ARABIAN ACRES METROPOLITAN DISTRICT
c/o Walker Schooler District Managers
614 N. Tejon St.
Colorado Springs, CO 80903

REGULAR BOARD MEETING
AGENDA AND NOTICE
WEDNESDAY, JULY 15, 2020
5:30 PM

Please join our meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/204693005

You can also dial in using your phone.
United States (Toll Free): 1 866 899 4679
United States: +1 (224) 501-3318
Access Code: 204-693-005

Public invited to attend

NOTICE IS HEREBY GIVEN that a Meeting of the Board of Directors of ARABIAN ACRES METROPOLITAN DISTRICT, Teller County, Colorado has been scheduled for Wednesday, July 15, 2020 at 5:30 p.m. via tele/videoconference for the purpose of addressing those matters in the Agenda set forth below.

Board of Directors / Term Expires
Allan Brown, 2022
Stan Claassen, 2022
Edith Coffman, 2023
Elizabeth Douglass, 2023
Lanny Hoel, 2023

Lynn Willow, ORC
Kevin Walker, WSDM
Kristian Kulick, WSDM

1) ADMINISTRATIVE MATTERS

a) Call to Order & Declaration of Quorum
b) Confirm any Potential Conflicts of Interest
c) Discussion and Approval of the Agenda
d) Review and Approval of the June 17, 2020 Board of Directors Meeting Minutes (see

attached)

2) **FINANCIAL MATTERS**
   a) Review of billing and collection status
   b) Review and accept the June 30, 2020 Unaudited Financial Status (see attached)
   c) Review and approve the Payment of Claims (see attached)

3) **OLD BUSINESS**
   a) Final approval of Resolution to Modify Fees and Charges for Monthly Billing (under separate cover)
   b) System Status
      i) Recent leak at Wells 2 and 8
      ii) Well output and tank report

   c) Update on Construction Project
      i) Schedule status
      ii) Communication plan – Facebook/Website
      iii) Change orders
         (a) Approval process
         (b) Approved orders
      iv) Contractor water source concept
         (a) Well 3R
         (b) Booster pumps
      v) Other issues and progress
   d) Fire Mitigation
   e) Trout Haven Exclusion project

4) **OPERATORS REPORT**

5) **NEW BUSINESS**

6) **OTHER BUSINESS**

7) **PUBLIC COMMENT**

   Comments will be limited to 3 minutes. Please remain respectful of the Board of Directors as well as of your fellow residents.

8) **ADJOURNMENT**

THE NEXT REGULARLY SCHEDULED MEETING IS SCHEDULED FOR WEDNESDAY, JULY 15, 2020 at 5:30 p.m.

MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING
ARABIAN ACRES METROPOLITAN DISTRICT
June 17, 2020 at 5:30 P.M.
Via Telephone and Video Conference Call

In attendance were Directors:
Allan Brown
Stan Claassen
Edith Coffman
Elizabeth Douglass
Lanny Hoel

Also in attendance were:
Kevin Walker, WSDM
Adam Sommers, AquaWorks
Mike Groselle, AquaWorks
Lynn Willow, ORC
Members of the public (See sign-in sheet)

1. ADMINISTRATIVE MATTERS

a. Call to Order & Declaration of Quorum: President Coffman called the meeting to order at 5:30 p.m. and confirmed all Board members were present.
b. Confirm any Potential Conflicts of Interest: All Board members confirmed there were no conflicts of interest.
c. Discussion and Approval of the Agenda: After discussion, Director Claassen moved to approve the Agenda; seconded by Director Douglass. Motion passed unanimously.
d. Review and Approval of the May 20, 2020 Board of Directors Meeting Minutes: Director Hoel moved to approve the May 20, 2020 Board of Directors Meeting Minutes; seconded by Director Claassen. Motion passed unanimously.
e. Review and Approval of the June 3, 2020 Board of Directors Special Public Meeting: Director Claassen requested a change to the minutes regarding the exploratory work. Director Claassen moved to approve the June 3, 2020 Board of Directors Meeting Minutes with the discussed changes; seconded by Director Douglass. Motion passed unanimously.

2. FINANCIAL MATTERS:

a. Review of billing and collection status: Mr. Walker suggested ending the no collections and water turn-offs this month and begin the collection process or work out payment plans to get a couple accounts paid current. Mr. Walker noted the Consumer Confidence Report will be distributed next week. The Board discussed ending the relief on payments at the end of June. Director Claassen moved to withdraw the emergency resolution; seconded by President Coffman. Motion passed unanimously.
b. Review and approve the Payment of Claims: Mr. Walker noted the Zion Bank claim was already paid by wire transfer in early June to make the interest payment. Director Claassen moved to approve the Payment of Claims; seconded by Director Douglass. Motion passed unanimously.
c. Review and accept the May 31, 2020 Unaudited Financial Status: Mr. Walker reported they are catching up on tax collections and anticipate receiving them by the end of the summer. Mr. Walker discussed renaming bank accounts to reflect the working capital and reserve capital accounts. Mr. Walker noted they are working closely with the Auditors and they were helpful in getting the loan closed and are almost done with the 2019 Audit. The Audit draft will be sent to the Board and presented at next month's Board meeting

for approval. Mr. Walker explained the Auditors did confirm the District is still operating as an Enterprise and will continue to make that statement in the Audit. President Coffman moved to accept the May 31, 2020 Unaudited Financial Status; seconded by Director Claassen. Motion passed unanimously.

