

RECORD OF PROCEEDINGS

MINUTES OF JOINT REGULAR MEETING

BOARD OF DIRECTORS

SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT

AND

PLATTE CANYON WATER AND SANITATION DISTRICT¹

Friday
November 18, 2022
Jefferson County, Colorado

The regular joint monthly meeting of the Board of Directors of the Southwest Metropolitan Water and Sanitation District (“Southwest”) and the Board of Directors of the Platte Canyon Water and Sanitation District (“Platte Canyon”) convened on Friday, November 18, 2022, at 8:30 a.m. in the Districts’ office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123. Due to COVID-19 and related virus concerns, and for purposes of convenience, the meeting was also conducted virtually using Microsoft Teams. Any Board members who could not or was not comfortable physically attending, could attend by telephone or virtually. The web address and call-in information were included in the meeting notice so that interested members of the public could also attend. Although jointly conducted, a portion of the meeting pertained solely to one District or the other and, accordingly, at times only the vote of one Board or the other was required.

The following Southwest Directors were either physically in attendance or attended by Microsoft Teams, to-wit:

Anthony M. Dursey (Microsoft Teams)
George E. Hamblin, Jr. (Microsoft Teams)
Chuck Hause (physically present)
Samuel Rivas, Jr. (physically present)
Bernard J. Sebastian, Jr. (physical present)

The following Platte Canyon Directors were either physically in attendance or attended by Microsoft Teams, to-wit:

William D. Buckner (physically present)
Anthony M. Dursey (Microsoft Teams)
Louis J. Fohn (physically present)
George E. Hamblin, Jr. (Microsoft Teams)
Mark Swatek (physically present)

¹ and each District’s Water and Sanitary Sewer Activity Enterprise.

The following Platte Canyon staff members were physically in attendance in the boardroom: Cynthia Lane, manager; Vanessa Shipley, financial administrator; Scott Hand, operations supervisor; and Tony Coccozzella, construction program manager. Bridget Butterfield, communications and administrative services coordinator; and Adam Morris, GIS/Website/IT technician, both attended the meeting virtually via Microsoft Teams.²

Timothy J. Flynn, from Collins Cole Flynn Winn & Ulmer, PLLC, legal counsel for both Districts attended by Microsoft Teams.

CALL TO ORDER

The Southwest portion of the joint meeting was called to order by Southwest President, Chuck Hause, who presided as Chair.

APPROVAL OF SOUTHWEST AGENDA

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Dursey to approve, as presented, the Southwest agenda.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

SOUTHWEST CONSENT AGENDA ITEMS

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Dursey to approve Southwest Consent Agenda Items 1 and 2, as set forth below, by a single motion:

1. Ratification of Interim Disbursements and Approval of Current Payables.

The Southwest payables and supplemental disbursements for the month of November 2022, in the amount of \$159,320.61 represented by Southwest check nos. 20747 thru 20765, inclusive, including any checks for less than \$5,000 written by the manager pursuant to prior Board authorization, together with various electronic fund payments for utility and other authorized electronic fund payment vendors.

2. Southwest Investment/Deposit Transaction Report. During the month, Southwest did not purchase any new treasury or other securities nor did Southwest have any

² Southwest has no employees. The above-named personnel are Platte Canyon employees who, pursuant to contract with Platte Canyon, provide management, operation, and maintenance services for Southwest.

treasury notes or agency securities mature or be redeemed during the month. On October 1, 2022, Southwest renewed a \$100,000 par value certificate of deposit at the Bank of Denver with an interest rate of 2.6% per annum and a maturity date of October 1, 2023.

With respect to the above referenced Consent Agenda Items No. 1 and No. 2, the Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

SOUTHWEST ACTION ITEMS

1. **2022 Budget Amendment.** The Chair opened the public hearing for the Southwest 2022 Budget Amendment. Notice of the public hearing was published in accordance with the Local Government Budget Law by staff. No members of the public appeared in person, or otherwise registered any objections, or offered any amendments to the proposed 2022 Budget Amendment, which arose because of unanticipated additional maintenance and capital costs during calendar year 2022. The Chair then closed the public hearing on the 2022 Budget Amendment.

