

FLMD (Cont. from 10)

Bond counsel Tiffany Lu Leichman of Taft Stettinius & Hollister LLP summarized the parameters resolution and the bond documents and said the bonds are expected to maintain a fixed interest rate for about a 30-year term. The pledged debt service will be capped at 40 mills subject to an adjustment with a minimum levy of 32 mills. The total maximum repayment will be \$27 million with a maximum of 18% interest to a maturity date of no later than Dec. 1, 2056.

Blunk said the service plan allows 50 mills but capped the debt service at 40 mills and is working toward 32 mills. The decision to begin with 40 mills was indicative of the market at the time the commercial development in PPMD 3 began.

The board approved the resolution and identified Nichols as the district representative with Lenz designated as the board representative to execute the documents and other items related to the issuance of the bonds.

Kyle Thomas of D.A. Davidson said the pricing will be assessed at the beginning of April with

a tentative closing on April 10.

Peykov said that all signatures will be collected before the closing, and she requested the board approve all the engagement letters for Causey Public Finance LLC and Taft Stettinius & Hollister LLP ratifying the development strategies pertaining to the preparation of market and tax assessment study, and the ratification of the D.A. Davidson engagement letter.

The board approved ratification of the engagement letters.

PPMD 3 covenant enforcement

Peykov requested the board adopt and approve a PPMD 3 resolution adopting policies concerning covenant enforcement and design review services, limited to PPMD 3 for the property within its boundaries. Peykov said covenant violations are recorded against the property, but under a bill that was passed in the last state legislative session metropolitan districts that provide covenant enforcement and design review services are required to have certain policies in place.

For metro districts with only commercial property within their boundaries, those new poli-

cies are limited to having a policy in place, for when the district would impose fines and provide notice to any alleged violators. The district policy is limited to imposing fines and the steps it would need to take. The district provides services regardless of the types of properties, but the current policy could be corrected to include requirements for residential properties should those types of properties be included in the commercial district, said Peykov.

The board approved the covenant enforcement and design policy.

The meetings adjourned at 4:22 p.m.

Meetings are usually held quarterly or when necessary on the first Monday of the month at 4 p.m., via Teleconference. Meeting notices are posted at least 24 hours in advance at <https://forestlakes-metrodistrict.com>. For general questions, contact District Manager Ann Nichols at 719-327-5810, anicholsduffy@aol.com.

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Woodmoor Water and Sanitation District, March 10

Board authorizes easement agreement for Well 12R

By James Howald

The Woodmoor Water and Sanitation District (WWSD) board authorized an easement agreement between the district and the Woodmoor Improvement Association (WIA) at the March 10 meeting. The board amended its agreement with the Loop water reuse project. The board heard a financial report from board Treasurer Roy Martinez and operational reports from District Manager Jessie Shaffer, Operations Superintendent Dan LaFontaine, and District Engineer Cyndey Saelens. The meeting ended with an executive session.

Easement agreement authorized

Shaffer asked the board to authorize a temporary construction easement between WWSD and the WIA that facilitates well 12R to be drilled in the South Woodmoor Preserve. The easement agreement covers an area just under a third of an acre west of Muzzle Loader Way between lots 349 and 351. The easement will allow WWSD to drill well 12R, build a well house, and install safety bollards, concrete pads, and pipelines. After the well is drilled, the temporary easement will transition to a permanent utility easement just under one-tenth of an acre in the same location.

Resident Tish Norman told the board she lives close to the location where the well will be drilled and had concerns about lighting and noise during the three-week period when the well is being drilled. Shaffer said all the nearby residents would receive notices once both WWSD and WIA sign the easement agreement. He said temporary soundwalls would be installed to reduce the noise caused by drilling and the lighting would have hoods to lessen the impact on neighbors. Board President Brian Bush added that the land would be restored once the drilling and construction concluded.

The board voted unanimously to authorize the easement agreement to be signed by a representative of WWSD. The agreement will take effect once it is also signed by WIA.

Agreement with the Loop amended

Shaffer explained that the amendment to the agreement between WWSD and the Loop addressed two issues: the number of Loop board members each participating district would ap-

point and the requirement for a unanimous vote of members present to approve any action by the Loop board.

Shaffer said that the withdrawal of the Cherokee Metropolitan District (CMD) from the Loop in December 2024 created a procedural problem for the Loop board. Under the existing agreement, each member district appoints one member to the Loop board. CMD's withdrawal left only three water districts participating in the Loop, which meant that two Loop board members constituted a quorum. Any conversation between two Loop board members was therefore a public meeting that had to comply with Colorado's open meeting laws, including an announcement of the conversation 24 hours in advance. A quorum of two was constraining discussion between board members, Shaffer said.

To fix this, in the case where there are less than four participating districts, the amended agreement gives each participating district two board members, thereby requiring four board members to constitute a quorum and allowing for informal discussions between board members. If there are four or more participating districts, then each district appoints a single member of the Loop board.

The amended agreement also specifies that all board actions require a quorum and a unanimous vote of the members present.

The board voted in favor of the amended agreement and appointed LaFontaine to be WWSD's second board member in addition to Shaffer. Saelens is the alternate Loop board member.