d. Approve Contract for Ground Engineering: Mr. Sommers discussed a third-party engineering firm that verifies if the Contractor has met certain specifications with the dirt work and concrete strength. The contract is for a separate engineering firm and the District received two proposals. Ground Engineering had the lower hourly rates, so Mr. Sommers recommends them for the contract. Mr. Sommers noted there are technically two proposals for the project: distribution and the treatment. President Coffman asked about loan paperwork that states the District is replacing the water tank. Mr. Sommers explained he has advised the CDPHE that the District will not be replacing the tank and there was no objection from them on the subject. Mr. Sommers said he will follow up with them on that. Director Claassen moved to approve the contracts for Ground Engineering; seconded by Director Brown. Motion passed unanimously.

3. OLD BUSINESS:

a. Public Hearing on Resolution to change rates and charges to allow for monthly billing: Mr. Walker explained the Resolution will change the rates and charges to allow for monthly billing. Director Claassen noted the footnote references were deleted. Director Brown asked about the fixed monthly costs. Director Claassen noted a clarification on the tap fee language. The Board agreed to move the approval to the July Board meeting with the corrected fees and language.

b. Status update on the Water System Upgrade project

Schedule: President Coffman noted a delay on construction after signing the contract. Mr. Sommers updated the Board on the schedule and explained they are still in the pre-construction phase since the contract was signed on Monday and they are preparing the submittals that include the details on what materials will be supplied. Mr. Sommers reported the contractor completed the bedrock exploration and explained the importance of finding out how much rock was in the area. 13 tests were conducted throughout the District and 12 of them did not have any rock at all. Mr. Sommers explained the contractor anticipated finding a lot of bedrock in the area and that was factored into the price of his bid, but that is not a District problem and the District will not have to pay the additional money assuming they do not find rock.

Mr. Sommers discussed an issue where a contractor hit a water line in the District which drained the tank and caused a service outage. The team has now realized the importance of completing a thorough investigation to prepare for future excavations.

Mr. Sommers asked the Board to consider Saturday construction. He noted the advantage of completing the project quicker and the disadvantage of Saturday construction impacting the community with more residents being around. Director Claassen asked if Teller County had to come out on a Saturday would it cost more.

Mr. Sommers explained that would be a contractor expense. Mr. Sommers verified that the contract would allow Saturday work if the Board votes to authorize it. After further discussion, President Coffman moved to authorize Saturday construction with any additional expense being covered by the Contractor; seconded by Director Claassen. Motion passed unanimously.

The Board discussed the rock exploratory tests and the contingency in the contract for rock. Mr. Winterer asked if the contractor could back out of the contract because of the rock issue. Mr. Sommers explained the contract is signed and the project is bonded, so the project is protected, and the contractor cannot back out.

Communication plan: Mr. Walker discussed posting the construction schedule on the website as soon as it is made available. Mr. Walker went over how to provide customers with 24-hour notice prior to disconnecting their water for construction. The Board discussed the possibility of mass communication such as texts or emails to notify customers for service outages. The Board discussed creating a Facebook page for Arabian Acres MD to communicate service issues. The Board discussed ways to direct customers to the website. Mr. Walker will research these options further and report back to the Board.

c. Ray Household water quality issue: Mr. Walker explained the water quality issues at the Ray household and noted they first tried replacing the water filters more frequently. Mr. Walker has been working with Mr. Willow and Mr. Sommers on the next step to pump the line with pressure to clean out the residue. Mr. Ray noted the water became very orange and even stained white clothes that were in the washer, and after a filter change it does get better, but it seems to be sporadic. Mr. Walker confirmed they will continue to provide filters in the meantime until they can find a permanent solution. Mr. Willow confirmed it is a top priority.

d. Fire Mitigation: Director Douglass discussed the Right of Way Project where they are trying to mitigate the right of way through the subdivision to allow firetrucks and emergency vehicles access to come in while residents can exit the subdivision if needed during an evacuation. They will mark the middle of the road 30' each way which will be the determined right of way. Director Douglass noted the District property was put on the free mitigation list to assess any roadside areas that may need mitigation. Director Douglass explained it is free of charge because they received a grant and the POA has helped to fund the project. Director Douglass suggested looking into the area around the pond and on 45 Silver Trail for the cost sharing option which would be a 40/60 split where the District would have to engage contractors and share the costs. The Board discussed how to identify the property markers near the pond. The Board authorized Director Douglass to proceed with the free assessment and receiving bids for the cost sharing option as long as there are no costs to the District.

e. Trout Haven Exclusion Project: Mr. Walker reported he is still working with legal on a specific scope and project costs and will have an update at the next Board meeting.

f. Website Upgrade: Mr. Walker reported they are still actively working on getting the website upgraded to the State's website hosting portal.

