

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
FOUNTAIN SANITATION DISTRICT**

**October 12, 2022**

**Opening:**

Mr. Christian called the regular meeting of the Board of Directors of the Fountain Sanitation District to order at 5:30 p.m. on October 12, 2022.

**Directors Present:**

Mr. Christian  
Dr. Durbin  
Mr. Holtz  
Mr. Thomas *via telephone*  
Mr. Blankenship

**Also In Attendance:**

District Manager Jim Heckman  
Office Administrator Cindy Murray  
Asst. District Manager Jonathan Moore  
Consulting Engineer Roger Sams

**Guests in attendance:** None

**A. Approval of Minutes**

Mr. Holtz made a motion to approve the regular meeting minutes of September 14, 2022. Second by Mr. Blankenship. Motion carried.

**B. Approval of Bills**

Dr. Durbin made a motion to approve the bills for September 2022 for payment. Second by Mr. Holtz. Motion carried.

\*The Board reviewed the financial statements for September 2022 at this time with no questions or comments.

**C. Special Business –**

1. Pursuant to C.R.S. 29-1-105, Mr. Heckman submitted the draft 2023 Proposed Budget to the governing Board. Brief discussion followed. Mr. Heckman stated that the budget is expected to change based on comments received. Staff will continue to make some minor changes to the final budget numbers as we get towards the end of the year, but those numbers will be submitted in the final draft. The specific details of the proposed budget will be provided during the public hearing at the December 14, 2022, regular meeting of the Board. The Board can also decide to hold a budget workshop in addition to the public hearing if more discussion is needed. He stated that any member of the Board always has the option to call or come by the office with any questions or concerns related to the budget or any District business.
2. The Board was asked to consider approval of a Petition for Inclusion for Ventana Subdivision Filing No. 6. Assistant District Manager Jonathan Moore stated that in the process of auditing the District's records, it came to our attention that there were a couple of Subdivisions that were inadvertently not included into the District's taxable boundaries. All the necessary paperwork has been received and requirements to have the subdivision included into the

- District boundaries have been completed. Mr. Holtz made a motion to approve the Petition for Inclusion for Ventana Subdivision Filing No. 6. Second by Mr. Thomas. Motion carried.
3. The Board was asked to consider approval of a Petition for Inclusion of Ventana South Filing No. 1. Mr. Moore stated this subdivision was also inadvertently left out of the District's taxable boundaries. All the necessary paperwork has been received and requirements to have the subdivision included into the District boundaries have been completed. Mr. Thomas made a motion to approve the Petition for Inclusion of Ventana South Subdivision Filing No. 1. Second by Mr. Holtz. Motion carried.
  4. The Board was asked to consider a Petition for Inclusion of 1320 C & S Road, Fountain, CO 80817 (Cross Creek Church-formerly Gideon Baptist Church). Mr. Moore stated that this one is a little different. They have been connected to the sanitary sewer for years and have opted to not include their property in the District, but they are in the process of adding a building which is requiring them to submit a site plan revision. Mr. Moore will be requiring them to include in the District as part of signing off on the revised plans. District management will be waiving the inclusion fee of \$1,500. Ms. Murray has received all the necessary paperwork and requirements to have the property included into the District boundaries. Mr. Blankenship made a motion to approve the Petition of Inclusion for 1320 C&S Rd, Fountain, CO 80817. Second by Mr. Holtz. Motion carried.
  5. The Board was asked to consider approval of the Railroad Pipeline License Agreement. Mr. Moore stated that after months of negotiations and reviews by legal counsel, the agreement has been updated and revised to the point where no additional changes can be made. Staff is recommending the Board's favorable consideration for approval. Dr. Durbin made a motion to approve the Railroad Pipeline License Agreement as presented. second by Mr. Thomas. motion carried.
  6. The Board was asked to consider approval of Resolution No. 2022-05; Resolution Authorizing the Sale of Real Property known as 11521 Link Rd, Fountain, CO more particularly described as Lot 2, FSD Subdivision No. 2, City of Fountain, County of El Paso, State of Colorado. Mr. Heckman stated that the sale of Lot 2 has been completed. He met with Mr. LaGree and Stewart Title on September 19<sup>th</sup>, signed all the closing documents and received a certified check for the sale. This Resolution is affirming he had the authority to sign the closing documents on behalf an as the District's representative. Mr. Blankenship made a motion to approve Resolution No. 2022-05. Second by Mr. Holtz. Motion carried. He stated that Mr. LaGree commented the market study for the proposed hardware store was very positive and the grocery store study has not been completed but is expected to have the same positive outcome. He will be moving forward with the City of Fountain development process for a preliminary and final plat.
  7. Discussion was held on the proposed revised Employee Handbook. Mr. Heckman reported that the redline copy of the proposed revised employee handbook was submitted to the Board with their meeting materials. Also attached was a single sheet condensing of the added policies and the proposed amendments. Mr. Heckman stated that most of the revisions were updated employment laws and some of the requested amendments that would enhance the workforce benefits to included adding Juneteenth National Independence Day, extending Christmas Eve and New Year's Eve to a full day off and a providing a sick leave conversion option. He stated he will get the Board a clean copy before the November 9<sup>th</sup> meeting and if

there are no questions or concerns, he will put it on the November 9<sup>th</sup> meeting agenda for approval consideration.