Following a brief discussion, during which Southwest Director Sebastian had a question, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to adopt Southwest Resolution 2022-11-1, which Resolution formally amends the Southwest 2022 Budget, by increasing general fund expenditures by \$400,000 and appropriates additional surplus funds for the expenditure of said increase during calendar year 2022. The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

A copy of Resolution 2022-11-1 is attached to the original of these minutes as **Exhibit A.**

2. **Adoption of 2023 Budget.** The Chair opened the public hearing for the Southwest proposed 2023 Budget. Notice of this public hearing was published in accordance with the Local Government Budget Law. No members of the public appeared in person, or otherwise registered any objections, or offered any amendments to Southwest's proposed 2023 Budget, which is balanced as required by law. The Chair then closed the public hearing for the 2023 Budget.

Following a brief discussion, during which Vanessa Shipley noted that the proposed 2023 Budget incorporates \$10,570 of additional expenditures as a result of the Southwest Board's discussions at last month's meeting. A motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to adopt Southwest Resolution 2022-11-2, which Resolution formally adopts the proposed 2023 Budget, as heretofore submitted and amended, as the official budget for Southwest for calendar year 2023.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

A copy of Resolution 2022-11-2 is attached to the original of these minutes as **Exhibit B.**

3. Adoption of Resolution Appropriating Funds for the 2023 Budget. The Southwest Board then considered Southwest Resolution 2022-11-3, which Resolution appropriates the sum of \$4,460,333 for expenditure by Southwest in calendar year 2023. A motion to adopt said Resolution was made by Southwest Director Sebastian and seconded by Southwest Director Rivas.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

A copy of Resolution 2022-11-3 is attached to the original of these minutes as **Exhibit C.**

4. Adoption of Resolution Certifying a Zero Property Tax Mill Levy. The Southwest 2023 Budget does not contemplate the expenditure of property tax revenue because Southwest does not have a property tax and operates as a water activity enterprise.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to adopt Resolution 2022-11-4, which Resolution authorizes the certification of a zero-property tax mill levy to the Clerk and Recorder of Arapahoe, Douglas and Jefferson Counties, Colorado. The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

A copy of Resolution 2022-11-4 is attached to the original of these minutes as **Exhibit D.**

SOUTHWEST INFORMATION/DISCUSSION ITEMS

There were no information or discussion items to come before the Southwest Board.

SOUTHWEST NEW BUSINESS

There was no new business to come before the Southwest Board.

JOINT PARTICIPATION PORTION OF THE MEETING

Chuck Hause, Southwest President, continued to act as Chair of the joint participation portion of the meeting.

APPROVAL OF JOINT MEETING AGENDA

A motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Fohn to approve the joint meeting agenda, as presented. The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

JOINT MEETING CONSENT AGENDA

1. Approval of the Minutes of the Boards' October 28, 2022 Joint Regular Meeting. A motion was made by Platte Canyon Director Buckner and seconded by Platte

Canyon Director Fohn to approve the minutes of the Boards' October 28, 2022, joint regular meeting. The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

The approved minutes will be presented to the members of each Board for signature as soon as practical, as further evidence of ratification, confirmation, and approval.

JOINT MEETING ACTION ITEMS

There were no action items to come before this joint regular meeting.

JOINT MEETING INFORMATION/DISCUSSION ITEMS

1. Financial Matters.

(a) **Platte Canyon Financial Statements.** The following unaudited Platte Canyon financial statements, prepared by Vanessa Shipley, for the ten-month period ending October 31, 2022, were presented to the Boards:

(i) Statement of Net Assets, dated October 31, 2022, showing Platte Canyon's Assets, Liabilities, and Net Assets;

(ii) Statement of Revenue, Expenses and Changes in Net Assets for the ten-month period ending October 31, 2022;

(iii) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to Annual Budget for the ten-month period ending October 31, 2022; and

(iv) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to CM/YTD Budget for the ten-month period ending October 31, 2022.

Vanessa Shipley identified for the Board those capital equipment items for which checks had been issued and which delivery is expected soon. She had no other comments regarding the October financial statements.