4. **OPERATORS REPORT:** Mr. Willow reported they purchased 5 loads of water due to the water main break. Bac-T samples were taken and were negative. Water filters are being changed weekly in Control Building B. Mr. Willow discussed an issue with the meter under Well #7 that was repaired and is now working. Mr. Willow confirmed that the water lines have been located to the best of their ability at this point. The Board discussed the water level in the tank.

5. **NEW BUSINESS:**
   a. June 11 water main break and shutdown: The Board discussed the incident where a contractor hit a water main and caused a break and a water service outage in the District. It took time to identify the valving system to shut the valve off which caused the water tank to drain. The pumps had to be turned off to repair the pipe and then recharged. Water had to be purchased to fill the tank and some of that water was lost due to the valve not being shut off correctly. Mr. Walker discussed what they have learned in response and how they will make sure they do not have this issue again. Mr. Groselle now has a good understanding of how the valving system works and access to the tools he needs in case Mr. Willow is not in the area. Mr. Walker explained there is a much better plan now for water main breaks moving forward. Director Brown asked about portable leak detection on pipes. Mr. Sommers explained leak detectors were critical with the old system with pipes leaking and breaking, but with a brand-new system built correctly with the right materials there will not be a critical need for leak detection. There is no issue with reusing the leak detectors the District already has, but there is not a high priority need to purchase more of them. Mr. Sommers also noted that tracer wire was not installed in the original pipes causing them to not be located, but all new pipe will have the tracing wire.

6. **OTHER BUSINESS:** There was no further discussion.

7. **PUBLIC COMMENT:** Mr. Winterer commented on the loggers for the valves and that it may not be necessary at this point, but for future considerations. He also thanked the Board and hopes everyone is staying safe.

8. **ADJOURNMENT**: Director Claassen moved to adjourn; seconded by Director Brown. Motion passed unanimously at 7:35 p.m.

Respectfully Submitted,
Walker Schooler District Managers

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By: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL JUNE 17, 2020 MINUTES OF THE ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

_____

Allan Brown

_____

Stan Claassen

_____

Edith Coffman

_____

Elizabeth Douglass

_____

Lanny Hoel

Arabian Acres Metropolitan District
Profit & Loss Budget vs. Actual
January through June 2020