**D. General Business –**

1. Assistant District Manager Jonathan Moore reported on the Monterey Way Sanitary Sewer replacement project. He stated the project has been completed. The contractors will finish the shared road paving project for the City of Fountain tomorrow.
  - ✓ Mr. Moore reported on the Illinois Avenue Sanitary Main Realignment (BNSF) Project. He stated that when the District receives a clean signed copy of the agreement, he will update the construction drawings along with the project manual and put it out for bids in November. The bidding documents will indicate a project start time frame in March/April of 2023. He reported that the ductile iron pipe needed for the project is backordered until at least February. He will keep the Board updated.
  - ✓ Mr. Moore reported that the RJCII Realignment project has started. They finally got approval from Magellan Pipeline to go on their property. The project is anticipated to take approximately 3 weeks. He will keep the Board updated.
2. Consulting Engineer Roger Sams reported that is official, there is now a requirement to monitor for PFAS compounds. The Water Quality Control Division will be issuing letters in November or December outlining the requirements including an annual sample of biosolids. He will keep the Board updated.
3. District Manager James Heckman reported on the LFMSDD Service Agreement. He stated the comments received from CCMD have been addressed and incorporated to include the initial comments received from CSU. CSU is still completing its internal review and is requesting more time to submit additional comments. Mr. Heckman stated that he will leave it up to the LFMSDD Board of Directors on how long they wish to keep the update open for comments.
  - ✓ He reported that Matt Brady is recovering well from his foot surgery. Matt indicated that his physical therapy sessions have started. His available sick and vacation time is about exhausted, so some employees have agreed to donate time to him under the District's Sick Bank Donation Policy. He also reported Matt has opted to have surgery on his other foot now instead of later, that surgery is scheduled for November 9, 2022. Matt will be placed on Long Term Disability and the District has provided FMLA documents.
  - ✓ He reported that Tre Brown has left his employment with the District. He will be advertising for the open operator's position within the next month or so.
  - ✓ He reported that the two newly hired operators, Mark and Parrish have been scheduled to attend the new required CDL classes. Because of the high cost of the classes, they will be required to sign a tuition reimbursement should they leave FSD within 18-months after receiving their certification. The classes are approximately \$4000 for each person.
  - ✓ He reported on the CSU-FSD Sanitary Wholesale Provider Agreement. As reported at the September meeting, the District's management team with the help of Attorney Scott Johnson

and Roger Sams, have reached an acceptable agreement with CSU to provide Wholesale Wastewater Service for portions of the proposed Amara development within the City of Colorado Springs and within the District service boundaries. Springs City Council held a work session on Monday and were a few statements made by the developer that he took exception to. He sent a statement correction letter to Sam Friedman the liaison for council on Tuesday morning before the regular council meeting hoping they would acknowledge it, however they left it on the consent agenda, finding the petition for annexation to be in substantial compliance and set the hearing date for November 9, 2022. His understanding from Todd Sturtevant is the Wholesale Wastewater Service agreement reached at the staff level is being circulated for their approval signatures. Once an executed agreement is received, he will be listing it on the agenda for the District's approval consideration.

The Amara Annexation request has several steps to finish before becoming a part of Colorado Springs, Oct. 24<sup>th</sup>, City Council Work Session on Financial Impacts, Recovery timeline and economical benefits if any. Oct. 25<sup>th</sup>, City Council Town Hall meeting at 5pm. Nov. 9<sup>th</sup>, Planning Commission meeting. Nov. 22<sup>nd</sup>, City Council meeting public hearing and Dec. 13<sup>th</sup>, City Council meeting final action. He will keep the Board updated.

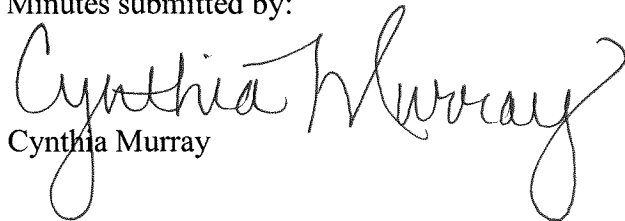
**E. New Business – None**

**F. Other Business – None**

**Adjournment:**

Dr. Durbin made a motion to adjourn the meeting at 6:15 pm. Second by Mr. Blankenship. Motion carried. The next regular meeting will be at 5:30 pm. on November 9, 2022.

Minutes submitted by:

  
Cynthia Murray