump that had been installed. David suggested that the new pump had not been in place long enough to evaluate. He also didn't feel it would be necessary to replace two pumps a year. There was a brief discussion in this regard as it relates to the cost of ongoing maintenance versus actually replacing pumps.

The group then went back to the discussion of the extension line project and how we might proceed in terms of contracting the work. The question came up as to whether we could have a negotiated bid and work with a couple of companies that had done previously done work for the District. Pete indicated that since the estimated amount of the project was relatively small we just had to make sure we involved a couple of contractors. There was a brief discussion relative to

what the state grant would cover and what was going to be required of the District in that regard. There was a question regarding whether some of the tank repair work at the plant might be done as part of the project. Pete provided an overview and referred to the work plan that the group had previously reviewed indicating that it contained the requirements the District would need to adhere to. Pete indicated that any work that fell outside the grant's scope of work would need to be approved by the state. It was generally agreed that Pete should pursue that prospect and frame it as an enhancement of the project and improve the quality of the discharge into the creek.

### **New Business:**

Rate Discussion & Public Process – Pete referred the group to the timeline outline provided in their committee packet and what his thoughts are relative to the timeline. Jeff commented that his initial thought was whether it might be advisable to have the group meet without County staff involved. Pete mentioned that it might be problematic from an “open meeting” perspective. The discussion seemed to indicate that it would be better to go with the plan as proposed. Pete indicated that there was no reason that members hear community concerns at the Eldorado Springs Community Association monthly meeting. David mentioned that there would not be a June ESCA meeting. It was generally agreed to proceed as proposed and follow the timeline presented.

Pete reviewed the timeline and the specifics involved in the public process with any ultimate recommendation going to the Board in August with sufficient time for a rate increase to be implemented in time to take effect in the fourth quarter of 2015. Pete said that if everyone was in agreement regarding the timeline then the next part of the discussion would involve the issue of information and whether the rate scenarios provided were sufficient.

There was brief discussion regarding the timeline and it was suggested that we add thirty minutes to the June agenda for purposes of having a public hearing explicitly for public comment about rates. There was a concern regarding whether a half hour would be sufficient. Pete was urged to make sure that there was sufficient public notice and that time would be allocated specifically for public input.

Pete highlighted the importance of having as many members in attendance for the next couple of meetings as possible. Cathy mentioned that she had already indicated that she would not be available for the June meeting but could make the July meeting. Everyone indicated that they could all be in attendance for the July meeting when a recommendation regarding a rate increase would be on the agenda.

David noted that as it relates to the rate scenarios, there was a need to include potential revenues that might be produced as a result of the planned EQR verification effort since additional revenues could be realized. Pete indicated that he had considered that but that we could only go with what we know and any potential revenues realized from the verification are an unknown at this time. Kevin brought up the timeline for the verification process and what the timeline for that effort is. Pete indicated that as soon as the verification letter was approved, he would proceed with the effort.

Pete requested that the group think about whether they would need additional information for their rate discussion. Kevin reiterated the need to have updated capital replacement information from Ramey and that that information is a requirement for ongoing rate discussions. It was suggested that if Ramey could not provide the update, we should find someone else to do it.

Pete referred to the budget spreadsheet in terms of its value in the rate discussion and they would receive an updated version in June. There was a question regarding an estimate on the budget pertaining to the effluent pump and an additional \$930 for what appeared to be an estimate of repairs for a pump that had already been repaired. Pete said he had noted the amount and would try to get some clarification in this regard.

Pete then asked about how the group wanted to have the rate scenario information presented. Jeff suggested that the information was understandable to the average person and would suffice. Cathy mentioned the revenue shortfall for the year relative to capital expenses this year versus last year. Cathy suggested that the shortfall is an area that needed to be taken into account when reviewing revenue needs. There was a brief discussion about the shortfall, what was currently in the fund balance reserve and the need to build the reserve to cover any future shortfalls. There were a couple of suggestions regarding the budget spreadsheet and the formatting. It was suggested that the expense columns might just say “2013 Expenses” for example rather than use the term “Audited Year End” 2013 Expenses.

There was a somewhat lengthy discussion regarding the public comment period might and how it might be structured in terms of how information might be presented. It was suggested that the group present information that has been developed, possible conclusions and then solicit feedback on what has been presented. Various opinions were then expressed regarding the budget and how to interpret the financial data as it relates to consideration the possible future ramifications. The group was in general agreement to study the data including what Ramey might produce

**EQR Verification Process:** The group discussed the letter the apportionment schedule. David expressed concern over the way the billing data had been handled and that it has caused more work for himself and Alan Brown than was necessary. The group then discussed the verification letter, the intentions of the verification letter and how it might be interpreted by the ratepayers. There was a substantial discussion regarding what the results of the letter would be with some differences of opinion on how the rules and regulations are interpreted. There was a general agreement regarding the purpose of the letter as written especially relative to the grace period and consequences for not coming forth with any violations.

The group had a brief discussion regarding the length of time given for a grace period. There was a concern that the 120 day example was too long and that 30 days from the date of the letter should be sufficient.

**41 Artesian Drive:** This item was discussed and Pete indicated he would try to find out what was going on with this issue and report back to the group.

**Other Business:** Pete asked about the issue with Doug Larsen's request regarding the pump and tank at the pool that had been forwarded to the group for feedback. The general consensus was that Doug's request be denied.

Cathy brought up the issue of the vacancy on the committee since Jerilyn's departure. Pete mentioned that the recruiting period was going to begin in July and that he would like the members to actively recruit anyone they think might be interested and inform them of the recruitment period. There was a general agreement to do so.

There being no further business, the meeting adjourned at 8:40 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

June 23, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:07 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason and Kevin Tone

**Guests:** David Levin, Gary Herrli and Eric Johnson

**Staff:** Pete Salas

**Minutes:** Kevin moved to approve the May 28, 2015 minutes, Ken seconded the motion and the motion passed with all in favor.

**Public Hearing:** Chairperson Ken Sheldon opened the public hearing on the public hearing by articulating his view that he feels there are two part that would be involved in a rate increase, first, to keep up with year-to-year cost and second to put something away for infrastructure repairs in the future. There was general agreement to this assertion.

Jeff said there was a large expense that he was interested in. Jeff mentioned that he went down to the plant recently and had a chance to meet Jim White who indicated that he thought the plant was a well operating plant for its size. When asked what he would like to see at the plant Jim indicated that he thought it would be good to get rid of the chemicals and go to a UV system. Jeff indicated that he would like to build up some reserves to afford a UV system.

There was a brief discussion regarding how a UV system works and the benefits of using a UV system from an environmental standpoint and a cost saving in the long run. Kevin expressed the notion that this was the type of thing he would like to see but noted from his initial meetings that there were not sufficient revenues to consider such a system. It was noted that current replacement costs were eroding the budget.

David Levin mentioned that he had advocated for a UV system and wanted to know why this item hadn't been put on the table yet. Kevin responded by saying that the group had looked into this idea and that he had even had a quote for a system put together. It was also mentioned that Pete had also submitted a grant application to the State to pay for a system but it was not funded.

David Levin indicated that he thought it would be inappropriate to ask ratepayers for an increase in Operation and Maintenance fees in order to pay for additional equipment. David said he would be more in favor of floating a loan to pay for new equipment.

A member of the audience mentioned the fact that when the plant was built a tax was levied which was considerable and there was a general feeling that the plant would be good for at least 20 years. Kevin mentioned that the initial tax fees were put in place to pay for the plant

infrastructure but that the equipment to run the operation would need to be replaced. Jeff mentioned that when the group began looking at the issue of equipment replacement it became clear to assess what the life of the equipment is and to estimate a replacement schedule. Jeff mentioned the capital replacement spreadsheet that was put together and that it became clear that there was a need to consider how to pay for equipment replacement.

There was a lengthy discussion on plant equipment needs and the where things stand relative to the budget and current capital expenses being incurred. There was a general consensus during the public hearing portion that capital equipment replacement was an issue that required the group's attention. The public portion of the meeting came to an end with David Levin expressing concern about the lack of public attendance at the meeting.

The timeline for making a decision was discussed and it was mentioned that there are a number of scenarios to consider for handling anticipated equipment replacement costs.

### **Committee Discussion:**

Ken adjourned the public hearing portion of the meeting and Pete added that he had built in a few minutes into the agenda to allow the group to discuss expectations and possible need for additional information. Pete also reviewed the timeline for deliberation and coming to a decision in July.

The group engaged in a brief discussion regarding their expectations with respect to the decision making process. Jeff indicated that he had anticipated that each member come to a decision regarding what each person thought was reasonable scenario and debate the issue. The group discussed the capital needs that had been incurred thus far and the uncertainties of predicting future capital expenses. The group exchanged views on the timing aspects of considering an increase and whether it might be feasible to wait until there was a greater need as well as, other pertinent factors.

### **Regular Meeting Agenda**

**Minutes:** Kevin moved to approve the May 28, 2015 meeting minutes. Ken seconded the motion and the minutes were approved with all in favor.

**Monthly Activity Report:** Pete referred the group to the May Ramey monthly activity report. Kevin mentioned that he had reviewed the report and indicated that there didn't appear to be anything abnormal. Kevin did say that May was a very rainy month and that there were a couple of plant alarms due to the high water flows and water appeared to be getting into the system. He indicated that he was not overly worried about it but it was something the committee that needed to be monitored.

The general consensus was that the water infiltration was happening on the private side with resident and not at the plant or plant system. Kevin mentioned that he had a conversation regarding water infiltration with Wayne Ramey who suggested that for \$100 per pump unit,

pump run timers could be installed which would show whether pumps were running a lot more than normal and give an indication of water infiltration at the residence.

The group discussed the issue with the general consensus that this is an area that should be monitored if heavy rain occurrences continued in the future particularly in light of plant capacity flow and State permitting allowances.

There was a brief discussion regarding the effluent load from last November that was rather high and something that should continue to be monitored. Pete mentioned that a compliance inspection had been conducted in early May and that there didn't appear to be any major concerns in this regard.

**Budget Update:** Pete referred the group to the monthly budget and indicated that there were no significant equipment issues during the past month. There was a collective expression of relief that there had been no recent equipment failures. The group reviewed the line items and noted that there appeared to be nothing out of the ordinary.

**EQR Verification Process:** Pete mentioned that the approved equivalency letters had been sent out to the rate payers on record. Pete said that there were only five letters sent that indicated a change in equivalency, all were increases. There was a brief discussion and a general agreement that it was good to get it done.

**Consumer Info Mailing:** Pete said that he was planning to send the "Do's and Don't" pamphlet in time for the 3<sup>rd</sup> quarter billing. The group asked about how often the pamphlet should be sent and it was agreed that on an annual basis would be sufficient.

**Other Business:** There was a brief discussion regarding 41 Artesian Drive and the need to ensure that since there was no dwelling, there should be no O & M charges incurred. Pete indicated that he had asked the Finance Office to look into whether SDMS was billing the address. There was general agreement that if the property owned had indicated that the dwelling unit was removed or no longer in use as a residence, it should not be billed for O & M fees.

Pete brought up the request by Doug Larsen regarding upgrading the pump at the pool and briefed the group on what had been discussed to-date. The group discussed the issue and concluded that it was okay for Doug to increase the pumping capacity at the pool if the holding tank is sufficient. Ken asked what the responsibility of the group is to ensure that any change in pumping capacity was done in a responsible manner. It was decided that Doug show the LID a plan indicating the scope of work prior to any work performed. Pete said he would wordsmith an email to Doug indicating LID approval pending submission of a written work plan which includes plan drawings. It was also noted that the pool would pay for any increased capacity.

In closing mentioned that the group needed to consider whether there was a need for additional information for the July decision meeting.

Pete reiterated the committee recruitment process and suggested that the group be involved in the recruitment of a new committee member. Kevin said that the group needed to be sure to take a

measured approach to dealing with the issue of rates. Kevin suggested that if the group decides not to recommend a rate increase, then they should set a trigger point which would serve to spur the need for deliberating on the rate issue again. There was additional discussion regarding when and if the issue should be deliberated again if a rate increase is not recommended.

Kevin asked about whether Pete had heard anything relative to the grant for the discharge line/outfall extension. Pete indicated that he was still waiting on a few things including the position of the Fish and Wildlife department. Pete indicated that he wanted to have a discussion with the group in this regard after the rate issue was disposed of and after checking with the State. Kevin requested that by the August meeting Pete have the details issues resolved in order to proceed with minimal amount of submission to the state and get moving on the project. Pete indicated that he was hoping to have any issues resolved and be able to start the project within the anticipated construction window.

There being no further business, the meeting adjourned at 8:40 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

July 23, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:36 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason, Cathy Proenza and Kevin Tone

**Guests:** David Levin, Kurt Aranow

**Staff:** Pete Salas & Mark Ruzzin

**Minutes:** Jeff moved to approve the July 23, 2015 minutes, Ken seconded the motion and the motion passed with all in favor.

**Monthly Activity Report:** Pete referred the group to the May Ramey monthly activity report and went several of the items indicating that it all seemed very normal for the month. Kevin mentioned that the flow report data was somewhat surprising in that the TSS was 100% which seemed unusual. Pete mentioned that it might have something to do with all the sludge hauling that had occurred thus far this year. There were a few comments with a suggestion that perhaps the numbers be confirmed with Wayne Ramey.

Kevin asked David about a bill from Ramey regarding an E-One pump repair at what appeared to be the old dance hall. David responded saying that they replaced and repaired that pump as well as, the pump at the pool. Pete mentioned that he had received an invoice today and that indicated that there was a response to a pump alarm at 294 Artesian Drive and a previous invoice indicating a call out to the Old Dance Hall. The two invoices were for the same call; one invoice indicated the time and charge for Ramey's staff and the other invoice contained the charge for David's time.

The group reviewed the rest of the activity and invoices. Jeff asked a question regarding sludge hauling and whether the costs were in-line with budget estimates. Pete mentioned that there had been 2 hauls in February due to the need to get a thorough cleaning which needs to be done occasionally. There was a general agreement that there didn't appear to be any issues for the group to be concerned relative to the sludge hauling schedule.

Kevin mentioned that the phone charges seemed to be a little higher than normal given the time of the year.