	Jan - Jun 20	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
1-4000 · Capital Improvement Fees	55,231.28	130,000.00	-74,768.72	42.5%
1-4020 · CORA Requests	150.00			
1-4030 · Late Fee Revenue	1,176.91			
1-4050 · Water Service Fee	45,862.36	107,503.00	-61,640.64	42.7%
1-4070 · Water Tap Fees	0.00	8,000.00	-8,000.00	0.0%
1-4080 · Water Usage	64,115.23	80,000.00	-15,884.77	80.1%
2-4400 · Property Tax Revenue	77,719.28	121,646.88	-43,927.60	63.9%
2-4450 · Specific Ownership Tax	3,691.77	8,515.28	-4,823.51	43.4%
2-4460 · Restitution	33.53			
2-4470 · State Senior/ Veteran Funds	5,940.04			
3-4090 · CWCB Meter Loan 400K	27,295.65			
3-4095 · CDPHE Grant 300K	107,523.00	100,000.00	7,523.00	107.5%
Total Income	388,739.05	555,665.16	-166,926.11	70.0%
Gross Profit	388,739.05	555,665.16	-166,926.11	70.0%
Expense				
1-6020 · Bank Service Charges	65.00	750.00	-685.00	8.7%
1-6030 · Website	137.84	750.00	-612.16	18.4%
1-6050 · District Management-Operating	21,500.00	50,000.00	-28,500.00	43.0%
1-6060 · Dues Fees and Subscriptions	1,605.28	3,500.00	-1,894.72	45.9%
1-6065 · Engineering O&M	0.00	2,000.00	-2,000.00	0.0%
1-6070 · Election Expense	400.00	6,000.00	-5,600.00	6.7%
1-6080 · Insurance Expense-Operating	6,676.00	8,000.00	-1,324.00	83.5%
1-6090 · Office Supplies	16.42	500.00	-483.58	3.3%
1-6100 · Postage and Copies-Operating	1,273.76	800.00	473.76	159.2%
1-6110 · Audit	0.00	7,500.00	-7,500.00	0.0%
1-6120 · Directors Fees	4,000.00	10,000.00	-6,000.00	40.0%
1-6130 · Legal	8,000.00	20,000.00	-12,000.00	40.0%
1-6150 · Water Billing	4,889.14	5,000.00	-110.86	97.8%
1-6170 · Chemicals and Supplies	0.00	2,500.00	-2,500.00	0.0%
1-6180 · ORC Fees-Operating	21,511.08	44,000.00	-22,488.92	48.9%
1-6190 · Repairs and Maintenance	3,301.84	20,000.00	-16,698.16	16.5%
1-6210 · Utilities	6,685.81	12,500.00	-5,814.19	53.5%
1-6220 · Water Distribution Purchases	3,575.00	30,000.00	-26,425.00	11.9%
1-6230 · Water Testing	5,324.18	3,000.00	2,324.18	177.5%
2-6240 · Treasurer Collection Fee	2,243.02	1,824.70	418.32	122.9%
3-6000 · Capital Outlay	68,942.57	2,100,000.00	-2,031,057.43	3.3%
3-6030 · Bid Advertising	0.00	500.00	-500.00	0.0%
3-6050 · District Management	1,000.00			
3-6180 · ORC Fees	560.00			
60000 · Advertising and Promotion	0.00	500.00	-500.00	0.0%
Total Expense	161,706.94	2,329,624.70	-2,167,917.76	6.9%
Net Ordinary Income	227,032.11	-1,773,959.54	2,000,991.65	-12.8%
Other Income/Expense				
Other Income				
1-7020 · Interest Income - Operating	0.00	6,000.00	-6,000.00	0.0%
2-7000 · Interest Income	1,798.94	2,500.00	-701.06	72.0%
Total Other Income	1,798.94	8,500.00	-6,701.06	21.2%
Other Expense				
2-8000 · Bond Interest	27,203.00	54,408.00	-27,205.00	50.0%
2-8050 · National Rural Water Interest	682.36	1,578.18	-895.82	43.2%
2-8080 · Trustee Fees	250.00	250.00	0.00	100.0%
Total Other Expense	28,135.36	56,236.18	-28,100.82	50.0%
Net Other Income	-26,336.42	-47,736.18	21,399.76	55.2%
Net Income	200,695.69	-1,821,695.72	2,022,391.41	-11.0%

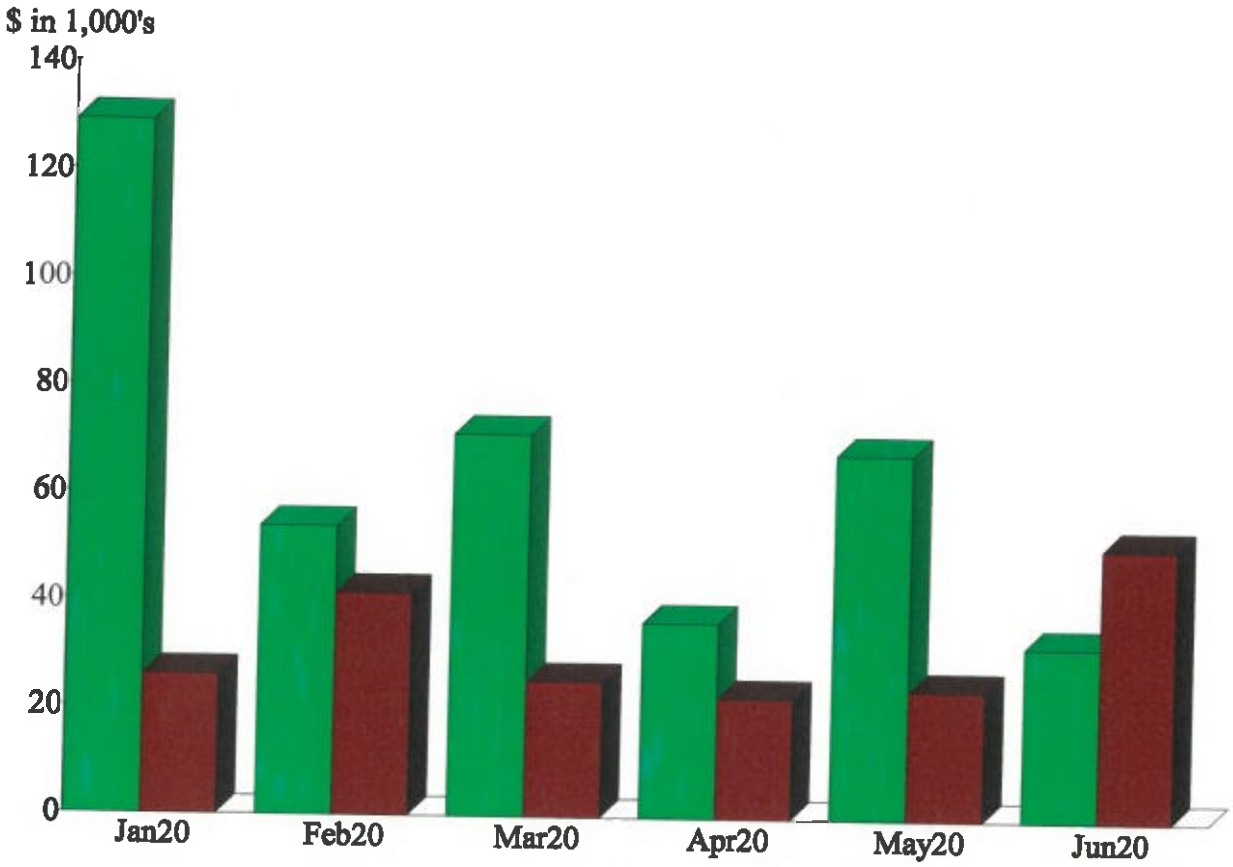
Arabian Acres Metropolitan District
Balance Sheet
As of June 30, 2020

