

**MINUTES OF BOARD OF DIRECTORS MEETING  
CLIFTON WATER DISTRICT  
THURSDAY, JANUARY 7, 2016**

**BOARD MEMBERS PRESENT:** Dale Peck, Chairman; Stan Sparks, Vice-Chairman;  
Doralyn Genova, Treasurer; Melvin Diffendaffer, Director

**STAFF MEMBERS PRESENT:** Dale Tooker; David Reinertsen; Brian Sheley; Angie Beebe

**REGULAR MEETING**

Chairman Peck called the January 7, 2016 Regular Meeting to order at 5:00 p.m. He noted that Director Burger has an excused absence from this meeting.

**MINUTES OF THE DECEMBER 3, 2015 REGULAR MEETING**

Director Genova moved to approve the December 3, 2015 Regular Meeting Minutes. Director Diffendaffer seconded, and the motion passed.

**MINUTES OF THE DECEMBER 17, 2015 SPECIAL MEETING**

Director Genova moved to approve the December 17, 2015 Special Meeting Minutes. Director Sparks seconded, and the motion passed.

**FINANCIAL REPORT AND ACCOUNTS PAYABLE**

Director Genova moved to accept the Financial Report and approve Accounts Payable Regular Checks of \$204,554.85 plus Benefits Checks of \$19,405.85 plus Supplemental Checks of \$615,650.06, for a total of \$839,610.76. The Board questioned the underutilization of the Year-to-date period budget for several Nonoperating expense categories. Manager Tooker explained that a number of larger expenditures will be realized in December upon the completion of scheduled projects. Director Diffendaffer seconded and the motion passed unanimously.

**MANAGER'S REPORT**

Manager Tooker highlighted water sales for November showed a slight increase over the 2014 numbers. The increase appears to be attributed to the mild weather conditions experienced in October and early November.

**INFORMATIONAL REPORT**

Manager Tooker discussed comments staff has received regarding the 2016 water rate increases that became effective January 1, 2016. He presented one written complaint that was received. The number of comments or complaints have been minimal.

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## **EXPRESS AGENDA**

Director Genova moved to approve the Express Agenda item. Director Diffendaffer seconded the motion which passed unanimously. The Express Agenda (*File 01/07/2016*) item is as follows:

FY 2016 Budget – The FY 2016 Budget was submitted to the Department of Local Affairs on December 22, 2015.

## **UNFINISHED BUSINESS**

Project 2015-01 F ½ Waterline Upgrade – Assistant Manager Reinertsen reviewed the Final Cost Summary Staff Report (*1/7/16 File, 2016 Staff Reports*) with the Board. Final project costs were identified and construction is 100% complete, totaling \$221,995.03. Final Payment has been advertised and no payment contest notices were received. The Project is now considered final and complete. Director Diffendaffer moved to authorize Final Payment of the withheld retainage of \$13,992.87. Director Sparks seconded and the motion passed.

James M. Robb-Colorado River State Park – Manager Tooker presented and discussed a confidential Staff Report. The Board discussed receiving comments from adjacent property owners concerning the plans of the State Parks to allow limited hunting on their property that adjoins the District's. It was the consensus of the Board to schedule a meeting where Mr. Firmin of the Colorado State Parks could present information and also allow time for the adjacent property owners to provide comments to the Board. No Board action required at this time.

## **NEW BUSINESS**

2016 Property Casualty and Liability Insurance Renewal – Manager Tooker reviewed the 2016 Property Casualty and Liability Insurance Renewal Staff Report (*1/7/16 File, 2016 Staff Reports*) and identified two main components that have affected the 2016 premium increase: 1) Addition of \$14,000,000 in new assets with the construction of the MF/UF Facility, and 2) The flood related claim losses the Special District Pool experienced from the east slope flooding issues from 2014/2015. Manager Tooker identified the premium is \$5,316.30 greater than the 2016 Budget value. Director Genova moved to approve a \$5,316.30 Budget Transfer from Contingency to Insurance to fund the 2016 Insurance expense. Director Sparks seconded and the motion passed unanimously.

Director Genova moved to approve the 2016 Property Casualty and Liability Insurance Renewal with Colorado Special Districts Property and Liability Pool and authorize payment in the amount of \$76,028.30. Director Sparks seconded and the motion passed unanimously.

2016 Workers Compensation Insurance Renewal – Assistant Manager Reinertsen reviewed the 2016 Workers' Compensation Renewal Staff Report (*1/7/16 File, 2016 Staff Reports*) with the Board. Director Genova moved to approve the 2016 Workers Compensation Insurance with Colorado Special Districts Property and Liability Pool with the \$1,000 deductible and authorize payment in the amount of \$10,741.59. Director Diffendaffer seconded and the motion passed unanimously.

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Resolution 2016-01 Designating Time, Location and Posting of Meetings – Director Diffendaffer moved to adopt Resolution 2016-01 (1/7/16 File, Resolutions), A Resolution Designating Time, Location and Posting of Meetings for 2016. Director Genova seconded and the motion passed unanimously. Resolution Text is as follows:

**RESOLUTION 2016-01  
RESOLUTION DESIGNATING MEETING TIME, PLACE  
AND 24-HOUR POSTING LOCATION**

*WHEREAS, the Clifton Water District designates that all Regular Board of Directors Meetings will be held the first Thursday of each month at 5:00 p.m. located at the Clifton Water District Office, 510 34 Road, Clifton Colorado; and*

*WHEREAS, the Clifton Water District designates that the posting places for all Board of Directors meetings are the Clifton Water District Office and the following three additional locations; Clifton Sanitation District Office, Clifton Fire Department, and the Mesa County Clerk and Records Office Clifton Branch; and*

*WHEREAS, the Clifton Water District designates that the 24-hour Agenda Notice will be posted at the Clifton Water District Office; and*

*BE IT FURTHER RESOLVED, that this Resolution be adopted this 7th day of January 2016.*

Resolution 2016-02 Adopting Availability of Service Charge for 2016 – Manager Tooker presented a Staff Report (1/7/16 File, 2016 Staff Reports, Availability of Service) summarizing the 2015 average customer billing amounts used to calculate the 2016 Availability of Service Charge. Director Genova moved to adopt Resolution 2016-02 (Resolutions), A Resolution For the Availability of Service Charge for 2016 and set the In-District Availability of Service rate at \$15.93 per month and the Out-of-District Availability of Service rate at \$23.90 per month. Director Sparks seconded and the motion passed unanimously. Resolution Text is as follows:

**RESOLUTION 2016-02  
RESOLUTION FOR THE AVAILABILITY OF SERVICE CHARGE FOR 2016**

*WHEREAS, the District has reviewed the Availability of Service Charge Policy; and*

*WHEREAS, the Availability of Service Charges are considered to be an equitable revenue contribution toward the repayment toward debt incurred by the Clifton Water District; and*

*WHEREAS, the Availability of Service Charge Policy is for those customers who benefit from the immediate availability of water service even though they are currently not receiving water; and*

*WHEREAS, all revenue generated by the Availability of Service Charge shall be used to repay the principal and interest on bonds and other outstanding indebtedness; and*

*WHEREAS, in the 2016 Fiscal Year the District has indebtedness for Water Revenue Bonds; and*

*WHEREAS, the said percentage of the Availability of Service Charge shall be determined by the Board; and*

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WHEREAS, in 2015 the average water usage charge for a Clifton Water District In-District customer was \$31.85/month per unit; and

WHEREAS, in 2015 the average water usage charge for a Clifton Water District Out-of-District customer was \$49.29/month per unit.

NOW THEREFORE BE IT RESOLVED, that the Clifton Water District Board of Directors establish the In-District Availability of Service Charge for the 2016 Fiscal Year at 50% of the In-District average water bill in 2015, which equals \$15.93 per month per unit and the Out-of-District Availability of Service Charge for the 2016 Fiscal Year at 48% of the Out-of-District average water bill in 2015, which equals \$23.90/month per unit.

BE IT FURTHER RESOLVED, that this Resolution be adopted this 7th day of January 2016 and is effective January 7, 2016.

Emergency Rate Annual Review – The Board reviewed the Staff Report (1/7/16 File, 2016 Staff Reports, Water Rates) regarding the 2009 Resolution establishing an Emergency Rate, and the 2016 calculation of rates. Director Diffendaffer moved to adopt Exhibit A (Water Rates) to the 2009 Resolution Establishing an Emergency Rate, for the 2016 Emergency Rates. Director Genova seconded and the motion passed unanimously.

