

**Forest Lakes Metropolitan District seeks Pinon Pines Metro District residents for Citizens Advisory Council**

In 2003, when the El Paso County Board of County Commissioners (BOCC) approved the restructuring of Forest Lakes Metropolitan District into an operating district (FLMD) and three taxing districts (PPMD 1, 2 and 3), the BOCC provided for the creation of a Citizens Advisory Council for residents within the FLMD service area. The creation of the Advisory Council is to occur when there are at least 50 dwelling units constructed within the Pinon Pines areas. Nichols said FLMD is now approaching that 50-unit threshold and will be trying to determine if there are five Pinon Pines residents who would be interested in serving on this Advisory Council. FLMD will support the Advisory Council in arranging for council meetings at times and locations convenient to the council members and other Pinon Pines residents. The council will serve as a forum for Pinon Pines residents to learn about district issues and to advise FLMD on resident issues. **Note:** If you are a FLMD property owner who would be interested on serving on this Advisory Council, please contact your homeowners' association administrator, Steve Emery of Hammersmith Management, at 719-389-0700. (<https://forestlakesmetrodistrict.com/blog/>)

**Refinement of management procedures requested**

Nichols mentioned that FLMD had been making expenditures over the last few months, and there would be additional expenditures to complete the surface water treatment plant for drinking water and the parks irrigation project. Dykstra questioned the fact that Nichols was already approving expenditures and agreements for work for FLMD projects before the board had approved them. "Now that we are more into operational mode, we cannot be approving things after the fact," he said.

Nichols and Stimple disagreed with Dykstra on this point. Stimple said, "We are an operating district. We ratify expenditures (that Nichols has already made) all the time."

**Background:** Special districts such as FLMD, organized pursuant to Title 32, are quasi-municipal corporations and political subdivisions of the state of Colorado organized for specific functions. As such, their activities are subject to strict statutory guidelines. For more information, see [www.colorado.gov/pacific/dola/special-districts-0](http://www.colorado.gov/pacific/dola/special-districts-0). To read the 470-page Colorado Revised Statutes Title 32 on the Special District Act, go to <https://leg.colorado.gov/sites/default/files/images/olls/crs2016-title-32.pdf>.

Nichols' comments included:

- To actually operate effec-

tively, you can't have everything wait until you can take it to the board.

- The way I am used to operating is you set parameters around what the district manager is authorized to do so that you can make expenditures every day.
  - The administrative resolution says that everything is approved after the fact.
  - Unbudgeted items come up all the time, like a backup pump for the lift station or automating the water treatment plant. The plant work could cost \$42,000.
- Dykstra said that the administrative resolution was just on an annual basis for board functions and was meant as a catch-all, not a standard operating procedure. His comments to Nichols included:
- Yes, you can take everything to the board! That's the way you are legally supposed to do it.
  - When you are expending funds and contracting with people, those are board functions that statutorily must be approved in advance, because otherwise you are personally responsible for those. Or else the district manager can be authorized by the board to spend up to a certain dollar amount.
  - You might want to read Title 32, because (without board approval), you would be personally responsible.... That's what I am worried about.
  - I am nervous that these are unbudgeted expenses. Next year in the budget you'll have a much better feel for what expenses should be.
  - I am just hearing a lot of work being done where those contracts should be on the agenda for approval by the board.... George (Lenz) is signing the checks, but he is not the board.

After more discussion, the board unanimously approved a motion authorizing the district manager to have general administrative authority to enter into contracts and spend funds up to \$50,000 subject to subsequent board ratification. This could include both budgeted and unbudgeted items, Nichols and Stimple said.

Nichols summed up by saying she thought the way it was working with the operating budget was OK but that she would be a little more diligent on the capital side.

**Add-on public infrastructure fee set for PPMD 3**

The board discussed an agenda item titled, "Agreement to Assignment of PIF Revenues and Acceptance of Assignment of IGA (intergovernmental agreement) Dated January 9, 1989 with the Town of Monument." This concerned only the PPMD 3 commercial property, which is inside the town of Monument, southwest of the intersection of I-25 and West Baptist Road. PPMD 3 would issue bonds to

reimburse the cost of its share of the public infrastructure, which FLMD would end up owning.

The board unanimously approved adding an extra 1.5 percent to the existing 1.0 percent PIF. The existing 2005 1.0 percent PIF covenant was dissolved and replaced by this new 2.5 percent PIF covenant. This "before sales tax" 2.5 percent add-on PIF would be applied to every retail transaction in PPMD 3, excluding diesel gasoline. This would be in addition to the 3 percent sales tax that the Town of Monument already adds to retail transactions, Nichols said.

The board also approved PPMD 3 to act as the collection agent, subject to future agreements to be negotiated when PPMD 3 issues infrastructure construction bonds. Blunk anticipated the first commercial real estate deal in PPMD 3 could be completed this summer.

The board also discussed ways of calculating development fees for commercial property that could be borne by the market, but it did not make any decisions. Both PIFs and development fees have to be disclosed to potential buyers before they close on a piece of property.

**Lake water for irrigation**

Boulton and Stimple explained that the trenching for a pipeline from Bristlecone Lake to the new surface water treatment plant would now have a second pipe added to take lake water into the separate irrigation system for some of the parks and common areas. By making the decision to put both pipes in the same trench, instead of doing a separate trench next year for the irrigation line, the district would save money. However, this idea just came up so it was not included in the 2017 budget, Stimple said. JDS-Hydro engineering consultants and All American Landscaping are both working on this project.

The irrigation water would be directly pumped from the lake and not be treated to drinking water standards, so it would be cheaper and put less stress on the treatment capacity of the district than watering turf grass with potable water. Also, using renewable lake water instead of well water from aquifers for irrigation makes more sense in the long run, Loidolt said. The district has water rights and is allowed to use Bristlecone Lake water this way as long as it is retained on-site, Stimple said.

The board unanimously approved a motion to approve watering certain public facilities owned by FLMD directly from lake, subject to unanimous board approval of the subsequent specific cost recommendations from Nichols when those are made and circulated electronically to all of the board members. If any board member disagrees then, the FLMD board would hold a special meeting to discuss the situation,

Dykstra said.

**Financial reports not presented yet**

Nichols said that the district accountant still owes the district its financial statements for February and March, so the board did not discuss or approve any monthly financial statements.

Nichols said the 2016 audits are in process by Hoelting & Co.

The meeting adjourned at 10:58 a.m.

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The next joint meeting of FLMD and PPMD 1, 2, and 3 is sched-

uled for 10 a.m. Monday, June 5, 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://forestlakesmetro-district.com> and at 3625 Mesa Top Drive, Monument, which is an open space tract owned by all four districts. For general questions, contact Ann Nichols at 719-327-5810 or at [anichols-duffy@aol.com](mailto:anichols-duffy@aol.com).

Lisa Hatfield can be contacted at [lisahatfield@ocn.me](mailto:lisahatfield@ocn.me).

**Tri-Lakes Wastewater Treatment Facility Joint Use Committee, May 9**

**2016 audit report delayed**

By Lisa Hatfield

On May 9, the Joint Use Committee (JUC) of the Tri-Lakes Wastewater Treatment Facility (TLWWTF) had anticipated a report on its 2016 audit, but that did not occur.

TLWWTF operates as a separate joint venture public utility and is owned in equal one-third shares by Monument Sanitation District (MSD), Palmer Lake Sanitation District (PLSD), and Woodmoor Water and Sanitation District (WWSD).

The three-member JUC acts as the board of the facility and consists of one director from each of the three owner districts' boards: WWSD board Director at Large Rich Strom, president, who was acting secretary/treasurer for this meeting; MSD board Chairman Ed Delaney, vice president; and PLSD board Chairman Mark Bruce, who said he was looking for a PLSD representative to serve as the JUC secretary/treasurer to replace Ken Smith. Other board and staff members of the three owner districts also attended, including MSD District Manager Mike Wicklund, PLSD District Manager Becky Orcutt, and WWSD District Manager Jessie Shaffer

and Assistant District Manager Randy Gillette. Terri Madison and John Howe were also present.

**2016 audit report delayed**

John Cutler of John Cutler and Associates did not attend the meeting via conference call as had been previously arranged with him and Burks, so he did not give his 2016 basic financial statements audit report to the board.

Strom and Shaffer asked questions about the audit report showing a long-term liability in the Public Employees Retirement Association (PERA) pension fund on the facility's financial statement. Strom hoped that TLWWTF would never have to actually write a check for that amount. Wicklund said it was a new state statute designed to show taxpayers how much the pension funds were underfunded, but no particular local government would be responsible for paying those shortfalls. The consensus was to ask Cutler about it when he gave the audit report.

**Facility manager's report** Burks presented the monthly discharge monitoring report as



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