	Jun 30, 20
ASSETS	
Current Assets	
Checking/Savings	
ECB Checking	
1-1000 · Key Bank Checking	224,919.66
1-1020 · Zions First National Bank	4,826.80
2-1000 · COLOTRUST 4001	0.75
2-1020 · COLOTRUST Reserve 8002	80,236.45
3-1000 · COLOTRUST-Capital Reserve 8003	31,932.29
	237,145.06
Total Checking/Savings	579,061.01
Accounts Receivable	
1-1200 · Accounts Receivable	25,838.53
Total Accounts Receivable	25,838.53
Other Current Assets	
1-1210 · Accounts Receivable County	1,010.44
1-1250 · Prepaid Expense	6,408.57
1-1300 · Property Tax Receivable	92,587.44
Total Other Current Assets	100,006.45
Total Current Assets	704,905.99
Fixed Assets	
1-1850 · Construction in Progress	68,299.63
Total Fixed Assets	68,299.63
Other Assets	
3-1500 · Capital Assets	
3-1520 · Equipment	1,262,622.90
3-1540 · Land	3,307.55
3-1560 · Water Rights	101,000.00
3-1590 · Accumulated Depreciation	172,588.00
	-442,548.00
Total Other Assets	1,096,970.45
TOTAL ASSETS	**1,870,176.07**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
1-2000 · Accounts Payable	18,449.42
Total Accounts Payable	18,449.42
Other Current Liabilities	
1-2020 · Accrued Interest	4,767.00
2-2200 · Deferred Revenue-Property Taxes	92,587.44
Total Other Current Liabilities	97,354.44
Total Current Liabilities	115,803.86
Long Term Liabilities	
2-2400 · 2007 Bonds Payable	1,105,000.00
2-2440 · Natural Rural Water	52,198.98
Total Long Term Liabilities	1,157,198.98
Total Liabilities	1,273,002.84

Arabian Acres Metropolitan District
Balance Sheet
As of June 30, 2020

	Jun 30, 20
Equity	
30000 · Opening Balance Equity	215,933.51
32000 · Retained Earnings	180,544.03
Net Income	200,695.69
Total Equity	597,173.23
TOTAL LIABILITIES & EQUITY	1,870,176.07

Income and Expense by Month
January through June 2020

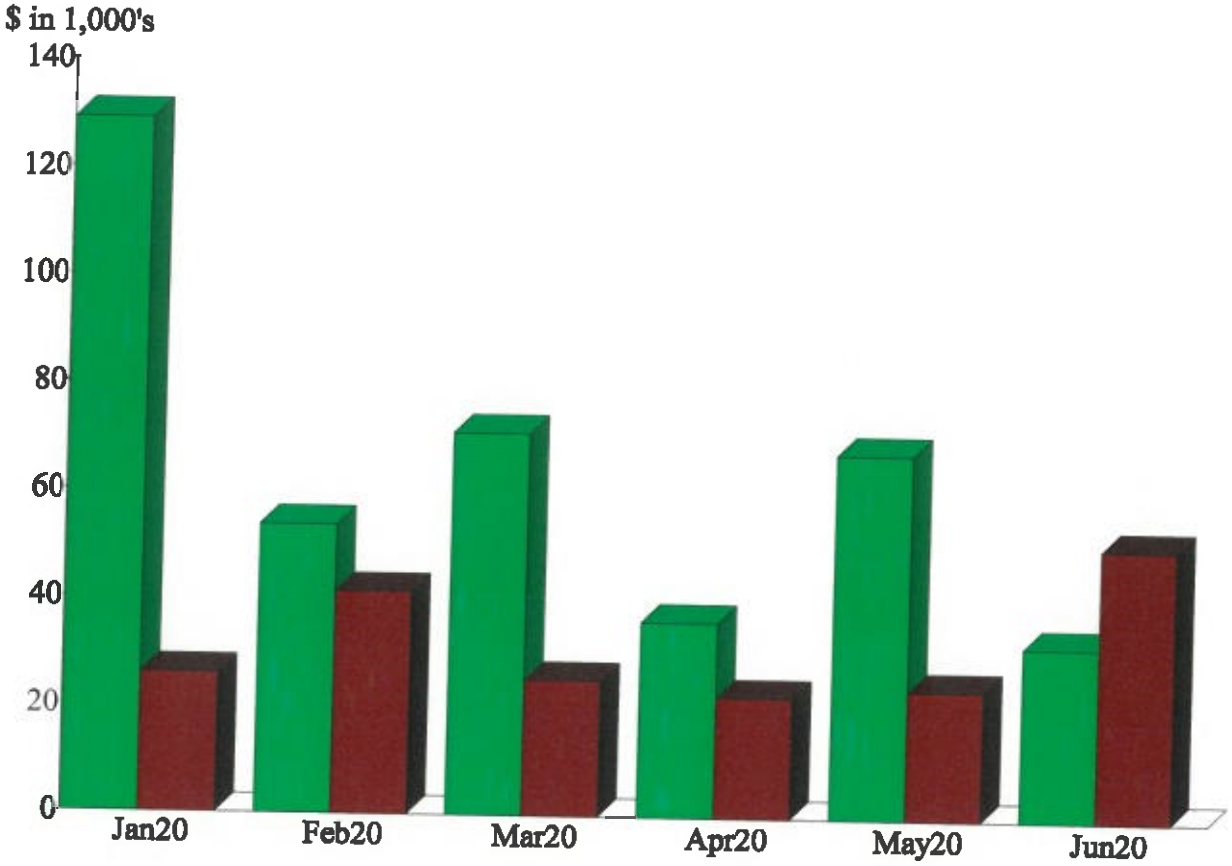


Income Summary
January through June 2020

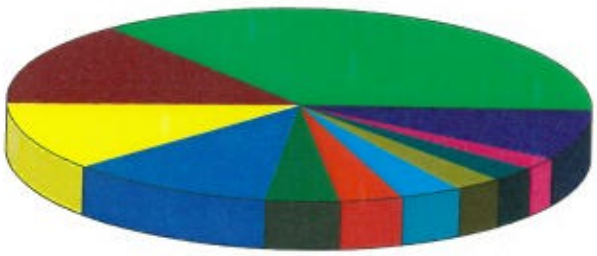
3-4095 · CDPHE Grant 300K	27.53%
2-4400 · Property Tax Revenue	19.90
1-4080 · Water Usage	16.42
1-4000 · Capital Improvement Fees	14.14
1-4050 · Water Service Fee	11.74
3-4090 · CWCB Meter Loan 400K	6.99
2-4470 · State Senior/ Veteran Funds	1.52
2-4450 · Specific Ownership Tax	0.95
2-7000 · Interest Income	0.46
1-4030 · Late Fee Revenue	0.30
Other	0.05
Total	$390,537.99

By Account

Income and Expense by Month
January through June 2020



Expense Summary
January through June 2020



3-6000 · Capital Outlay	36.32%
2-8000 · Bond Interest	14.33
1-6180 · ORC Fees-Operating	11.33
1-6050 · District Management-Operating	11.33
1-6130 · Legal	4.21
1-6210 · Utilities	3.52
1-6080 · Insurance Expense-Operating	3.52
1-6230 · Water Testing	2.80
1-6150 · Water Billing	2.58
1-6120 · Directors Fees	2.11
Other	7.96
Total	$189,842.30

