

PBHMD REGULAR MEETING MINUTES

DATE: December 8, 2022

TIME: 3:00 p.m.

PLACE:

Paint Brush Hills Metropolitan District
Administration & Maintenance Building
9985 Towner Avenue
Falcon, Colorado 80831

ATTENDANCE:

- X Rebecca Bonilla - President
- X Melissa Raetz - Vice President
- X Christopher Olney - Secretary
- X Russell Lawrence - Treasurer
- X David Lisle - Assistant Secretary
- X Robert Guevara – District Manager
- X John Chmil – Legal Counsel

1. ADMINISTRATIVE MATTERS

1.1. Pledge of Allegiance

Director Raetz led the Pledge of Allegiance at 3:00pm

1.2. Present Disclosures of Potential Conflicts of Interest.

No conflicts were noted

1.3. Approve Agenda.

Motion to Approve by Director Olney, Seconded by Director Raetz, unanimously carried

1.4. Public Comments.

None

2. ENGINEERING MATTERS

2.1. Review Engineering Projects

3. FINANCIAL MATTERS

3.1. Discuss and Review Monthly Financials

3.2. Conduct Public Hearing on Proposed Paint Brush Hills Metropolitan District 2023 Budget Water Tier Rate Increase and consider adoption of Resolution No. 2022-12-

01 Adopting Budget, Certification of Mill Levy and Appropriating Funds for 2023 and consider adoption of Resolution No. 2022-12-04

Opened Public Hearing At 4:32pm, No Public Input, Closed Public Hearing At 4:33pm

3.3. Conduct Public Hearing on Proposed Paint Brush Hills Metropolitan District Subdistrict A 2023 Budget and consider adoption of Resolution No. 2022-12-02 Adopting Budget, Certification of Mill Levy and Appropriating Funds

Opened Public Hearing At 4:38pm, No Public Input, Closed Public Hearing At 4:39pm

3.4. Discuss and Approve 2023 Budget Priorities

Motion to Approve 2023 Budget with a 2% Increase to Wages and a 5% Increase to Utilities by Director Lawrence, Seconded by Director Olney, unanimously carried

4. STAFF REPORTS

4.1. Manager and Operational Report

- 4.1.1. 2022 Budget Priorities
- 4.1.2. Aged Receivables – Condensed
- 4.1.3. Past Due Accounts
- 4.1.4. Leaks from Prior Month
- 4.1.5. Monthly Locate Report
- 4.1.6. Monthly Maintenance Report
- 4.1.7. Monthly Loan Balance Sheet Report
- 4.1.8. Wells Status Report.
- 4.1.9. Multi-Year Pumping History Report
- 4.1.10. Well Distribution Report
- 4.1.11. Sewage Flow Data Report
- 4.1.12. Well Rehabilitation & Replacement Schedule

5. CONSENT AGENDA & ACTION ITEMS

5.1. CONSENT AGENDA - These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event, the item will be removed from the Consent Agenda and considered in the regular Agenda.

- 5.1.1. Accept Project Items
- 5.1.2. Approve Minutes from previous Board Meetings November 10th, 2022.
- 5.1.3. Approve/ratify the payment of claims for the period between November 10th, 2022, ending December 8th, 2022, as follows

6:05pm - Motion to Exit Executive Session by Director Raetz, Seconded by Director Olney, unanimously carried

Motion For a \$1000.00 Net Christmas Bonus for Each District Employee by Director Olney, Seconded by Director Lawrence, 3 Yes (Olney, Lawrence, Lisle) and 2 No (Bonilla, Raetz), Motion Passes by Majority

8. ADJOURNMENT

6:08pm - Motion to Close Regular Meeting by Director Olney, Seconded by Director Bonilla, unanimously carried

THE NEXT REGULAR DISTRICT MEETING IS SCHEDULED FOR JANUARY 19, 2023

Motion to Approve Minutes and Payment of Claims by Director Lisle, Seconded by Director Reatz, unanimously carried

5.2. ACTION ITEMS

5.2.1. Decide and approve 2023 Board Meeting Dates

Motion to Approve Board Meeting Dates by Director Olney, Seconded by Director Reatz, unanimously carried

5.2.2 Discuss 2023 Holiday Schedule

Motion to Approve 2023 Holiday Schedule, Adding Veterans Day and Closing District Office 3 July by Director Lisle, Seconded by Director Reatz, unanimously carried

5.2.3 Discuss and approve Election Resolution No. 2022-12-03, assign designated election official

Motion to Approve Election Resolution No. 2022-12-03 by Director Olney, Seconded by Director Reatz, unanimously carried

6. LEGAL MATTERS

None

7. SUBDISTRICT A MATTERS

None

8. EXECUTIVE SESSION (§§24-6-402(4)(b), (e), and/or (f), C.R.S.)

8.1. "I move that the Board enter into an executive session pursuant to Section 24-6-402(4)(e)(I), C.R.S., for purposes of legal advice from the district's legal counsel on specific legal questions regarding the Woodmen Hills rate issues."

5:17pm - Motion to Enter Executive Session by Director Raetz, Seconded by Director Olney, unanimously carried

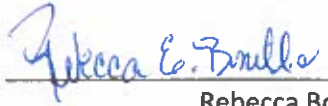
5:46pm - Motion to Exit Executive Session by Director Raetz, Seconded by Director Lisle, unanimously carried


8.2. "I move that the Board enter into an executive session pursuant to Sec. 24-6-402(4)(f), C.R.S., for purposes of discussing a personnel matter related to the District Manager's recent expanded duties for the Woodmen Hills arbitration."


5:50pm - Motion to Enter Executive Session by Director Raetz, Seconded by Director Olney, unanimously carried

Respectfully submitted,

By 
Christopher Olney
Secretary


Rebecca Bonilla
President


Melissa Raetz
Vice President


Russell Lawrence
Treasurer


David Lisle
Assistant Secretary

CERTIFICATION OF EXECUTIVE SESSION

On December 8, 2022, it was duly moved and seconded that the Paint Brush Hills Metropolitan District Board of Directors enter into an executive session pursuant to § 24-6-402(4)(b), C.R.S., for the purposes of receiving legal advice from the District's legal counsel on specific legal questions regarding the Woodmen Hills rate issues, such advice constituting privileged attorney-client communications in the opinion of the undersigned. The motion carried unanimously and the Board entered into an executive session from 5:17 p.m. until 5:46 p.m.

CERTIFICATION BY REGISTERED ATTORNEY

I, Johnathon Intolubbe-Chmil, Reg. No. 48768, hereby certify that the executive session was devoted to providing specific legal advice to the Board of Directors as noted above and that all such communications during the executive session were privileged under applicable Colorado law and Supreme Court rules.



Johnathon Intolubbe-Chmil