**EQR Verification Process:** Pete mentioned that the deadline for EQR verification deadline was the next day. There was a question as to whether anyone had responded back. Pete then handed out the adjustments and new charges for those who responded. Pete had a question regarding Theo Barychewski because she indicated that her EQR was higher than what Pete had thought it was. Pete asked whether Ken could verify what the additional work entailed since he had done

some of the work at her house. Ken indicated that he had only done some of the work and couldn't verify Theo's estimate. David indicated that Theo's unit had been divided into two units which would be consistent with her estimate.

There was a brief discussion regarding houses with separate living units and how we're determining the charge when a house is split. David indicated that there had always been a matter of unofficial policy to treat homes that were split into two units to be treated as two small units depending on the size of the unit. It was suggested that perhaps we might want to review the rules and determine whether additional wording should be added to clarify this situation.

There was question regarding whether anyone who had been identified as having an increased EQR, had protested. Pete indicated that everyone identified seemed to be okay with it and no one had protested plus, there were a few others who had indicated that their EQR's had increased. It was generally agreed that the effort was worthwhile and resulted in increased revenues for the district. The members thanked David for his work on the EQR update.

**Consumer Info Mailing:** Pete indicated that SDMS farms out the mailings and that this is something that could be handled in-house for a comparable cost and the pamphlet would be in color which would not occur if SDMS handled it.

#### **Other Business:**

Jeff had a couple of questions the first was if we had an update about the pump issue at the pool and what was occurring there. David provided a brief update regarding the pool and that a Doug Larson was going to put a new pump in and that it might come from a different manufacturer than E-One. Jeff's other question as regarding the complaint about the odors from the plant discharge. Pete indicated that he had responded via email which everyone received and as he had said in his email, he had gone down to the outfall site and there didn't appear to a problem. Cathy commented that she thought that Pete's response was well done and very professional.

There was a brief discussion regarding the complaint and it was suggested by Cathy that perhaps one of the members contact Robbie Schmelzer to check-in with him and let him know that the committee has heard him and shared his concern. It was generally felt that this would be a good idea. Kevin suggested that Robbie be given an update on the discharge line work which would help in this regard.

Pete gave a brief update regarding the discharge line project as it relates to a potential delay in the project due to some confusion with the entities involved in the approval process. Pete mentioned some of the discussion he had been having with those entities.

There were a few comments regarding the possible causes of odors with David indicating the smell could be coming from a couple of different places and that the wind could be a major factor. David suggested that a process could be in place to get rid of the sludge in the pumps on a regular bases and that this might help. There was a comment that people needed to understand that the pumps were vented and the odor would emanate.

The question came back to Robbie Schmelzer and who would contact him. Cathy agreed to put an email together to send to Robbie with all the members signed on to let him know he was heard and to let him know who the Committee members are.

**Rate Discussion and Decision:** It was decided that the group have a brief discussion and share their thoughts. This would allow the public to hear the discussion after which the public could weigh-in on with their thoughts. Mark interjected that he and Pete had put some additional information utilizing the new projected revenue numbers. The information included an updated budget, various scenarios, projected capital expenses and other miscellaneous factors to consider. Mark reviewed the information and provided a brief analysis of the data relative to the impact on the budget going forward for the next 3 years.

There was a question from Kurt Aranow regarding a possible UV system that might be considered in the future. Members of the committee responded regarding what the costs of a such a system might be, the benefits of the system, the ongoing costs of the system and what the payback/breakeven point might be relative to the expense for the system. There was a brief discussion regarding this subject and what other impacts might be.

The group then moved on to the rate increase question. Jeff led off the group by indicating that his position was to consider a larger rate increase now and not have to do it again for the next few years. Cathy added that it was her feeling that maintaining the capital reserve fund was important to the community and that in order to do that, the group needed to determine what an adequate reserve fund should be. Cathy made some suggestions relative to what might be needed to maintain the fund and still cover the O & M needs, perhaps in the 8 – 10 percentage increase range. Cathy's main point is to maintain an adequate, pre-determined, reserve level.

The group then engaged in a discussion regarding capital expenses and cost incurred thus far. Kevin indicated that his position was to “kick the can” down the road due to the fact that a lot of things at the plant were replaced this year and shouldn't fail for a while. The Committee has spent funds to make several plant improvements had been made to the plant. Kevin mentioned that the community already pays a lot for service since there was \$24,000 in the reserve fund he doesn't feel that an increase is needed. Kevin suggested that rather than increase rates, the Committee set a threshold that would trigger a rate increase process and not move on this until the set threshold is met.

Pete reminded the group that the reserve fund was already going to be tapped into due to the over budget capital expenses by approximately \$4,000 thus far this year. There was a question regarding future revenues and when the new EQR reassessment funds would be realized. Pete said that the adjustments would appear on the 4<sup>th</sup> quarter revenues and be approximately a \$600 increase in 2015 revenues. It was also mentioned that the paperwork for the Griffith property was in process but that there was still a question as to if or when this plant investment fee might be realized.

Ken then gave his opinion comparing the current issue somewhat like buying a car in that you can save up and buy with cash unless it breaks down and deciding to get financing and buying it now. Ken indicated that he liked Kevin's idea of setting and maintaining threshold and was

somewhat in favor of having a smaller increase at this point or perhaps setting a threshold. Ken was concerned about the uncertainty regarding if and when there might be unexpected equipment failures.

Mark added that going into next year we would be budgeting similar to this year but that 2017 would be somewhat different due to factors such as the renewal of the Ramey contract. Kevin mentioned that it might be what would trigger the group to reconsider the rates. Kevin suggested that the current contract was somewhat lucrative and implied that there might be competition which would mean a more affordable contract.

Pete mentioned that he would be entering a new budget number for 2016 for the upcoming County budget process based on new revenue forecast. There was a brief discussion regarding the budget and potential capital costs might be incurred according to the equipment maintenance and repair estimate. The concern expressed by members about should coffers be built now or, should the Committee hold off on a rate increase if the increase isn't needed. There was a general agreement that additional funds aren't needed at this time. It was acknowledged that regardless, uncertainties would still exist and the issue remains, saving up now or waiting until the need becomes more apparent.

It was noted that regardless, the plant would not shut down and would continue to run. If something big happens, maybe a \$50,000 dollar repair, how much does it matter? What if the plant did have a major expense and all the reserve had to be drained? Mark mentioned that the County would not let the plant shut down but it was an interesting issue to consider. Mark also mentioned that he and Pete had it would take anywhere, depending on when a trigger might be reached, a rate increase could be implemented in as short as potentially 3 months but could take longer, maybe 6 months.

Cathy asked the question regarding what the group might see as the trigger point in the reserve fund. It was suggested that perhaps a year's worth of cushion would be adequate. It was generally agreed that it was really an issue of capital costs rather than operation and maintenance costs. Kevin suggested that around \$14,000 or \$15,000 reserve threshold might be a place to start and at least they would have a process in place which would dictate when a rate increase discussion could happen. Ken mentioned that he didn't feel it was irresponsible to not act at this time given the information at hand. Ken mentioned that having a trigger would allow the group to have a place to start. It was mentioned that this would allow a little more time to see how things might develop with the budget, the plant and community projects.

The meeting was then opened to comments from the community. Community member Kurt Aranow mentioned that the development of the Griffith property was a large uncertainty. Kurt also mentioned that the grinder pump at his place was getting louder and louder and he was concerned about future equipment failures. Kurt referred back to Ken's car analogy and suggested that waiting for major failures and having to borrow from the county to cover expenses might end up costing more. Kurt indicated that some current ratepayers might move and expressed concern over the issue of fairness as it relates to the notion that those using the system now should be responsible for paying current equipment deterioration. Kurt urged the group to pass a rate increase and not use up the reserve fund and if the funds are not needed there

could be a saving for use on a UV system which would benefit everyone. Kurt suggested an 8 or 10 percent increase and said people should pay as you go.

David Levin commented that the group was not kicking the can down more than about a year at the most. David said there is no cost for the County covering the operations and that no matter what people would still pay for operations. David indicated that he was not in favor of a rate increase and that it would be a year or most before we found out what was needed. David also expressed concern about the process of having the Committee discuss prior to public information and had assumed that everyone had already made up their minds but he now felt that was not the case. David said that until there was more information, there was no downside to having a threshold and waiting for another year.

The question came up as to where to go next. Pete indicated that the group had a few options including making a motion representing a decision and the process for approving a motion. Mark mentioned that it was not necessary to make a motion to do nothing. Kevin expressed a desire to make a motion to not recommend a rate increase but to make a motion regarding a threshold for future rate consideration.

Cathy asked what would the trigger included in a motion be and that she would favor a more pessimistic number. It was suggested that perhaps \$15,000 trigger be considered. Mark mentioned what the Niwot LID had done as it relates to their reserve fund and their adoption of a reserve policy. Mark explained how the Niwot reserve number is only a guide, not set in stone. Mark indicated that the Eldorado Springs LID could view their threshold in the same way and use the threshold as a guide which could be used as a guide post to initiate a discussion at any time. There was a brief discussion regarding reserve funds in other places and what a reserve fund might look like for Eldorado Springs.

Kevin moved to hold off on a rate increase at this time and to establish a \$15,000 threshold in the capital reserve to be a trigger for initiating a rate increase process. Cathy seconded the motion and the vote in favor was unanimous. There was a very brief discussion regarding the rationale for the decision.

Prior to adjournment Ken asked what the focus of the group should be going forward. Kevin suggested that an update on the discharge line project would be in order as well as, opportunities for grants which would benefit the District. Cathy suggested that a replacement for Jerilyn be recruited and that the group develop a plan to recruit someone. Jeff mentioned responding to an email regarding still looking for a new member, the Levin email. Ken suggested the group take up the issue of the language clarifying the difference between a small house and a large house have something written down. Pete mentioned the issue of plant standard operating procedures which the group brought up last month and that it might be helpful to bring Wayne in to which there was general agreement

There being no further business, the meeting adjourned at 8:25 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

September 24, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:36 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason and Cathy Proenza

**Guests:** David Levin & Scott Lehman

**Staff:** Pete Salas – Jeff Rabas ( Ramey Environmental)

**Minutes:** Cathy moved to approve the July 23, 2015 minutes, Jeff Mason seconded the motion and the motion passed with all in favor.

Pete mentioned that Kevin would be calling in around 6:40 in order to participate in the discussion regarding plant operations, the excessive flows and subsequent sludge build up. Pete suggested that the group move on to the monthly activity report while we wait for Kevin to call in.

### **Monthly Activity Report:**

Pete referred the group to Ramey Environment monthly activity report indicating that the plant activities appeared to be somewhat routine in nature. Ken indicated that he was curious about the numbers regarding the number of visits to the Eldorado Springs pool specifically the recording and monitoring of the pool flows. Ken wanted to know what all the pump readings meant. Jeff Rabas responded that Ramey had started tracking the number of pump hours to determine whether the pool had been contributing to excessive flows. Jeff explained how the readings were done and how flow was determined. Cathy asked when the pump meter installed. Jeff said that the meter had been installed a few years ago but they had not been reading the meters until the recent flow issues.

It was at this point that Kevin called in and was welcomed to the meeting. Ken suggested that we round back up to the top of the agenda and Jeff Rabas' presentation. Jeff indicated that he would go through the questions previously provided to Ramey Environmental.

The first question was regarding whether there was an issue with plant operations and sludge production. Jeff reported that there was a plant issue and that it had to do with a plugged pipe in one of the tanks. Jeff indicated that the only access to the pipe in question was to have someone enter the tank to do the work. The problem is that the tanks weren't built to be able to have someone work in the tank because the opening is and the space in the tank is extremely confining. As a result, Ramey had to lower by rope, a very slim member of their staff to enter the tank and inspect the pipe. Since the repair and sludge haul the plant has been operating smoothly. Jeff indicated that there are still issues with higher than normal influent ammonias.

Jeff reviewed what the typical wastewater ammonia flow looks like and what the variance is with the plant. Cathy asked for an explanation of what the influent flow was and where on the activity sheet she could find the data on the activity report. Jeff indicated that they only measured the outfluent ammonia levels and not the influent ammonia. Influent ammonia is not a required measurement.

The group then had a lengthy discussion regarding the sludge hauling in relation to the ammonia in the system. Jeff indicated that Cathy asked what the sources of ammonia that are coming into the plant. Jeff mentioned that it was residential in nature from a number of sources. Kevin mentioned that he is curious to see what the impact of the pool closure with regard to the ammonia levels. Kevin expressed a concern that there was a reading of 100 for the ammonia reading and asked if there were a sampling error or other factors. Jeff indicated that it was a composite sample which surprised the Ramey staff as well.

Cathy asked about whether nitrogen based fertilizers contribute to the higher ammonia levels, specifically regarding marijuana grow operations. Jeff said that it could contribute but it is too difficult to determine the source in the community. Ken mentioned the concern regarding the fact that all community members contribute to maintaining the system and if there are some that are creating a problem it needs to be acknowledged. The general consensus is a concern that this will be an issue going forward that the committee needs to plan for. The more ammonia in the system, the more sludge will be produced.

Jeff indicated that there has been a 5 to 10 percent increase in flows which would contribute to the sludge build up. There was a discussion regarding the budget for sludge hauling and trying to keep the costs down or planning for future expenses.

Kevin had a last question regarding the TKN versus the straight ammonia and getting some additional data to establish a baseline for the ammonia issue. Jeff indicated it would not be an issue and that they could add this to the sampling that is currently being done. The point is to pay attention to the way we are doing the hauling and keep the expense at a reasonable level. It was mentioned that finding the source of the additional ammonia will cannot be determined with any new sampling.

There was a brief discussion regarding the outfall and the need to make sure that the effluent wasn't creating a problem. Pete indicated that he had been down to the outfall and that it appeared to be worse than the last visit. Pete said that the outfall and extension line project would be discussed later in the agenda. Cathy suggested that this may be an opportunity to inform the community regarding ammonia and nitrogen in fertilizers by products and the need to keep these items out of the system. Pete said he would add this to the consumer info pamphlet before it goes out. The group discussed this issue for an additional time before moving on to the next agenda items.

David brought up the issue of ground water infiltrating the system at the pool and that he thought this was the case. Jeff said that this could be determined by the flow counter that was going to be monitored. There was a brief discussion regarding this issue and the grinder pumps that are affected and require additional attention.

## **Monthly Activity Reports**

Pete mentioned that the reports seemed to be somewhat routine and consistent with other monthly reports. Jeff raised a question regarding refilling of the propane tank as it relates to the spare tanks and their disposition. David indicated that the propane is a back up and Jeff said they do run it once a month to make sure the system is functioning.

Kevin brought up the work on the tank to repair the pipe clog and what might be necessary to keep from having to do this again. Jeff indicated that the solution is to make hatches to access the tank space for any future tank issues. There was a brief discussion regarding the costs associated with retrofitting the tanks.

## **Invoices**

Pete referred the group to the invoices. Pete mentioned that one of the invoices indicates that the District was being billed for damage to the trucks.

Kevin suggested that the tree trimming agenda item be moved up before he had to get off the phone. Kevin asked if a date for the fall clean-up had been scheduled. Ken replied that Alan Brown had indicated that the clean-up had been tentatively schedule for October 17<sup>th</sup>. The concern was that the trees be trimmed prior to the next sludge haul. Pete indicated that he had asked Wayne's staff to hold off having McDonald's farm do a haul until after the community clean-up. Cathy asked about where the problem area is with regard to the trees and the sludge hauling issue. Pete mentioned that he had had a couple of discussions, one with Scott McDonald and another with one of his crew leaders as to where the issue is. Both indicated that the main problem was east of the gate.

Ken mentioned that community member Scott Lehman was present and wanted to address the issue of which trees might be affected. Scott mentioned that his concern was with regard to a few trees which by written agreement, were protected and could not be removed. Scott requested that he wished to be consulted with prior to work on any trees that were designated as protected trees. Scott said he would email the group the documents which showed the trees he was referring to.

Kevin indicated that he needed to excuse himself but suggested that the group engage in marking the trees that needed to be trimmed or removed.

There was a discussion regarding which trees needed to be removed, who should be responsible for maintenance in the right-of-way, a plan of action and who should be approached by the members. Scott reiterated that he wanted to be cooperative and collaborative but just wanted to be involved in the discussion.

Ken recognized David who wanted to give an update relative to the pump failures and that he had purchased a pump to empty the pump chamber which would save the time and expense of bailing out the dry chamber. David explained the amount of work involved in manually emptying the tank and the cost was approximately \$90.00. He was requesting that the District

pay for the pump. Pete indicated that he would figure out how to get it paid for. Jeff Rabas indicated that Ramey had been planning to purchase the pump.

### **Budget Review**

Pete referred the group to the budget spreadsheet. As the group began to review the spreadsheet that had been distributed Pete realized that he had inadvertently distributed the previous months spreadsheet. Pete mentioned that the spreadsheet he had emailed the correct sheet but had inserted the wrong budget in their packet. Cathy had her laptop with the correct spreadsheet and the group then gathered around the laptop while Pete explained the expenses incurred for the period. The group then discussed the expenses as they related to the capital reserve and the capital expense detail on the spreadsheet. Jeff expressed a need to monitor the capital expenses and the point at which the committee would need to reopen the discussion on a rate increase.

Pete indicated that the trigger point was a guideline and not necessarily a concrete decision point. Pete said there is some flexibility in this regard. Jeff mentioned that he just felt this was something that needed to be monitored on a monthly basis.

### **Extension Line Project Update**

Pete gave an update on the work he had been doing with regard to the project. Pete indicated that it has been somewhat of a difficult process and that he had been working with the U.S. Fish & Wildlife Service, the U.S. EPA, the U.S. Army Corp of Engineers and Boulder County departments in an effort to get all the needed approvals. Pete detailed the discussions with each of the groups and that he was hopeful that the work could be done before winter sets in.

Pete mentioned that he had met with Bart Fischer who did the original work and had visited the site to discuss the work that needed to be done. Bart then submitted a bid to perform the necessary work. Pete detailed the work to be done and the process to be used to relocate the outfall drain. Pete also gave a brief summary of what the original work.

### **Odor Complaint**

Pete mentioned that the last thing on the agenda had to do with Robbie Schmelzer's odor complaint and how the group wished to proceed in this regard. Pete indicated that he felt that this might be resolved with the discharge line extension project. David suggested that its possible that neighboring grinder pumps might be partially responsible for the odors. The group discussed the issue and that it would be best to meet with Robbie and explain what was being done to resolve the issue. Cathy agreed that she would take the lead and draft an email and meet with Robbie.

### **Rules & Regulations – House size issues**

Pete mentioned that he had put this on the agenda because it had been brought up at the last meeting and he could not find, in his records, any indication that a distinction had been made as

it relates to the official policy. Pete indicated that he would continue to look into this and the group could take it up in the near future.

### **Other Business**

- Tree Project - Jeff indicated that he wanted to set a time for the group to meet and talk to the homeowners about the need to have the tree work done.
- Committee Recruitment – Pete said that the group had suggested that this be put on the agenda. Pete indicated that he would leave it on the agenda and the group would begin to actively recruit potential members.
- November & December meeting dates – Pete indicated that since the next two meetings fall on the holiday the group needed to set new dates. Pete said he had reserved the room for November 19<sup>th</sup> and December 17<sup>th</sup>. It was decided that everyone would calendar the November meeting and hold off on the December meeting until later.

Ken thanked David for his offer to cut the trees along the access road but that county policy precluded paying him for the job because he was not a registered county vendor.

David asked about the propane tanks and Pete explained that he had tried to find someone to buy them but that none of the people on the list that David provided wanted to buy them. It was agreed that since Wayne Ramey had indicated an interest, we should see if he is still interested.

There being no further business, the meeting adjourned at 8:40 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

October 22, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:34 pm by Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason and Cathy Proenza

**Guests:** David Levin, Eric Johnson, Wes Cables, Kurt Aranow, Jerilyn Decoteau, Clare Young and Steve Hansen

**Staff:** Pete Salas & Mark Ruzzin

**Minutes:** Cathy moved to approve the September 24, 2015 minutes, Jeff Mason seconded the motion and the motion passed with all in favor.

**Public Comment:** Ken mentioned that for this meeting the public comment period was put at the top of the agenda and mentioned that at least one member of the public had indicated that they would attend to discuss a few things. One member of the community said that he was in attendance because he had heard that the recent line break would be discussed and what the costs were incurred and accountability for the costs. Ken indicated that some of those specifics would follow. Ken referred to Mark about the costs to which Mark remarked that the invoices had not been thoroughly reviewed but that there were adequate funds in reserve to pay for costs.

It was decided that the group proceed with additional comments prior to discussion the budgetary concerns. Ken told the members of the public to weigh as the felt necessary and asked Wes Cables what his thoughts are. Wes indicated that he was there to get a little clarity about the process with regard to the cost as well as, the response to the incident. Wes indicated that he didn't have a lot of information or communication about what was happening. Wes also expressed concern about the clean-up efforts and a desire to be part of any future discourse in this regard. Ken suggested that the incident was somewhat outside the scope of things that sewer plant operators generally have to deal with and that was true in Eldorado Springs due to the smallness of the community and plant operation.

David Levin commented that he thought the cost of the incident might be around \$10,000 . He mentioned that what he really wanted to talk about was the apportionment of costs relative to house size as it relates to those residents who have a separate apartment unit in the house. David then explained what the initial process was for determining the apportionment of costs incurred by the homeowner and how it was tied to house size. David mentioned several houses as examples of what he was talking about. David commented that his intent here was to defend what the committee had done in this regard. It was decided that this topic was a subject that should be discussed at another time to explore with greater depth.

Kurt Aranow commented thanked David for his hard work and diligence and wanted to point out what he considered was a weakness in the system. Kurt said that his home was one of the homes that has the grinder pump in the house. Kurt indicated that when David turned off the power the system was off and that the alarm did not go off which created a problem because of the number of people that were at his place using the restroom. The problem had to do with the fact that the system power is separate from the general community power and the assumption was that since the power appeared to be on, there was no indication that the sewer system did not have power. Kurt indicated that this is a weakness in the system. This is a problem that is inherent to those homes with pumps inside the home. Kurt suggested that homeowners employ a method which he explained to get around this design oversight.

Jerilyn commented that she had heard a few horror stories and was present to learn more of what had happened and be supportive of the committee.

Ken suggested that the group delve into the report that Wayne Ramey had provided and called on Kevin to attempt to summarize what the report in terms of the chain of events. Kevin said he would try to summarize what had happened. Kevin mentioned that he would talk about what he considered the opposite chain of events. Kevin mentioned that what happened was process of discovery which led to eventually finding of the valve at the bridge that was partially closed, which caused friction and blockage on the south side of the creek (Eldorado Springs Drive).

Kevin explained the functioning of the E-One pumps and what happened to them as a result of the valve failure. Kevin indicated that because the valve failed, the system failed to a large part of the community. Kevin said that the system was supposed to be a failsafe system due the valve being an “automatic” valve which in his opinion should never have been employed in the system. Kevin mentioned the type of pumps employed in the system and asked Steve Hansen (E-One representative) to confirm his opinion regarding the E-One pumps relative to the bridge valve failure.

Steve explained the workings of the pumps and the design factors which apply to this situation relative to why the pumps reacted the way they did. Steve explained the scenario in this case, provided a technical description of the various components and how it all related to the bridge valve failure. There was a drawn out explanation regarding the pumps and failures that occurred with the pumps. Kevin added to Steve’s explanation and provided clarification as it relates to the Eldorado System. There were a few comments regarding how the District arrived at the decision to have the failsafe valve in question and the need to have a more efficient alarm system.

Jeff indicated that he was on site and that it appeared that no one knew what was going on and everyone was in a reactive mode. It appeared that information on the system was lacking including having maps which indicated where operational equipment was. Jeff expressed his concerns that there was no system in place to deal with a system failure of the type occurred. Jeff felt the situation was a mess due to not having a plan in place to deal with the system or communications. Cathy added that she felt the response to the incident was unacceptable. Cathy expressed her feelings that Ramey Environmental was responsible for bungling the response and should have been better informed on how to deal with the situation. Cathy indicated that she was

upset about the costs and that she was not in favor of paying the work which she felt was caused by the plant operator's inability to adequately deal with the situation.

Wes Cable indicated that he felt one of the primary failures was the follow-up and lack of information available to the community. Wes said that there was sewage spilling on to the ground with lime covering it and he didn't know what was going on. Wes said there were sanitary issues and that emails should have been sent out informing people on what the situation was particularly with the sewage on the ground.

Cathy asked Pete about an email discussion regarding checking into Ramey's contract to see if he is responsible for communications to the community so that the committee can know who's responsible. Eric commented that the problem didn't start on Friday but that his first call on the situation was on Thursday. Eric indicated that his pump began failing and the alarm never went off and he turned his system off, called the number on the box and never got a call back. Steve indicated that the call went to him and that the callers are told to call Ramey Environmental. Eric indicated that his main point was that communication was non-existent and the events started on Thursday.

David indicated that he had a different view of the situation and that it didn't start on Thursday. David said the leak started on Friday afternoon. Eric stated that his line was clogged on Thursday. David said the leak started on Friday and was fixed early Saturday afternoon. David noted that at that point was when a number of grinder pumps began to fail and that it wasn't immediately obvious that there was an additional ongoing problem. It became obvious on Saturday afternoon and a crew was sent out on Sunday to deal with it. David indicated that shut off valve were in the plans which were available. David indicated that he believes the valve had never been activated. David explained that on Wednesday or Thursday there was a water leak so he went to the electrical panel at the bridge to see if all the breakers were on because of the alarm situation at Eric Johnson's home.

David went to the breaker box valve on the bridge and saw that the shut off valve was off so he turned it on. David said that thought that was when the problem started due what he believed was a reverse action to the system. Kevin asked David he powered up the breaker. David said it was either Wednesday or Thursday. David described there was a situation with some digging in front of Christian Griffith's house with and that's when he went to the electrical panel. Again, David indicated that he thought it activated the system in reverse. It was mentioned that the system was never tested or properly started up which may have been a factor. David indicated that it took a huge effort to turn the valve on and that the sound it made as it release the pressure was tremendous. David gave a few more comments regarding his thoughts on the situation and the pump installations in the system.

Cathy wanted to go back to a comment on the power being turned off on the north side of the creek. Cathy asked about a valve that supposed to be able to isolate the north and south side. Why did the power have to be turned off to the north side? Cathy said she didn't think it should have been turned off in the first place and that there was no communication in this regard. David said he was the person who turned it off to the whole community to be able to repair the leak on

the north side. Cathy expressed gratitude to David for his knowledge and time put into the system and Ramey is the one who should be knowledgeable and responsible and overseeing the work.

Jeff expressed a concern that Ramey didn't have the parts available to fix the leak and that they had to wait for Bart Fischer to bring the part the next day. Jeff said he feels that this another failure of the system. Kevin responded by mentioning that the part in question is one that except for contractors have and that this is something that Ramey should not be held accountable for. This is specialized part because this is the system the community bought. David explained why the part was needed due to a break that had occurred during a freeze at the time of initial installation. David explained the particulars and process involved in the initial installation and repair of the leak.

Pete mentioned that he thought that was a question he had in terms of how and why the leak occurred. Pete mentioned the need for system modifications and communications protocol for events such as this. Pete referred to Ramey's contract and the scope of services and his primary charge of the plant and making sure the E-One pumps are operating properly. Kevin suggested that he is getting paid to maintain the collection system and isn't in his contract? Mark mentioned that Ramey's contract is based on the RFP that was responded to and he is doing what the RFP says he should be doing.

There was a brief discussion regarding who is ultimately responsible for maintaining the system and who should be paying for the system maintenance. A question was raised regarding where the engineering oversight for the system maintenance rests. Kevin clarified that Ramey's company is a wastewater treatment system, that they are qualified to handle the collection system but that they are not as knowledgeable as they should be. Kevin suggested that going forward with a new contract after next year, any new RFP should have that language in there.

Marl mentioned that there was a need to debrief the incident relative to the invoices for the work done, examination of the contract and options the LID has in this regard. This would involve meeting with county attorney Leslie Lacy to arrive at options for next steps. The other major item is relative to the new RFP process for next year and ensuring that the scope of work is what is needed going forward.

Mark indicated that he thought it would be helpful to outline and articulate some next steps including meeting with the county attorney and try to get a good understanding what the options are. Cathy suggested that the Ramey document was not an accurate accounting of what happened and justifications of the invoices should not be based on Ramey's write-up. Mark said a review of lessons learned and then identifying what new RFP process would involve.

There was a brief discussion regarding what a new RFP would entail financial responsibility for costs of future needs in terms of pump and equipment replacements. What the process looks like for public engagement and opportunities for input into the process. Mark reaffirmed that this issue has been and will continue to be on the table. Kevin expressed concern regarding the issue of pumps, the failure of the pumps and a possible conflict of interest on Ramey's part regarding

the replacement of the pumps. Mark indicated that these issues were something that Leslie Lacy and the attorney's would need to be involved with.

David indicated that he disagreed with Kevin's assessment and that Wayne's response was remarkable given the circumstances. There were a few comments regarding the failure of the pumps in relation to the stuck valve issue. There were several comments referring to the Ramey write-up in relation to the issue of pump replacement.

Ken mentioned that perhaps the group move on with the discussion. Mark suggested it would be helpful to get thoughts from the LID on where they would like to go next with respect to the incident and review of the invoices. Ken indicated that he was interested in what Leslie Lacy's thoughts are with regard to the options. Mark suggested that staff would get with Leslie the next day, see what she might suggest and pass the info on to the group for further direction.

Cathy asked about whether the invoices and whether staff is proposing that they not be processed until a further review. Pete indicated that he could hold off paying all the invoices pending a review but that one of the invoices was his regular monthly invoice. It was generally agreed that the regular invoice should be paid. Pete indicated that what he needed to know was what questions the group has and what is it they would like to know in terms of cost responsibility. Cathy asked what would be a reasonable response that a competent knowledgeable operator would be able to resolve.

Cathy expressed that she felt it was her strong opinion that the response to the incident was woefully inadequate and highly unprofessional, she was not willing to pay for. Cathy indicated that she feels that the group needs someone to who can say what is a reasonable response was. She said it was going to be in the details to determine what the associated charges are. Mark indicated that he agreed with Cathy's assessment and outlined an approach on how this might be handled.

Eric reiterated the circumstances regarding the system failure and the suggested causes. Eric expressed an opinion that the LID should not be on the hook for any of the expenses. Kevin indicated a desire to not be too contentious and try to think of another way to deal with this. Kevin suggested that flood recovery monies might be pursued to pay for the cost due to it being flood related. Pete mentioned that he had a call in to the State CDPHE to discuss the possibility of obtaining additional funds to pay for the damage incurred with this incident. Cathy mentioned that on principal, some cost should not be paid for.

Pete summarized his thoughts relative to the process thus far and going forward. Jerilyn expressed her feelings that the Ramey report was incoherent and that he should be going through the process of debriefing the incident and offering up his recommendations. David questioned the opinions that were expressed regarding Ramey's work and he expressed his feelings that things were handled very well. Jeff indicated that he was on-site and detailed his frustration with the lack of communication and lack of system information by Ramey's staff.

Kevin indicated that he believed that Wayne Ramey did what he knew to do, to deal with the still and other actions he took. Kevin said that he felt that Wayne didn't know the system well enough to determine the cause and this was the biggest gap in solving the issues involved with the incident.

There was a question regarding the plans and the issue of whether valve details were in the plans. Kevin indicated that in his copy the details of the valve are included but the location was not immediately apparent. David indicated that the plans he was aware of showed where the valve was located.

Cathy said that she had a couple of other things and indicated that some time should be devoted some types of action moving forward. Cathy said that she was concerned about several issues including; the vandalism that occurred, the notion that raw sewage is not a concern, how can the committee inform the community on what to do in case of an alarm or power outage. Jeff offered an example to confirm Cathy's concerns.

Ken asked about other issues. Jeff mentioned that the trees had been trimmed and wanted to know if there were any issues. Ken indicated that he was told it was still tight but the trucks were able to negotiate the drive. There was a brief discussion in this regard.

Mark then articulated what he heard in terms of next steps. The list involved; staff getting with County Attorney to craft a memo explaining options that the LID may have in relation to the invoices, will need to figure out a way to have a discussion to determine what charges incurred might be acceptable to the members, investigate the possibility of obtaining state funds to help with repairs, look at lessons learned and identifying steps to take both actual physical steps and plant improvements and soft tasks like creating a more robust communications protocol.

Kevin asked David what the current status of the actuated valve and how it was left. David indicated that the valve was taken off and the breaker was turned off. David said he thought something was wrong with the wiring.

There was a brief discussion regarding the engineering drawings. Cathy indicated that it would be helpful for the committee to examine the drawing and asked if the committee could see them. Pete said that he had an electronic file which he would send to the group.

The next meeting dates were discussed as well as, LID committee recruitment.

Pete gave a brief update on the extension line outfall. Pete indicated that he was going to try to get Bart Fischer, Wayne and Kevin to the plant in the next week to finalize the location and timelines. Pete also mentioned the status as it related to the governmental work that was being finalized.

There being no further business, the meeting adjourned at 8:35 pm.

## **Eldorado Springs LID Advisory Committee Meeting Minutes**

November 19, 2015  
4390 Eldorado Springs Drive  
Boulder, Colorado 80303

The meeting was called to order at approximately 6:40 pm by Chairperson Ken Sheldon.

**Members Present:** Ken Sheldon, Jeff Mason, Kevin Tone and Cathy Proenza

**Guests:** David Levin & Alan Brown

**Staff:** Pete Salas

**Minutes:** Jeff moved to approve the October 22, 2015 minutes; Ken Sheldon seconded the motion and the motion passed with all in favor.

### **Staff Updates:**

- Ramey Monthly Activity Report – Pete referred the group to the monthly Ramey report and the accompanying invoices. Ken asked about invoice #11694 and whether it included the damage that occurred at Marion Zimmerman. Pete responded that it was not on the invoice because he had only received an estimate and indicated that it was not yet resolved. Pete indicated that the monthly activity report was pretty standard as it relates to the normal plant activities. Pete referred the group to the budget spreadsheet and reviewed it with the group. Pete noted that the budget spreadsheet did not include the line-break invoice costs and that that amount would appear on another spreadsheet containing a preliminary forecast. Cathy arrived at the meeting at this point.

Pete then referred the group to the spreadsheet containing the forecast including pending pump repair estimates which came in during the week. The group reviewed the pending repair estimates including the 2 estimates for \$3,078 each for purchase of 2 new Barnes grinder pumps. Kevin asked about why we would be purchasing 2 new Barnes pumps. Pete indicated that he had not approved the purchase, only that he was bringing these estimates for their consideration. There was a question regarding how much a new E-One pump would cost to which Pete replied that no information was provided in the email from Jeff Rabas.

The group discussed the need for changing pumps and what the cost difference between the two was as well as, the benefits for changing grinder pump brands. It was generally agreed that there was a need for additional information regarding the benefits for each of the pumps. It was suggested that if the group was going to consider the recommendation from Ramey, then the same courtesy should be provided to Steve Hansen at Ambient as it relates to the E-Ones. There was a question regarding whether the experimental pump that had been installed was a Barnes or another brand. The group asked Pete to find out

what the cost differences between the E-Ones and the Barnes pumps. Pete indicated that Jeff Rabas had not indicated that this was a critical need at this time. Ken suggested that Pete ask the E-One folks if the pumps that Ramey's crew deemed irreparable are in fact too broken to be fixed.

Kevin noted that a lot of the other pump costs on the invoices are related to "preventative" maintenance and that it raises the question as to whether these pumps really do need preventative maintenance given the budget. Cathy indicated that she didn't she didn't have a lot of confidence in the information given relative to the need for pump repairs. Kevin suggested that due to the costs for maintenance and repair that perhaps the budget should reflect these costs as ongoing operations and maintenance rather than as capital cost items. It was suggested that the group review the maintenance schedule that Wayne Ramey provided and determine which pumps he was referring to and which had been replaced and which are still in need of repair and maintenance. There was a question on why are we paying for maintenance on new pumps.

There was a discussion regarding the costs associated with the maintenance work and plant operation costs by REC, Inc. relative to what other entities are paying for services. It was suggested that the group ask for a pump maintenance schedule for the pump work at the plant. It was generally agreed that this was information that the group needs to plan for in terms of the budget.

A question came up regarding the Ramey contract and whether the contract spells out what REC, Inc. is charged with doing as it relates to system operation and maintenance. Pete provided a brief synopsis on how the contract was structured based on the Request for Proposals that was let when REC was contracted with. Pete indicated that the plant operation contract with Ramey expires in 2016 and would need to be renewed for 2017. The group had a discussion on the contract and what might be needed in future discussions.

Pete indicated a level of discomfort with the amount of costs relative to pumps and his desire to take a harder look at these costs and how the group might proceed.

It was noted that the maintenance and replacement spreadsheet that Wayne provided did indicate what the capital costs associated with the plant are and that it could be argued that REC had done their due diligence as it relates to maintenance. It was reiterated that additional information was needed.

There was a brief discussion relative to the cost estimates presented for new pumps and repairs and the impacts on the budget.

Kevin asked about the discharge line project and about the availability of additional state funds which could be applied to the sewer line break event. Pete indicated that during a recent discussion with a CDPHE official he was informed that any unexpended funds could be applied to the line break as described by Pete to the CDPHE official. Pete

suggested that he would provide greater detail when that item came up on the agenda but that the group should first discuss the invoices. It was generally agreed that they would come back to the update after the invoice discussion.

- Invoices – Pete mentioned to the group that there were a number of invoices submitted by REC which had not yet been paid and that he needed some direction in that regard. Pete indicated that the invoices were over a month old and a determination needed to be made in this regard. Pete referred to the memo that Leslie had provided regarding the responsibility of the plant operator as it relates to the line break event. Pete reviewed the information provided in the memo and the group discussed the options outlined including the option to negotiate a settlement. Pete indicated that the group needs to determine what was fair. Cathy stated that it was her feeling that the LID was owed an explanation of what occurred and that a negotiation was the best way to deal with the question of the invoices. Cathy also said she thought that incident was poorly handled.

The question was asked about what needed to happen to enter into a negotiation. Pete said that it was staff's recommendation that a sub-committee be appointed to meet with Wayne to discuss this. Pete also mentioned that if more than 2 committee members wanted to meet, then the meeting would have to be noticed. Cathy suggested that perhaps the group could review the invoices and agree on what charges are reasonable and what might not be.

Ken recognized Alan Brown who wanted to address the group. Alan indicated that it was his view that with the exception of the September event, the history of the system was rather good. Alan suggested that this presented an opportunity for the group investigate what the cause of the break was and try to determine where the fault lied. The group briefly discussed this notion with Pete noting that in order for an investigation or inquiry to be done, an impartial expert would need to be hired to conduct it. David Levin entered the discussion and expressed his view that there was no way the committee can determine the reasonable costs which could be negotiated. There was additional discussion regarding David and Alan's views.

Pete then referred the group to the invoices and the group reviewed the various costs in terms of what the various cost components were in terms of the clean-up and costs such as the cost repairs. There was some confusion regarding the invoices Pete distributed as to what was related to the break, the estimates and what were other expenses incurred. Pete explained that the various invoices that were presented were done so to show what the budget would look like if they paid them all and purchased the pumps as estimated by REC.

The group reviewed the invoices to try to determine what expenses might negotiated. It was suggested that there should be a discussion with Ramey regarding whether the operator know what was wrong with the system and how long it took to get things figured out. Ken suggested that two members of the group to meet with Wayne to negotiate the costs. Pete affirmed that Ken's suggestion is what he would have recommended. Pete laid

out how this session might be structured and that the group develop questions to ask at the session with Wayne. The group discussed who might represent the LID and it was determined that Kevin and Jeff would comprise the sub-committee to meet with Wayne. It was determined that the position or attitude of the group would be one of conciliation and that they want to be able to work with Wayne at arriving at a mutually agreed upon cost settlement. Pete agreed to contact Wayne and set-up a meeting to be held at the Courthouse.

- Discharge Line Update – Pete gave a brief update on the project and informed the group that he had had a brief discussion with the grants contract person at the state and had received verbal okay to use any unexpended project funds for line break expenses. Pete mentioned that he also spoke to Bart Fischer regarding when the work might be complete. Bart indicated that he had a delay with another project so he was unable to do the work as he had originally planned. Bart indicated that he was hoping to get the work done during the first week in December.

#### Other Business:

- Communication Protocol - Pete mentioned the issue of protocol for communications and that he thought that it would be helpful to involve the County Public Information Staff to help determine how the protocol might be developed.
- Plant vandalism – The group briefly discussed the issue of vandalism as it relates to the electric control box. The group decided that Marion Zimmerman should be sent a bill for the \$550 expense of repairing the panel. David mentioned the rules and regulations relative to damage or tampering with collection system property and that the penalties could possibly be imposed but lacking proof, it would be difficult to enforce.
- No meeting in December
- LID Recruitment – Pete mentioned the need to recruit another member
- Ramey contract adjustment request – Pete mentioned that REC had requested a CPI increase of 1%. The consensus of the group was to not pay a CPI increase.
- Christian property – Kevin mentioned that he thought that Christian Griffith might be developed which would add to the reserve fund if it happened.

#### Public Comment:

- Alan Brown – Alan mentioned that due to the responsibilities of the LID with regard to damages incurred as a result of some event, a rigorous investigation should be conducted to determine cause. Alan's written statement is included here.

*ESCA (Eldorado Springs Community Association) Discussion, 03 Nov Meeting  
Sewer Committee Input, For Discussion and Further Action if Appropriate*

- 1) *As-Built Documents for East Bridge S side valve location, shutoff function?  
Failed Responsibility? Design-Build Contractor? Civil Engineer? Operator?*

- 2) *Sewer Line Leak, in front of 81 Eldorado Springs Drive?  
Previous Freezing-Repair During Original Construction? Same Pipe Location?  
Pipe Patch? Stressed Pipe? Shallow Depth? Lack of Freeze Protection?  
Failed Responsibility? Design-Build Contractor? Subcontractor? Operator?*
- 3) *Broken Grinder Pumps, South Side of Creek?  
Lack of information? Failed Responsibility, understanding System Function?  
Operator?*

*Background Notes*

*Original Intent of the LID Members, Minimum Construction and Operating Cost  
Sewer Inexperience of Community and County  
County Unilateral Management of Construction  
Relative Smooth Operation of Sewer System  
more recent Collaborative Leadership and Decisionmaking Perspective  
Communication: LID Members-Committee-Operator-County-Media  
Problem Solving Methods Going Forward*

There being no further business, the meeting adjourned at 8:35 pm.