By Account

Arabian Acres Metropolitan District

PAYMENT REQUEST

7/15/2020

GENERAL FUND

Company	Invoice	Date	Amount	Retainage	Amount this Draw	Comments
Edith Coffman	07152020EC	7/15/2020	$ 100.00		$ 100.00	
Lanny Hoel	07152020LH	7/15/2020	$ 100.00		$ 100.00	
Elizabeth Douglas	07152020ED	7/15/2020	$ 100.00		$ 100.00	
Allan Brown	07152020AB	7/15/2020	$ 100.00		$ 100.00	
Stan Claassen	07152020SC	7/15/2020	$ 100.00		$ 100.00	
Alpine Locates & Utilities	10689	7/7/2020	$ 237.50		$ 237.50	
Apprentice Personnel	57074	6/20/2020	$ 516.00		$ 516.00	
Black Mountain Pump Service, Inc.	1344	7/7/2020	$ 140.00		$ 140.00	
Colorado Analytical Laboratories	200701033	7/8/2020	$ 310.00		$ 310.00	
Colorado Analytical Laboratories	200309022	3/17/2020	$ 324.00		$ 324.00	
El Paso County Public Health	63020	6/30/2020	$ 63.00		$ 63.00	
Gold Rush Water	15185	7/4/2020	$ 1,100.00		$ 1,100.00	
Gold Rush Water	15137	6/27/2020	$ 550.00		$ 550.00	
Gold Rush Water	15089	6/13/2020	$ 1,650.00		$ 1,650.00	
IREA	40045402	7/10/2020	$ 73.93		$ 73.93	ACH
IREA	40032202	7/10/2020	$ 242.09		$ 242.09	ACH
IREA	40299901	7/10/2020	$ 227.39		$ 227.39	ACH
IREA	43071702	7/10/2020	$ 150.13		$ 150.13	ACH
IREA	43183502	7/10/2020	$ 351.76		$ 351.76	ACH
J.A. Excavation & Septic's LLC	Contracted062020	6/30/2020	$ 2,650.00		$ 2,650.00	
J.A. Excavation & Septic's LLC	Contracted062020	6/30/2020	$ 1,060.00		$ 1,060.00	
Jehn Water Consultants, Inc.	982.1/7-20	7/1/2020	$ 1,449.29		$ 1,449.29	
Key Bank Credit Card	*8927	7/10/2020	$ 315.34		$ 315.34	ACH - Paid
Mailing Services Inc	13941	6/11/2020	$ 111.50		$ 111.50	
National Rural Water Association	8012020	8/1/2020	$ 924.10		$ 924.10	
Walker Schooler District Managers	6545	6/30/2020	$ 4,514.05		$ 4,514.05	
TOTAL			$ 17,460.08	$ -	$ 17,460.08	

CAPITAL LOAN AND GRANT FUND

Company	Invoice	Date	Amount	Retainage	Amount this Draw	Due	Comments
AquaWorks DBO, Inc.	2123	6/1/2020	$ 12,545.45		$ 12,545.45		
AquaWorks DBO, Inc.	2140	7/1/2020	$ 26,919.34		$ 26,919.34		
Kline Alvarado Velo-PC		7/15/2020	$ 8,000.00		$ 8,000.00		
TOTAL			$ 47,464.79	$ -	$ 47,464.79		

, Treasurer

Arabian Acres Metropolitan District

TOTAL $ 64,924.87

Footnotes

ARABIAN ACRES METROPOLITAN DISTRICT
RESOLUTION NO. 2020 – 07 - 04

A RESOLUTION ADOPTING AN AMENDED SCHEDULE OF RATES, FEES, PENALTIES AND CHARGES.

WHEREAS, the Arabian Acres Metropolitan District (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, pursuant to§§ 32-1-1001(l)G) and (k), C.R.S., in order to defray the costs of public water, and sanitation, the Board of Directors of the District (the "Board") has the authority to fix and from time to time increase or decrease rates, fees, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

WHEREAS, § 32-1-1001(l)(j) , C.R.S., also provides that until paid, all such fees, rates, tolls, penalties or charges shall constitute a perpetual lien on and against the property served, which lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanic's liens; and

WHEREAS, it is important for the public health, welfare, and safety of the District's inhabitants that the District collect adequate revenues to pay ongoing operation and maintenance costs and to generate sufficient reserves to maintain and replace the District's facilities if and when needed; and

WHEREAS, the District has the authority to treat users of its water system and sanitary sewer system in manners that recognize differing contractual arrangements, locations and actual cost of service in order to take into account various factors affecting the provision of services by the District; and

WHEREAS, the Board has been informed of the decision in Krupp v. Breckenridge Sanitation District, 19 P.3d 687 (Colo. 2001) and finds that its rates, fees, penalties and charges as set forth in the Schedule of Rates, Fees, Penalties and Charges dated August 1, 2020 conform to the ruling of that case.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Arabian Acres Metropolitan District, Teller County, Colorado as follows:

1. The Schedule of Rates, Fees, Penalties and Charges attached hereto and incorporated herein by this reference, is hereby adopted and effective as of August 1, 2020. All prior schedules are repealed in their entirety.

2. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Footnotes

3. **Effective Date.** This Resolution shall take effect and be enforced beginning August 1, 2020 upon its approval by the Board.

Approved and adopted this 15th day of July, 2020.

ARABIAN ACRES
METROPOLITAN DISTRICT

By:_____
Edith Coffman, President

Attest:

_____
Elizabeth Douglass, Secretary

Footnotes

SCHEDULE OF RATES, FEES, PENALTIES AND CHARGES ATTACHED HERETO

Footnotes

ARABIAN ACRES METROPOLITAN DISTRICT

SCHEDULE OF FEES & CHARGES

August 1, 2020

Tap Fee: ..... $8,000.00 / SFE[1]

Water Usage Fees:

Metered Account Usage

0 - 3,500 gallons- Base Usage Fee ..... $15.00 / K gal.
3,501 – 5,000 gallons ..... $25.00 / K gal.
5,001 gallons and above ..... $50.00 / K gal.

