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are not part of the town of Monument, but the commercial section PPMD 3 is within the town limits. FLMD holds joint board meetings with PPMD 1, 2 and 3, which were established in 2004.

 The next meeting is scheduled for 10:30 a.m., Oct. 30 in the Classic Homes office at 6385 Corporate Drive, Suite 200, Colorado Springs. Meetings are usually

held the first Monday of each month. Meeting notices are posted on the district website <http://forest-lakesmetrodistrict.com> and at 3625 Mesa Top Drive, Monument, an open-space tract owned by all four districts. For general questions, contact Ann Nichols at 327-5810 or at anicholsduffy@aol.com.

Lisa Hatfield can be contacted at lisahatfield@ocn.me.

Monument Sanitation District, Sept. 20

One-year judgment mill levy up to 10 mills approved

By Jim Kendrick

On Sept. 20 the Monument Sanitation District (MSD) board unanimously approved a resolution authorizing a one-year 2017 judgment mill levy of up to 10 mills on all properties located within the district. This property tax will be collected in 2018 to pay a District Court stipulated judgment entered against MSD on Sept. 15 of \$337,202.96, with statutory interest of 8 percent for the year accruing from the date of this judgment. However, based on the county's initial estimated 2017 assessed value of about \$48.3 million for the property within the district, this judgment would only require a one-time judgment levy of up to roughly 8 mills in 2017. See related lawsuit information in the Woodmoor Water and Sanitation District article on the facing page.

This one-time district property tax for a \$300,000 house would be up to \$172.80 for the year, which is about up to \$14.40 per month.

Tri-Lakes Wastewater Treatment Facility (TLW-WTF) is owned in equal one-third shares by MSD, Palmer Lake Sanitation District (PLSD), and Woodmoor Water and Sanitation District (WWSO.) Tri-Lakes operates as a separate joint venture public utility under a Feb. 9, 2010, Joint Use of Facilities Agreement between the three owner districts.

The judgment mill levy is the result of a dispute from 2014 between WWSO and MSD/PLSD over al-

location of costs in the 2015 Tri-Lakes budget for a new chemical total phosphorus (TP) removal tertiary clarifier expansion. (See www.ocn.me/v14n12.htm#tlfjuc1111, www.ocn.me/v15n1.htm#tlfjuc1209, and www.ocn.me/v15n1.htm#msd1218)

Woodmoor filed a lawsuit against Monument and Palmer Lake in 2015 over how the cost of the new chemical tertiary clarifier and new supporting infrastructure should be shared. (See www.ocn.me/v15n5.htm#tlfjuc0414)

This District Court stipulated judgment of \$337,202.96 is the difference between one-third of the cost for the Tri-Lakes phosphorus remover and the 19.79 percent share of the costs which Monument has already paid the TLWTF Joint Use Committee.

Districts required to lower phosphorus discharge

In 2012, the Colorado Department of Public Health and Environment and the U.S. Environmental Protection Agency mandated compliance with the new Regulation 85, to remove phosphorus to a discharge limit of 1 milligram per liter. The three districts were compelled to participate in a TLWTF expansion for phosphorus removal. (See www.ocn.me/v12n4.htm#cwqcc and www.ocn.me/v12n7.htm#juc)

The initial Tetra Tech engineering estimate for the expansion was \$1 million in April 2012. (See www.ocn.me/v12n5.htm#juc and www.ocn.me/v13n8.htm#juc)

Tetra Tech's original rough estimate of \$1 million increased to \$2.07 million in September 2013 and then to \$2.87 million in August 2014. (See www.ocn.me/v14n11.htm#tlfjuc1014 and www.ocn.me/v14n11.htm#msd1016)

A dispute arose among the three owner districts in late 2014 regarding the allocation of costs related to this mandated expansion. (See www.ocn.me/v14n12.htm#tlfjuc1111, www.ocn.me/v15n1.htm#tlfjuc1209, and www.ocn.me/v15n1.htm#msd1218)

WWSO sued MSD and PLSD in 2015 to make them each pay one third of the awarded total base bid cost which had grown to \$3.642 million. The motion to approve the base bid option also specified that Monument would pay 19.79 percent of the total, Palmer Lake would pay 33.33 percent, and Woodmoor would pay 46.88 percent. The four requested bid options that would have increased the total project cost to \$4.312 million were all deemed unaffordable and none were necessary for achieving compliance. (See www.ocn.me/v15n5.htm#tlfjuc0414 and www.ocn.me/v15n6.htm#tlfjuc0512)

The District Court ruled against MSD and PLSD in May 2016. MSD and PLSD appealed on June 6, 2017. The State Court of Appeals affirmed the District Court decision. MSD disagrees with the courts' rulings, but the MSD board determined that it is not in the district's best interest to spend more money to appeal the decision to the Colorado Supreme Court. (See www.ocn.me/v17n8.htm#tlwtjuc)

This District Court stipulated judgment of

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