Following a brief discussion, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Fohn to accept the Platte Canyon financial statements, as presented.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

(b) Southwest Financial Statements. The following unaudited Southwest financial statements, prepared by Vanessa Shipley for the ten-month period ending October 31, 2022, were presented to the Boards:

(i) Statement of Net Assets, dated October 31, 2022, showing Southwest's Assets, Liabilities, and Net Assets;

(ii) Statement of Revenue, Expenses and Changes in Net Assets for the ten-month period ending October 31, 2022;

(iii) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to Annual Budget for the ten-month period ending October 31, 2022; and

(iv) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to CM/YTD Budget for the ten-month period ending October 31, 2022.

Vanessa Shipley noted that future financial statements of Southwest will incorporate the Budget Amendment that was approved by the Board earlier. She also indicated paving expenses are being delayed until next year due to weather.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Hamblin to accept the Southwest financial statements, as presented.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

(c) **Platte Canyon Investment/Deposit Report.** The Boards reviewed a list of Platte Canyon’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Platte Canyon has in approved state depositories and authorized local government investment pools. As of October 31, 2022, Platte Canyon’s investments and deposits totaled \$9,740,275.51, itemized as follows:

| <u>Description</u> | <u>Amount</u> | <u>Percentage</u> |
|--|-----------------------|--------------------------|
| Checking | \$29,084.23 | 3.04% |
| Certificates of Deposit | \$495,000.00 | 5.08% |
| ColoTrust-Edge | \$727,899.19 | 7.47% |
| ColoTrust-Plus | \$1,548,115.26 | 15.89% |
| ColoTrust-Trust Account | \$15,219.30 | 0.16% |
| CSAFE-Core | \$382,724.16 | 3.93% |
| Treasury Bills | \$0.00 | 0.00% |
| Treasury Notes | \$4,772,133.77 | 48.99% |
| U.S. Government Agencies and Instrumentalities | \$1,503,099.60 | 15.43% |
| TOTAL | <u>\$9,740,275.51</u> | <u>100.00%</u> |

The average yield on Platte Canyon’s investments for the month of October 2022, as calculated by staff, was 1.6408 % per annum.

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn to accept the Platte Canyon Schedule of Deposits and Investments as presented.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

(d) **Southwest Investment/Deposit Report.** The Boards reviewed a list of Southwest’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Southwest has in

approved state depositories and authorized investment pools. As of October 31, 2022, Southwest’s investments and deposits totaled \$25,269,354.11 itemized as follows:

| <u>Description</u> | <u>Amount</u> | <u>Percentage</u> |
|--|------------------------|-------------------|
| Checking | \$10,986.41 | 0.04% |
| Certificates of Deposit | \$494,000 | 1.95% |
| ColoTrust-Edge | \$2,308,072.60 | 9.13% |
| ColoTrust-Plus | \$1,460,851.23 | 5.78% |
| ColoTrust-Trust Account | \$30,083.13 | 0.12% |
| CSAFE-Core | \$539,627.58 | 2.14% |
| Treasury Bills | \$0.00 | 0.00% |
| Treasury Notes | \$14,425,733.16 | 57.09% |
| U.S. Government Agencies and Instrumentalities | \$6,000,000.00 | 23.74% |
| TOTAL | <u>\$25,269,354.11</u> | <u>100.00%</u> |

The average yield on Southwest’s investments for the month of October 2022, as calculated by staff, was 1.5541% per annum.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest Schedule of Deposits and Investments as presented.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

2. Management Report. The manager referred the members of each Board to her written management report for the month of October 2022, a copy of which was included in the meeting packet. In addition to answering questions, as more particularly discussed below, the manager had the following updates:

(a) **Administrative Activities.** The manager noted that this is a very busy time of year and that especially the administrative staff has been working on budgets including the budgets for not only Platte Canyon and Southwest, but also Valley, Bow Mar and the other districts that Platte Canyon contracts with for services.