Service Fees - Per Month:

Single Family Residential

¾" ..... $60.00 / month

Commercial

¾" ..... $60.00/ month
1" ..... $150.00 / month

Supplemental Operations Fee - Per Month:

Single Family Residential

¾" ..... $75.00 / month

Commercial

¾" ..... $75.00 / month
1" ..... $250.00 / month

Late Fees ..... $15.00/billing period
Bad Check Fee $45.00
Collections ..... varies [2]
Tap Transfer Fee ..... TBA[3]
Turn-Off Fee ..... varies[4]
Turn-On Fee ..... $50.00[4]
Revocation/ Disconnection of Service Fee ..... $150.00[5]
Unauthorized Connection/ Use Fee ..... up to $10,000.00
Inspection Fees (firs half hour per year nocharge) ..... Min. $50.00/hr.
Meter Reading (Customer requested, other than regularly scheduled reads) $50.00
Plan Revision Fees ..... varies[6]
Meter Testing/Certification Fee ..... $350.00[7]
Main LineDeposit ..... TBA[8]
Foreclosure Fee ..... TBD
Construction Water Fee $250.00
Account Transfer/Real Estate Closing Fee ..... $250.00[9]
Copy Charges ..... $1.25 / page

Footnotes

1 Single Family Equivalent or "SFE" is the term used to describe a basic unit of measurement which equates the demand of metered connections larger than 5/8" to that of a single family 5/8" metered connection. See Section 1.7 (nn) of the Rules and Regulations (" R&R") currently in effect for information regarding the ratio of SFE to individual tap sizes.

2 $250.00 or 125% of actual cost for collections; whichever is greater.

3 To be assessed on a case by case basis, per Section 6.4 of the AAMD, R&R, as amended.

4 TURN-OFF FEE: No charge for one (l) Customer requested Turn-Off per calendar year (accounts not in arrears); each additional requested Turn-Off shall be $50.00. While the service is Turned Off, both the monthly Service Fee and the Supplemental Operations Fee shall remain in effect.

4 TURN-ON FEE: No charge for one (1) Customer requested Turn-On per calendar year (accounts not in arrears); each additional requested Turn-On shall be $50.00.

5 Revocation/Disconnection of Service may or may not include the removal of the meter. During revocation/disconnection, both the Monthly Service Fee and the Supplemental Operations Fee shall remain in effect. Re-establishment of service shall require payment of all fees due and owing the District, including but not necessarily limited to the normally applicable Tap Fees associated with new customers (when a meter has been removed) at the time of service re-establishment.

6 $75.00, or 125% of actual engineering review costs, if any; whichever is greater.

7 Prior to the removal and testing of a meter per the customer's written request, customer shall pay the testing/ certification fee. Based upon its findings, the District in its sole discretion, will take the following action:

a) If the meter has registered more water than actually passed through it, by greater than 2%; the current bill will be adjusted proportionately as a credit. In this case, the testing / certification fee shall be returned to the customer.

b) If the meter has registered less water than actually passed through it, by greater than 2%; the District may elect to adjust the current bill proportionately as a debit. In this case, the Meter Testing/certification Fee shall not be returned to the customer.

c) Should the meter fail to register in any period, the Customer shall be charged for the average period consumption determined over the preceding two (2) years or such amount as will most closely approximate actual usages, as determined by the District. In this case, the Meter Testing/ certification Fee shall be returned to the customer.

8 To be assessed on a case by case basis, per Section 5.4.2 of the AAMD, R&R, as amended.

9 This fee is paid directly to District's Management Company via the Title Company and loan closing process, without additional cost to the District.

ARABIAN ACRES METROPOLITAN DISTRICT

MONTHLY OPERATIONS REPORT

June 4, 2020 to July 6, 2020

Submitted by: Lynn Willow, O.R.C/Operator

TOTAL WATER PUMPED

Control A 587,701

Control B 247,555

TOTAL PURCHASED WATER

Trucked – 10

(Amount actually received per each 4,000 gallon load is generally 200-300 gallons less due to standard and typical hauling losses)

OPERATIONS & MAINTENANCE ISSUES

1) Bac-T samples for the month have been taken and are negative.
2) Filters for control B arrived started changing filter at B to help with turbidity.
3) Well #6 is not pumping to its capacity, it could be lack of water in well or something with the pump.. Black Mt Pump came out and examined, results will be updated.
4) Read, recorded and turned in meter reads.
5) Mainline on Deer ridge was broken by contractor.
6) Started marking and locating all vales with Mike from Aqua Works.
7) Mike and I are doing a total pumping analysis on all wells and the control buildings to see if we may have a leak in the raw water feeder lines going to the control buildings.
8) Wells are not keeping up with demand, that is why we are doing number 7.
9) Covid-19 update. The CDC, CDHEP, and the EPA, have all determined that that since the virus can only live in water for a very short period of time, and is not present in ground water. That the standard water disinfection practices are sufficient to kill this and all other viruses for potable water.

OTHER BUSINESS: