

Donala Water and Sanitation District, Feb. 18

## Academy wastewater agreement approved

By Jim Kendrick

On Feb. 18, General Manager Kip Petersen recommended board approval of an amendment to the Oct. 15, 2015 intergovernmental agreement (IGA) between the Donala and Academy Water and Sanitation Districts to have Donala transport Academy's sanitary sewer flows through its collection system to Upper Monument Creek Regional Wastewater Treatment Facility for treatment under Donala's owned facility treatment capacity. The IGA amendment created a pro rata cost sharing formula for splitting transit loss model costs between the two districts. It was unanimously approved. (<http://ocn.me/v15n11.htm#dwsd1015>)

Petersen also discussed a possible IGA to provide contract services to Forest Lakes Metropolitan District. Forest Lakes is a co-owner with Donala and Triview Metropolitan District of the Upper Monument Creek Regional

Wastewater Treatment Facility. Homebuilding in Forest Lakes has begun now that the new West Baptist Road Bridge over the railroad tracks has been opened.

The board also answered questions from Joe Gray, of the Donala Club Villas Townhomes HOA (<http://www.nepco.org/clubvillas/index.php>), about the board's conditional approval for providing water and wastewater service to 56 new homes proposed for construction on parts of the closed Gleneagle golf course. These townhomes are adjacent to the north of the golf course clubhouse on Mission Hill Way. For more information, see <http://ocn.me/v16n2.htm#dwsd0121>. Petersen said an update would be provided with in the Donala newsletter mailed in March.

The absence of director Bill Nance was unanimously excused.

### Financial reports

Petersen reported that the January revenues and expenditures were all as expected, including all January annual one-time payments for both the water and wastewater operations. The average amount of water being drawn from Donala's renewable surface water storage in the Pueblo Reservoir is about 30 acre-feet per month. An acre-foot is 325,851 gallons.

### Manager's report

Petersen stated that Academy had successfully filed for state water court approval for a new water augmentation plan now that Academy will be discharging its wastewater to Monument Creek via Donala's collection system and the Upper Monument Creek facility and that Academy will no longer be discharging to Smith Creek. Donala will begin treating Academy's wastewater in the fall of 2017.

Petersen noted that GMS, the district's engineering firm, had briefed the board on the district's capital projects schedule and the impacts of changing environmental standards on Upper Monument Creek treatment processes, capital costs, and operating costs during the annual board planning workshop held on Feb. 12. Donala's water attorney, Rick Fendel, had also briefed the board at the meet-

ing on the status of Donala's 1041 permit application for transporting Donala's renewable surface water from Pueblo Reservoir to the district using the soon to be operational Colorado Springs Utilities' Southern Delivery System. Donala's environmental engineer, Katie Fendel, reported to the board on development of a long-term Pueblo Reservoir renewable surface water storage contract with the federal Bureau of Reclamation. Some of the other workgroup discussion items were purchase of new additional renewable water rights, board communications with Donala customers, and creation of new additional Donala water storage facilities.

Petersen gave a review of state Legislature activities, including a second rain barrel water collection bill that would authorize property owners to collect up to 110 gallons of rooftop rain water, but no other precipitation, for outdoor irrigation and gardening use. Donala is represented at legislative sessions by Pikes Peak Regional Water Authority legislative liaison Dick Brown.

Petersen presented a proposed agreement for contract operations services wherein Donala would provide operational, administrative, and maintenance services to Forest Lakes Metropolitan District for all Forest Lakes water and wastewater infrastructure. The agreement was unanimously approved, subject to final review and approval by Donala's attorney.

Petersen noted that all district infrastructure was operating well with higher than average precipitation forecast to continue through the spring. A drier summer and fall than in 2015 is currently forecast.

The meeting adjourned at 2:56 p.m.

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The next board meeting will be held at 1:30 p.m. on March 17, in the district conference room at 15850 Holbein Drive. Information: 488-3603 or [www.donalawater.org](http://www.donalawater.org). Meetings are normally held on the third Thursday of the month.

Jim Kendrick can be reached at [jimkendrick@ocn.me](mailto:jimkendrick@ocn.me).

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Monument Board of Trustees, Feb. 16

## Clinic moratorium extended; March 7 water rates vote planned

By Lisa Hatfield

At the Feb. 16 Monument Board of Trustees meeting, the trustees extended the temporary moratorium on clinics another 90 days and then voted to continue the water rates increase discussion to the March 7 meeting, when a vote will be taken. A public workshop to solicit final input on the proposed water rates increase was scheduled for Feb. 22. See related photo on page 22.

The Feb. 1 regular board meeting was canceled.

### Moratorium on "new clinics" gets 90 extra days

Town Manager Chris Lowe presented an emergency ordinance to extend the moratorium imposed on the opening of "clinics" in Monument's B and C zoning classifications. No public comments were made, and the ordinance was approved unanimously by the trustees.

Lowe said that since the board imposed a six-month moratorium on "clinics" on Aug. 24 in order to further study the legal requirements applicable to the regulation of certain types of clinics, the town has "looked day and night for what we are doing on the attack on the town of Monument by Colonial Management Group (CMG)." He said the town's land use attorney, Carolynne White of Brownstein Hyatt Farber Schreck LLP, has come up with opinions and strategies to offer to the board, but the analysis is not quite complete. See [www.ocn.me/v15n9.htm#mbot0824](http://www.ocn.me/v15n9.htm#mbot0824).

**Background:** CMG has been trying since spring 2015 to open a methadone clinic at 192 Front St., adjacent to Limbach Park. At first it was granted administrative approval by town staff, since the treatment center had sought its land use and building permit approvals as a "clinic," but this decision was appealed by Jamie Fenley, a Monument resident who has described herself as having been previously addicted to heroin for seven years and who opposed having a methadone clinic located there.

By granting Fenley's appeal on Aug. 10, the Monu-

ment Board of Adjustment reversed the decision of the town's staff and prevented CMG from proceeding with its original plan. CMG then filed a lawsuit in El Paso County District Court naming the Town of Monument and all the members of the Monument Board of Trustees and Monument Board of Adjustment both as individuals and as official members of those boards. See [www.ocn.me/v15n6.htm#mbot0601](http://www.ocn.me/v15n6.htm#mbot0601), [www.ocn.me/v15n9.htm#mboa0810](http://www.ocn.me/v15n9.htm#mboa0810), and [www.ocn.me/v15n10.htm#mbot0908](http://www.ocn.me/v15n10.htm#mbot0908) or search [www.ocn.me](http://www.ocn.me).

Lowe's memo explained that the current moratorium does not directly address any issues related to the litigation with CMG, which is still pending. But the town is examining its regulatory framework for clinics, the existing municipal code, and the purpose of the 2003 Comprehensive Plan.

### Water rates increase vote continued to March 7

Lowe said that he had received a lot of comments about the proposed water rates increase he introduced Jan. 4. He said he wants to address all the concerns of the community and make sure they have a chance to talk with the board. He said an increase needs to happen, but the town could do more to make sure it is "tweaked just right" for people in the lower part of the price structure. "There is no way to fix it that is perfect, but we certainly are going to try and do our best job of fixing 15 years of indifference to a good and smart rate structure," Lowe said. See [www.ocn.me/v16n2.htm#mbot0104](http://www.ocn.me/v16n2.htm#mbot0104), [www.ocn.me/v16n2.htm#mbot0119](http://www.ocn.me/v16n2.htm#mbot0119).

Lowe also said that there was nothing inappropriate about the approximately \$435,000 in interfund transfers from the general fund to the water enterprise fund and that there had not been any project of the general fund that was not accomplished because of the borrowing during the last several years.

Mayor Pro-Tem Jeff Kaiser's comments included: