

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE INDIAN HILLS WATER DISTRICT  
JEFFERSON COUNTY, COLORADO**

For the Meeting Held May 20, 2021

The meeting was held in person and was attended by Directors Samantha Kepley, Scott Ryplewski, Dave Mosby, Tony Pesce, and Craig Levy Managers Chris Vargo and Kristin Waters and several community members.

Meeting called to order 6:40 pm

Posting of Notice. The meeting agenda had been posted in advance as required by law.

Meeting Agenda: Motion to approve the agenda made by Director Levy and seconded by Director Ryplewski. Approved 5 – 0

Officer Elections: After discussion, a motion was made by Director Replewski that the current officers would continue in their positions. The motion was seconded by Director Levy and approved 5 – 0.

Meeting Minutes: Motion to approve the minutes made by Director Levy and seconded by Director Mosby. 4/15/2021 meeting minutes were approved 5 – 0.

Administration/Financial Reports: Check report was reviewed with a motion made by Director Mosby and seconded by Director Levy to approve checks 14469– 14489 and EFT's and void checks 14425 and 14462. Report approved by a vote of 5 – 0. Cash Balance status, Cash Flow Statement, and Accounts Receivable Aging/Customer Past Due reports were reviewed.

Legal/Information Updates:

Advice received from Counsel on Rules and Regulations Sections 2.1 and 2.8 regarding tap application approval.

Operations:

- Phase I Conservation in effect as of 12/1/2020. Jeffco/Indian Hills area has been upgraded – no longer experiencing drought.
- Well production is maintaining and meeting system distribution demands
- Tanks are full
- Zone 3 Nitrate level – finished water 5/20/2021 6.5

Projects: Power to Zone 1 Tanks almost completed, SCADA will be more precise in monitoring demand and tank levels, electric work to tanks completed. Vending machine restoration completed. Hydrant flushing and flow testing done in Zone 3. GM continues to work on well assessment and Discharge permit at TC has been submitted to CDPHE.

#### Audience/Customer Comments or Concerns:

-Mike Cunningham commented on 3-minute public speaking limit saying that it is not always enough time. The limit is the standard for Board meetings, including Jeffco BOH, that allow public comments. IHWD Board generally allows extended time when possible. Discussion that topic can be added to agenda if it would require more time.

-Chris Arnold comment: Board of Health meeting discussed OWTS rule review with plans to complete the review and adopt in Fall 2021. Upgrading current septic cost could be as low as \$10,000 - \$15,000 if only replacing the tank. Community members asked BOH to consider regulations specific to Mountain areas.

-Cheryl Touryan comment: IH group working to bring all stakeholders together to solve multidimensional problems. Small lots in IH are being sold to buyers who do not understand the building limits relating to water source and septic systems. The information at Jeffco is confusing. Who monitors residential well water use which does not allow outside use?

#### Board Items:

Water Tap vs. Well Summary – IHWD gathered information from Water Engineers, Hydro-geologist, and Water Attorney to learn about effect of wells and water taps on water source and which is more detrimental to the District. Legal and Engineering advise the District to issue taps before signing off on well permits. The hydrogeologist stated that, due to the fractured rock geology in Indian Hills, new wells can have a direct impact on neighboring residential and District wells. Summary of information to be posted on IHWD Website.

Well Permit Application – What are correct avenues in the process?

Director Mosby summary of issues:

- Determine process for getting approved to build – water source and septic approval
- Disparity in lot size between District and Jeffco regulations.
- IHWD inconsistent in variance process

Jeffco representatives spoke about building process: The property owner must provide water source to apply for septic permit, and must have septic approval to apply for building permit. Environmental health looks at water source and lot size to determine type of septic that will be required. Jim Rada, the Division Environmental Health Director at Jeffco, stated that he has continuing interest in getting on the same page with Indian Hills.

Rules & Regulations Sections 2.1 and 2.8. – Discussion about how IHWD Rules and Regulations don't mean anything if they don't align with Jeffco lot size requirements. Also discussed Jeffco variance process and hardship conditions. Self-imposed hardship does not qualify a property for a variance. Roy Laws of Jeffco Health commented that in a variance hearing he would have to say that IHWD imposed the hardship on the property owners if the owners did all they could to get the adequate lot size in regard to Jefferson County's minimum lot size for public water system and an OWTS. Basically, if the District does not approve a water tap, that creates a



hardship situation where a variance could be approved. In that case, the property owner could apply for and be approved for a well permit. Directors reviewed suggested changes from legal and the discussion with the county. The majority of Directors have concluded that it is in the best interests of the District to align its Rules and Regs lot size minimums with Jeffco's, while working with the County toward creating a separate rule for IH with different minimum lot sizes and requirements. The Board asked to have new Rules and Regulations document with changes ready for approval at the June meeting.

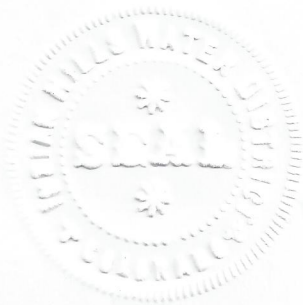
TBD Cherokee Property Tap Application – Merger has been approved and applicant is working on the septic permit. Lot survey confirms .51 ac lot size. Jeffco will require the highest-level treatment septic system for the property. After learning about the building permit and variance processes from Jeffco representatives, the understanding is that if a tap is not approved, the County would allow a variance for the lot size, allowing for a well permit for smaller lots. Director Ryplewski made a motion to approve the tap application which was seconded by Director Levy, and approved 4 – 1 with Director Pesce voting no.


TBD Otowi-Kiowa Property Tap Application – applicant provided paperwork showing 3 lots have been merged into .75 acre lot. Jeffco will approve a high-level septic treatment system once proof of water source is provided. Following the same thinking as in the above tap application, Director Kepley made a motion to approve the tap application which was seconded by Director Levy, and approved 4 – 1 with Director Pesce voting no.

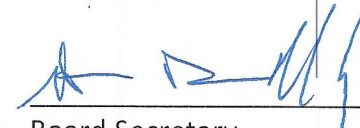
Tap Fees – District Counsel and Engineers both gave input in May regarding our water tap fees being low compared to other Districts. 2021 Tap Fee review planned for 2021. Managers will gather information and keep the Board informed throughout the process.

Next regular Board meeting date 6/17/2021

There being no further business to come before the Board, the meeting was thereupon adjourned at 9:22 pm with a motion made by Director Kepley, seconded by Director Mosby, and approved 5 – 0.



Acting  Board President \_\_\_\_\_ Date \_\_\_\_\_

Acting  Board Secretary \_\_\_\_\_ Date \_\_\_\_\_