

RECORD OF PROCEEDINGS

CHERRY HILLS SANITATION DISTRICT REGULAR MEETING

Thursday, December 8, 2022, 7:30 a.m.

Denny's

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PRESENT: Board members, Mr. Steve Vessey, Mr. Danial Larsen and Mr. Robert Brown, Mr. Sean Rogers, and Mr. Randall Siddens. Staff: Mr. Chuck Vessey, and Mr. Brad March. Guest attendee: None. Absent: Mrs. Jeri Vessey.

The was meeting called to order at 7:31 a.m.

APPROVAL OF AGENDA FOR December 8, 2022: On motion by Mr. Siddens seconded by Mr. Brown the meeting agenda for December 8, 2022, was unanimously approved.

APPROVAL OF November 10, 2022, MINUTES: On motion by Mr. Rogers seconded by Mr. Siddens the November 10, 2022, minutes were approved unanimously.

FINANCIAL STATEMENTS FOR November 2022: Mr. Chuck Vessey Roughly \$30,000 over budget for the year but per Mr. Kilburn, with end of year adjustments, it should not be an issue. The new emergency notification system being created at station 6 and eventually at station 1 are being categorized at contingency expense. The grease being discharged from the Country Club, which has been a long term problem, needs to be addressed next year. On motion by Mr. Siddens seconded by Mr. Rogers the financial statements were approved subject to audit.

DELINQUENT ACCOUNTS: Mrs. Vessey

Delinquent accounts for November went from \$21,091.24 to \$17,275.24 in December, 2022. The following customers are over \$500

Highland Manor, 301 Spalding Ln. \$7,315
Goldfain, 1921 Adriel, \$564
Jones, 1932 Adriel, 564.00
Prentiss, 1815 Linden Lake, \$631.00
Rock Bridge, 1605 Cottonwood Point, \$802.00
Rojas, 3543 Harbor Way, \$802.00
Rura, 1208 Miramont, \$348.59
Terry Lake Properties, 221 W Douglas Rd., \$2,276.00

Mrs. Vessey was ill and could not attend the meeting, but the board has authorized in her discretion, to turn over collection of any accounts to Mr. March.

MAINTENANCE: Mr. Chuck Vessey

Just general maintenance, lift station checks, and locates which also includes checking manholes.

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2220 FRANKLIN ROAD: Mr. March

Mr. March advised the board last month that he had been contacted by the attorney for the owners of the property at 2220 Franklin Road. The property, owned by Charity Larson and Clinton Lam, experienced a backup on July 3rd. 2022. The District received an open records requests from their attorney and a notice of claim from the property owner's insurer. C.R.S. § 24-10-109 provides that notice required from a person claiming to have suffered an injury by a public entity. Mr. March advised that in is his position, based on investigation, that the District has immunity from liability under the governmental immunity statute as the backup appears to have been caused by a Swiffer dustmop head/cover that was found in the main after the backup occurred and when the main was jetted out. The property owner has been advised and Mr. March attempted to further contact the property owner's attorney on December 8th after sending out further information, but without success and anticipates hearing back within the next week.

Mr. March advised that the District has no fault insurance and the claim could be turned over to the special district insurer. When this was done in the past multiple insurance company representatives assured the District, despite Mr. Chuck Vessey's concerns to the contrary, the submission of the claim would not impact the District's rates. However, shortly after submission of the previous claim the District was advised that rates would increase 25% as a result of the prior incident.

Mr. March asked if the District would like to submit the claim to the District's insurer, he advised the Board that C.R.S. § 24-10-109 (6) provides that the insurer/property owner having submitted a notice of claim cannot commence until the District either denies the claim or after ninety days has passed following the filing of the notice of claim. Mr. March suggested that this matter be placed on the January agenda to evaluate the rate increase impacts resulting from the District having submitted its prior claim. No action was taken.

No further business having come before the board, the meeting was adjourned at 8:12 a.m.

Respectfully submitted,

Jeri K. Vessey, Recording Secretary