Director Diffendaffer then moved to place the Emergency Rate on hold until further Board action is taken. Director Genova seconded and the motion passed unanimously.

2016 District Election – Assistant Manager Reinertsen identified the terms of office for Directors Burger, Diffendaffer, and Sparks will expire in May, 2016. The election date is scheduled for May 3, 2016. Director Diffendaffer moved to appoint Assistant Manager David Reinertsen as the District's Designated Election Official. Director Sparks seconded and the motion passed unanimously.

Director Genova moved to adopt Resolution 2016-03 (Resolutions), the 2016 Clifton Water District Election Resolution, setting the election for May 3, 2016. Director Diffendaffer seconded and the motion passed. Resolution text is as follows:

**RESOLUTION 2016-03**  
**2016 CLIFTON WATER DISTRICT ELECTION RESOLUTION**

WHEREAS, the term of office of Directors Burger, Diffendaffer, and Sparks shall expire after their successors are elected at the **regular** Special District election to be held on May 3, 2016 and take office; and

WHEREAS, in accordance with the provisions of the Special District Act ("Act") and the Uniform Election Code of 1992 ("Code"), the Election must be conducted to elect two Directors to serve for a term of **four** years and one Director to serve a term of **two** years; and

NOW, THEREFORE, be it resolved by the Board of Directors of the Clifton Water District in Mesa County, State of Colorado that:

1. The regular election of the eligible electors of District shall be held on May 3, 2016, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, two Directors will be elected to serve a **four**-year term and one Director will be elected to serve a **two**-year term.

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2. *David A. Reinertsen shall be appointed as the Designated Election Official on behalf of the District and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code, or other applicable laws. The Election shall be conducted in accordance with the Act, Code, and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, appoint the Board of Canvassers, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished. The appointed person shall be appointed by the board and swear or affirm an oath of office. This document will be submitted to the Board as an official part of the election record. Exhibit A*
  3. *One (1) walk-in voting place is established as set forth below:*  
*David A. Reinertsen, DEO*  
*Clifton Water District Business Office*  
*510 34 Road*  
*Clifton, CO 81520*  
*District Office Telephone Number (970) 434-7328*  
*District Office Facsimile (970) 434-7338*  
*dreinertsen@cliftonwaterdistrict.org*  
*Office Hours: 8:00 AM to 5:00 PM, Monday through Friday – walk-in voting place will be open on Election Day between 7:00 am and 7:00 pm.*
  4. *Applications for a mail-in ballot may be filed with the Designated Election Official at 510 34 Road, Clifton, CO 81520, not earlier than January 1, 2016, nor later than 5:00 P.M. on April 29, 2016.*
  5. *Self-Nomination and Acceptance petitions are available at the Designated Election Official's office located at the above address. All candidates must file a nomination petition with the Designated Election Official no later than 3:00 P.M. on **February 26, 2016**. A person who misses this deadline, but wishes to be a write-in candidate for office, shall file an affidavit of intent with the Designated Election Official no later than 5:00 P.M. on **February 29, 2016**.*
  6. *If the only matter before the electors is the election of persons to office, and if at the close of business on **March 2, 2016**, there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent to be a write-in, the Designated Election Official shall cancel the Election and by Resolution declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.*
  7. *Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.*
  8. *Repealer. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.*
  9. *Effective Date. The provisions of this Resolution shall take effect immediately.*

*ADOPTED AND APPROVED this 7th day of January, 2016.*

Distribution On-Call Status – Manager Tooker informed the Board that the District has had difficulty in the availability of Distribution Staff during emergency water leak repairs. Manager Tooker reported that he will be evaluating the implementation of increasing the number of Staff that are on-call from one employee to two so that the emergency needs of the District are adequately covered. No Board action requested or required at this time.

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**ADJOURNMENT**

Chairman Peck moved to adjourn the meeting at 6:27 p.m. The motion passed unanimously.

**ATTEST:**

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Dale Peck

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Stan Sparks

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Doralyn Genova

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***-Excused-***  
Robert K. Burger

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Melvin Diffendaffer