

**MINUTES OF BOARD OF DIRECTORS MEETING  
CLIFTON WATER DISTRICT  
THURSDAY, MARCH 4, 2010**

**BOARD MEMBERS PRESENT:** John Ballagh, Chairman; Doralyn Genova, Vice-Chairman; Robert Burger, Secretary; Brian Woods, Treasurer; Alan Hassler, Director

**STAFF MEMBERS PRESENT:** Dale Tooker; David Reinertsen; David Foster; Kelly McLaughlin

**REGULAR MEETING**

Chairman Ballagh called the regular Board meeting to order at 5:02 p.m. Director Woods was not yet present.

**MINUTES OF THE FEBRUARY 4, 2010 MEETING**

Director Genova moved to approve the February 4, 2010 Minutes with one change to the Vehicle Use Policy #21 agenda item. Director Hassler seconded and the motion passed.

**FINANCIAL REPORT AND ACCOUNTS PAYABLE**

Director Genova moved to accept the Financial Report and approve Accounts Payable in the amount of \$45,980.50 Regular Check Run plus \$33,750.00 Special Check Run plus \$1,495.68 HRA Disbursement plus \$25,951.60 Benefits Check Run plus \$38,473.09 Supplemental Check Run for a total of \$145,650.87. Director Burger seconded the motion. Several questions were asked and answered regarding items in the Check Registers, Wire Transfer Report and Profit and Loss Statement, and revised reports were provided by Accountant Foster.

Director Woods arrived at the meeting at 5:13 p.m.

The motion passed unanimously.

**MANAGER'S REPORTS**

The Board reviewed the Manager's Reports. Manager Tooker noted that unaccounted water has been reduced to approximately 11%. Water quality TDS continues to be higher due to Shoshone operations. Manager Tooker reported that the extended freezing conditions in January led to a significant amount of overtime hours in response to after-hours customer calls which were determined to be frozen service lines on the customer side of the meter.

**STAFF REPORTS**

Bill Printing and Mailing Services Implementation – Manager Tooker distributed a sample draft of the re-formatted bill that will be used for the bill printing and mailing services to be provided by InfoSend, Inc. The projected implementation date is April 1, 2010.

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## **EXPRESS AGENDA**

Chairman Ballagh requested that both of the Express Agenda items be moved to Unfinished Business.

Accountant Foster left the meeting at 6:00 p.m.

## **UNFINISHED BUSINESS**

Project 2008-04 Colorado River Intake Structure (moved from Express Agenda) - Assistant Manager Reinertsen reported that he and Water Supervisor Dennis Carlson toured a plant in Brighton that is using the type of pumps currently being recommended by McLaughlin Engineers for Project 2008-04 Colorado River Intake Structure. Staff will continue to work with the engineers regarding vertical turbine and submersible pump options.

2010 Election (Moved from Express Agenda) - Designated Election Official (DEO) Reinertsen reported that the May 4, 2010 Election was cancelled due to there being fewer candidates declared than there are openings on the Board. A Cancellation of Election Notice will be published and distributed in accordance with C.R.S. § 1-5-208 (1.5) and C.R.S. § 1-5-208(6). The three candidates will be sworn into office at the May 6, 2010 Board meeting.

Personnel Policy #21 Vehicle Use – Manager Tooker reported the Policy Committee met earlier today to review revisions to Personnel Policy #21 – Vehicle Use. The proposed revisions (*Vehicle Use Policy, 3/4/10 File*) were reviewed with the Board. Director Hassler moved to approve Personnel Policy #21 – Vehicle Use, as presented to the Board, effective March 5, 2010. Director Woods seconded. The motion was amended to include the deletion of the second and third sentences from Section 21.5.1 Alcohol and Drug Use. The motion passed unanimously.

Cooperative Purchase Agreement Clifton Sanitation District – Manager Tooker reported that some additional amendments are needed to the agreement regarding the shared purchase of a Case front loader, to further clarify insurance and maintenance responsibilities. Director Genova moved and Director Hassler seconded to defer action on this agenda item to the April 1, 2010 Meeting. Motion passed unanimously.

## **NEW BUSINESS**

Inclusion Request for Parcel 2943-103-00-149 – Assistant Manager Reinertsen reported that an Inclusion Request has been received but is considered incomplete because it is from a potential buyer rather than the current property owner. By consensus the Board deferred action on this agenda item.

Request to Waive Availability of Service Charges for 3244 Front Street – Manager Tooker presented a Staff Report (*2010 Staff Reports, 3/4/10 File, Customer File*) and request from property owner James R. Linden regarding his property at 3244 Front Street, Tax Parcel ID #2943-112-00-130, for the District to forgive his past due amount of \$1,114.38 so water service can be restored and repairs can be made to the property. Of this past due amount, \$404.38 is for water service and

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\$710 is for sewer service. In addition to the Staff Report, the Board reviewed a letter from Travis Wm. Bennett advocating on Mr. Linden's behalf and a confidential letter from a social worker at the Veterans Hospital requesting that the Board waive Mr. Linden's debt and restore water service. The Board reiterated its policy to collect past due balances including Availability of Service charges on vacant properties. The option to file a lien on the property was discussed as a viable means of collection in this instance.

Director Hassler moved that the District offer Mr. Linden the opportunity to secure his debt with a lien on his property at 3244 Front Street in the amount of the present balance due, plus interest at a rate of 8%, with the lien to be recorded in the County's real estate records, in exchange for the District's agreement to forebear collection of the existing past due amount. This lien will not substitute for the District's other statutory means of collection but the District will not seek to collect unless Mr. Linden fails to keep his account current of new amounts due following the execution of the lien for the present balance due. The lien amount will include all lien costs. The lien terms shall provide for cost of collection and reasonable attorney fees.

Director Woods inquired about a potential conflict of interest in this matter due to his employment by the Clifton Sanitation District. The Board concurred there is no conflict of interest in this matter.

Director Burger seconded and the motion passed unanimously.

The Board cautioned that this action is an exception and not a precedent for all Availability of Service customers.

Director Burger moved that a Third Party Notification be sent to Mr. Linden's advocate, Travis Wm. Bennett, and the fee for Third Party Notification be waived. Director Genova seconded and the motion passed. Director Woods was out of the room for this motion.

**ADJOURNMENT**

The meeting was adjourned at 7:05 p.m. by consensus.

**ATTEST:**

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John L. Ballagh

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Doralyn Genova

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Brian Woods

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Alan Hassler

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Robert Burger