(b) **Valley Sanitation District Election.** The manager noted that the Valley Sanitation District de-Brucing question did not pass. The question passed within that portion of Valley Sanitation located within Denver, but the Arapahoe County residents of the District voted against the ballot measure in significant enough numbers to cause it to be defeated by approximately 55% against and 45% in favor. As a result of the defeat, the Valley Sanitation

District is looking at a substantial increase in its sewer fees, which at the present time are collected through the City of Englewood. Valley needs these revenues to finance a number of upcoming capital improvement projects. The manager and Platte Canyon staff are working to assist Valley in these efforts.

(c) **Bow Mar Water and Sanitation District.** The Bow Mar Water and Sanitation District is undergoing a change in its accounting and financial advisor. Hanie & Company which previously did all of the accounting for Bow Mar is getting out of that business. The Bow Mar Water and Sanitation District is in the process of hiring a new firm which Cynthia Lane believes will work closely with Platte Canyon's staff which should improve the overall bookkeeping, budgeting and financial records for Bow Mar going forward.

(d) **Insurance Renewals.** The Boards were advised that the Special District Property and Liability Pool is quoting both Platte Canyon and Southwest rates for property, commercial general liability and public officials liability rates that are 10-20% higher than previous years. A significant portion of the increase is attributable to the District's property insurance coverage because of the increased cost for replacing physical structures should there be a catastrophic event. In addition, the cost for cyber-security coverage is increasing as well. The final rates for Platte Canyon and Southwest have not been quoted, but a significant increase is anticipated.

(e) **Englewood/Littleton Wastewater Treatment Plant.** The cities of Englewood and Littleton are currently evaluating the governance of their wastewater treatment facility which operates under the name of South Platte Renew. Both Englewood and Littleton are looking for ways to transfer governance of that facility to another governmental entity, such as an authority or possibly a Title 32 special district. The process of changing the governance and creating a new entity is complex and will be time consuming and potentially very expensive in terms of administrative and legal costs that will be incurred. The manager is monitoring the situation closely and will apprise the Boards at future meetings as Englewood and Littleton decide on a how they want to have the jointly owned wastewater treatment plant owned, operated, and managed in the future.

(f) **Tap Fee Study.** In response to a question from Platte Canyon Director Swatek, Cynthia Lane described the reasons why and the process that will be involved in obtaining a third-party independent review of both Platte Canyon's and Southwest's tap fees going forward. There have been minor changes in the methodology that has been used historically. Further, it was noted that for staff to recreate the methodology that had been previously followed would be difficult due to certain record keeping gaps. In any event, it is anticipated that a firm that specializes in evaluating and determining appropriate tap fees would be presented to both Boards during the first quarter of 2023.

3. **Operations and Maintenance Summary Report.** Scott Hand reviewed the Operations and Maintenance Summary report for October 2022. During the reporting period, neither Platte Canyon nor Southwest experienced any sanitary sewer service interruptions. Platte Canyon did not experience any water service interruptions; however, Southwest

experienced a water service interruption on October 5, 2022, which involved a beam break on a 6” asbestos cement pipe in the general location of 7056 South Ammon Street. The exact location of the break was hard to determine at first. As a result, there was a much longer excavation in the road than would normally occur. It took about 35 hours of time for C&L Water Solutions to fully repair the break. Approximately 35 customers were out of service for a number of hours. This is in an area where there is a lot of expansive soils, however, it is the first break Southwest has experienced on this line.

Mr. Hand also reviewed for the Boards, the various ongoing training that field and office staff is undergoing at the present time, including an active shooter training, which unfortunately is a necessity in this day and age.

Finally, Mr. Hand noted that the District has hired a new certified operator who has significant experience and appears to be working out well. It is hoped that he can be introduced to the Board at a future meeting.

4. Capital Projects Report. Tony Cocozzella reviewed the Capital Projects Report for Platte Canyon and Southwest for the month of October 2022. As part of his report, Mr. Cocozzella updated the Boards as to the status of all ongoing Platte Canyon and Southwest projects, including developer and District-specific projects. With regard to the relocation of Southwest’s 16” water line in South Santa Fe Drive from C470 to Dad Clark Gulch, Mr. Cocozzella reviewed four options for relocating the line and indicated that at the present time there is some uncertainty as to who owns title to the property or across which these proposed routes would extend.

NEW BUSINESS

There was no new business to come before the joint participation portion of the meeting.

PLATTE CANYON PORTION OF THE JOINT MEETING

CALL TO ORDER

The Platte Canyon portion of the joint meeting was called to order by Platte Canyon Board member, Mark Swatek, who presided as Chair.

APPROVAL OF PLATTE CANYON AGENDA

Following a brief discussion, a motion was made by Platte Canyon Director Buckner seconded by Platte Canyon Director Fohn to approve, as presented, the Platte Canyon agenda. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|-------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |

| | |
|------------------------|-----|
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

PLATTE CANYON CONSENT AGENDA ITEMS

A motion was made by Platte Canyon Director Hamblin and seconded by Platte Canyon Director Buckner to approve Platte Canyon consent agenda items 1 and 2, as set forth below, by a single motion:

1. Approval of Accounts Payable and Ratification of Interim Disbursements. The Platte Canyon payables and supplemental payables for the month of November 2022, in the aggregate amount of \$212,018.50, represented by Platte Canyon check nos. 34540 through 34576, inclusive, including any checks written by the manager pursuant to prior Board authorization for less than \$5,000 as well as various electronic fund payments for employee salaries, utilities and other authorized electronic fund payment vendors.

2. Platte Canyon Investment/Deposit Report. On October 4, 2022, Platte Canyon renewed a \$100,000 certificate of deposit at the Bank of Denver for a one-year period, maturing on October 4, 2023, and bearing interest at the rate of 2.6% per annum. During the month, Platte Canyon did not purchase any treasury or other securities nor did Platte Canyon have any treasury notes, agency securities or other investments redeem, mature, or roll over during the month.

With respect to the above referenced Consent Agenda Items No. 1 and No. 2, the Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

PLATTE CANYON ACTION ITEMS

1. Adoption of 2023 Budget. The Chair opened the public hearing on Platte Canyon’s proposed 2023 Budget. Notice of the hearing was published in accordance with the Local Government Budget Law by staff. No members of the public appeared in person, or otherwise registered any objections, or offered any amendments to the proposed 2023 Budget, which is balanced as required by law.

Vanessa Shipley noted that the draft Budget before the Board for adoption contains an additional \$17,800 appropriation for the wages and salary increases discussed by the Board at its last meeting. The Chair then closed the public hearing on the 2023 Budget.

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn to adopt Platte Canyon Resolution 2022-11-1, which Resolution formally adopts the proposed 2023 Budget, as heretofore submitted, and amended, as the official budget for Platte Canyon for calendar year 2023, subject to whatever minor adjustments, if any are necessary when the final assessed valuations are received from Arapahoe and Jefferson Counties, Colorado.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

A copy of Resolution 2022-11-1 is attached to the original of these minutes as **Exhibit E.**

2. Adoption of Resolution Appropriating Funds for the 2023 Budget. The Platte Canyon Board then considered Platte Canyon Resolution 2022-11-2, which Resolution appropriates the sum of \$4,676,303 for expenditure by Platte Canyon in calendar year 2023. A motion to adopt said Resolution was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

A copy of Resolution 2022-11-2 is attached to the original of these minutes as **Exhibit F.**

3. Adoption of Resolution Certifying a Property Tax Mill Levy. The Platte Canyon 2023 Budget contemplates the expenditure of property tax revenues, and the manager addressed the need for certifying a property tax mill levy. Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn to adopt Resolution 2022-11-3, which Resolution authorizes certification of a property tax mill levy for tax year 2022, in the amount of 7.104 mills, plus whatever additional amount is necessary to collect any refunds or abatements granted in prior years, upon the total valuation for assessment of all taxable property within Platte Canyon for tax year 2022.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

A copy of Resolution 2022-11-3 is attached to the original of these minutes as **Exhibit G.**

The above-referenced Resolutions were adopted subject to whatever adjustments are necessary when the final assessed valuation for Platte Canyon is received from Arapahoe and Jefferson Counties, Colorado. The motion also authorized the District’s manager and/or any officer of Platte Canyon to sign the mill levy certification forms to both Arapahoe and Jefferson Counties, Colorado.

4. Inclusion Hearing – Arcadia Creek LLC Property. Staff advised the Board that notice of the hearing on the Petition for Inclusion of the real property located at approximately South Sheridan Blvd and West Leewood Drive consisting of a 1.9-acre parcel filed by Arcadia Creek LLC was published one time on November 10, 2022, in the *Littleton Independent* and the *Golden Transcript*, newspapers of general circulation within Arapahoe and Jefferson Counties, Colorado, respectively, as required by the Special District Act.

The Chair then opened the public hearing on the Petition. The property is capable of receiving water and sanitary sewer service from the District. The record reflects that no persons reciting or owning property within Platte Canyon appeared or otherwise filed any objection to the Inclusion, nor did any County or Municipality appear or register any objection.

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn to adopt Resolution 2022-11-4 which orders the Inclusion of said property into the Platte Canyon Water and Sanitation District. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| William Buckner | Aye |
| Anthony M. Dursey | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

A copy of Resolution 2022-11-4 is attached to the original of these minutes as **Exhibit H.**

PLATTE CANYON INFORMATION/DISCUSSION ITEMS

There were no information or discussion items to come before the Platte Canyon Board.

PLATTE CANYON NEW BUSINESS

There was no new business to come before the Platte Canyon Board.

ADJOURNMENT

There being no further business to come before this joint regular meeting of the Southwest and Platte Canyon Boards, a motion to adjourn was made by Platte Canyon Director Buckner and seconded by Southwest Director Fohn. The Chair called for a vote of the Southwest Board, and the vote was as follows:

| | |
|---------------------------|-----|
| Anthony M. Dursey | Aye |
| George E. Hamblin, Jr. | Aye |
| Chuck Hause | Aye |
| Samuel Rivas, Jr. | Aye |
| Bernard J. Sebastian, Jr. | Aye |

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

| | |
|------------------------|-----|
| Anthony M. Dursey | Aye |
| William Buckner | Aye |
| Louis J. Fohn | Aye |
| George E. Hamblin, Jr. | Aye |
| Mark Swatek | Aye |

Whereupon, this joint regular meeting of the Southwest and Platte Canyon Boards of Directors adjourned at approximately 9:30 a.m. The next regular joint meeting of the Boards will be held on Friday, December 18, 2022, at 8:30 a.m. The Chair noted that both Boards will remain while the Platte Canyon Board convenes as the Ex-Officio Board of Platte Canyon’s Subdistricts No. 1 and No. 2, who are meeting immediately following this meeting.

Respectfully submitted,

Timothy J. Flynn, Recording Secretary

RECORD OF PROCEEDINGS

THE MINUTES OF THIS JOINT REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT AND THE BOARD OF DIRECTORS OF THE PLATTE CANYON WATER AND SANITATION DISTRICT ARE HEREBY RATIFIED, CONFIRMED AND APPROVED BY THE FOLLOWING NAMED INDIVIDUALS WHO, INDIVIDUALLY AND AS MEMBERS OF THE BOARD OF DIRECTORS OF SAID DISTRICTS, WAIVE ANY AND ALL NOTICE THAT MAY BE REQUIRED BY THE STATUTES OF THE STATE OF COLORADO PERTAINING TO THE CONVENING AND THE CONDUCTING OF THIS SPECIAL MEETING OF THE DISTRICTS' BOARDS OF DIRECTORS; AND THE UNDERSIGNED DO HEREBY CONSENT TO THE SAID MEETING BEING HELD ON THE DATE, AT THE TIME AND AT THE PLACE AS HEREINABOVE SET FORTH.

SOUTHWEST METROPOLITAN
WATER AND SANITATION DISTRICT

PLATTE CANYON WATER AND
SANITATION DISTRICT

Anthony M. Dursey

William D. Buckner

George E. Hamblin, Jr.

Anthony M. Dursey

Chuck Hause

Louis J. Fohn

Bernard J. Sebastian, Jr.

George E. Hamblin, Jr.

Samuel Rivas, Jr.

Mark Swatek