Financial report

Martinez told the board that the district was moving from cash-based accounting to accrual-based accounting, which meant the monthly financial reports would always be for the previous month. Bush explained accrual-based accounting shows what was billed, not what was received, and that figures would reconcile over time.

The board voted unanimously to accept the financial report.

Operational reports

In his Manager's Report, Shaffer discussed a water reuse study underway by Colorado Springs

Utilities (CSU) that parallels the Loop. The two projects could share some infrastructure, such as reservoirs, Shaffer said, adding he expected CSU's study to be complete in a year.

Shaffer noted two water-related bills under consideration by the state Legislature. A bill to allow unlimited harvesting of rainwater was postponed indefinitely, he said. A bill regulating how tap fees can be used and prohibiting embedding operating costs in them was likely to pass, he said. WWSD tap fees already comply with the requirements of the bill, according to Shaffer.

In his Operations Report, LaFontaine said that after three months of greater than normal water loss, he had concluded that there were leaks in the water distribution system that had not yet surfaced. He asked his staff to be on the lookout for evidence of leaks and said he was evaluating technologies that could identify leaks. He noted two well failures: Well 10 had a motor fail and Well 21 had a variable flow device fail.

In her Engineer's Report, Saelens said she was working with Classic Homes on timelines for its Monument Junction developments. She said the district's newest Dawson aquifer well had encountered a setback requiring a change to the way the well is built.

Bush noted that his term of office as president of the board will end on May 6. He said the board can appoint him as president for the remainder of his two-year term on the board, adding he would serve if the board wishes.

Executive session

The meeting ended with an executive session to determine negotiating positions and to confer with legal counsel on potential agreements with CSU.

No actions were taken following the executive session.

The next meeting is on April 14 at 1 p.m. Meetings are usually held on the second Monday of each month at 1 p.m. at the district office at 1845 Woodmoor Drive. Please see www.woodmoorwater.com or call 719-488-2525 to verify meeting times and locations.

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Monument Sanitation District, Mar. 19

Upcoming election canceled

By Jackie Burhans and James Howald

At its March meeting, the Monument Sanitation District (MSD) announced the cancelation of the election scheduled for May 6, which would have filled two board seats. Resident Chad Smith raised concerns about the self-nomination process by which candidates declare their intention to run for the MSD board. In his Manager's Report, District Manager Mark Parker updated the board on maintenance issues at the district's headquarters building and on the effort to encourage customers to pay their bills online.

Two candidates for two available seats

Parker told the board that, because the number of candidates matched the number of seats available on the board, there was no need to hold an election. The two candidates will serve four-year terms, Parker said. Some of the incumbent board members are serving three-year terms due to a decision by the state Legislature to move special district elections to odd years.

Board President Dan Hamilton said the two candidates were Shannon Clark, who was applying for her first term on the board, and Skip Morgan, who is an incumbent. Board Treasurer John Howe is term-limited and will leave the board.

Smith speaks to difficulty in self-nomination

Smith told the board that he had tried to nominate himself as a board candidate but had been unable to successfully complete his paperwork.

According to the district's website, the deadline for self-nomination forms to be submitted was Friday, Feb. 28 at 4 p.m. Smith said he emailed Kara Winters, of Collins Cole Winn & Ulmer PLLC, the Designated Election Official overseeing the election, at 2:13 p.m. on Feb. 28 with a question; he did not receive a reply until 3:49 p.m.

Smith said he tried to go to the district office, but it was closed. He pointed out the nomination form did not correctly specify the time on Feb. 28 after which forms would no longer be accepted. Smith said he received another email from Winters, which he did not have time to look at, but he believed he had successfully nominated himself to run for a seat on the board.

On March 13, Smith said, he was told two people had been selected to serve on the board, but he was not one of the two. He followed up with Winters and was told she had gotten his application confused with the application of another candidate with the same name who was seeking to run in another election in El Paso County. Smith admitted his application was received 26 minutes after the deadline.

Hamilton thanked Smith for telling the board his experience and said the board would see if the self-nomination process could be made more transparent. Parker reminded the board that there were very specific laws governing elections in districts like MSD.

Smith said he could consider an appointment to the board if any of the members should be un-

able to serve out their term.

Manager's Report

Parker told the board that two toilets had been replaced in the headquarters building to resolve ongoing water leaks that had inflated the district's water bill. He said he wanted to put a pressure-reducing valve in place to lower the water pressure coming into the building to help prevent water leaks in the future.

Parker said that phone calls had increased regarding the recent imposition of a \$2 fee for receiving a paper statement. The district imposed the fee to encourage customers to receive their monthly statements via email, which would reduce the district's costs. Parker said the change had been well received by most customers. He estimated 60 percent to 70 percent of the district's customers were using the online process.

Monument Sanitation District meetings are held at 9 a.m. on the third Wednesday of the month in the district conference room at 130 Second St., Monument. The next regular meeting is scheduled for April 16. See <https://MonumentSanitationDistrict.org>. For a district service map, see <https://MonumentSanitationDistrict.org/district-map>. Information: 719-481-4886.

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