

PSWD-WE Agenda

August 20, 2001

Agenda review & approval

Resignations, officer realignment

Customer concerns: Delinquencies (agreements signed?)
Wray property

Professional's report: 500K Tank Status

Transfer line Project (Under Highway 36)

(This report will be presented to the directors in writing and will be reviewed only if there are specific questions.)

Acceptance of previous minutes

Administration clerk's report

(This report will be presented to the directors in writing and will be reviewed only if there are specific questions.)

Technician's report Sensaphone report

(This report will be presented to the directors in writing and will be reviewed only if there are specific questions.)

Treasurer's report

Old business

- 1) Water alert/caution status
- 2) Brazelton
- 3) State & federal postings
- 4) Fire district usage of water
- 5) Apache, Ron report on PRV
- 6) Prince/Glassgow well status
- 7) *High usage*

New business

- 1) Fire District, joint future planning
- 2) Water court decree interpretation
- 3) New e-mail account
- 4) Signed applications for new service
- 5) *Grants*
- 6) *New position*

Executive session *(Personnel or other matters that require private discussions if necessary)*

Adjournment

**Minutes of the Regular Meeting of the Board of Directors of the
Pinewood Springs Water District's Water Enterprise
8-20-01**

The regular meeting of the Board of Directors of the Pinewood Springs Water District's Water Enterprise, Larimer County, Colorado, was held in accordance with the applicable statutes of the State of Colorado on 8-20-01 at the Pinewood Springs Firehouse. The meeting was called to order at 7.05PM by Vice President Gary Clements.

Announcement of resignation of Frank Novak as project manager and Mike Keilty as president. (see attachedresignations)

ATTENDANCE: The following directors were present constituting a quorum: Gary Clements, Linda Mootsey, Andy Sharp and Meg Rotan. Also present were Cheri Brown, Ron Savage, Renee Myers, Jake Jacobson, Mark Upton, Ralph Time, Ed Glasgow, Sharyn Glasgow, Win Knechtel and Jerry Petit.

Realignment of officers: Meg Rotan made a motion to realign the Board positions as follows:

President-Gary Clements

Vice President-Andy Sharp

Treasurer-Linda Mootsey

Secretary-Meg Rotan

At Large position-open

Approvedunanimously

SPECIAL REPORT FROM FRANK NOVAK: Reports submitted in writing regarding the repair of the transfer line under Highway 36, status report on the 500K tank and purchase of water from Longmont.

CUSTOMER CONCERNS: 1. Delinquent bills reviewed by Administrative Clerk and appropriate actions determined by the Board.

2. Wray property-Gary is still looking into the tax situation with the Larimer County Assessor's Office, no action needed tonight because the customer was not present.
3. Prince/Glasgow well-The Glasgows attended the meeting to discuss the status of the well on their property including possible transfer of the well to the Water District in exchange for certain requests. Gary requested the warranty deed. Andy is to contact our attorney to have the transfer documents reviewed before giving them to the Glasgows. Mr. Glasgow has agreed to allow Ron to obtain a water sample from the well for testing. Cheri will send a letter for the Glasgows to sign agreeing to allow the technician on the property.
4. Mark Upton-questioned the status of the 500K tank.
5. Win Knechtel-questioned the status of Crescent Lake.

6. Jake Jacobson-informed the Board of the time frame if we were interested in getting a bond issue on the ballot for November 2001. Currently there is no intention for a new bond.
7. Mark Upton-offered to volunteer for special projects that he or Win Knechtel could help work on.

MINUTES: Minutes of the July 25,2001 meeting were accepted with corrections. Motion to accept the minutes by Andy Sharp. Approved unanimously

OFFICE MGR'S REPORT: Water tests acceptable. No disconnect notices were sent this month. Once all bills for the Highway 36 transfer line break are received, Cheri will submit it to the insurance company to see if anything can be covered. We have a new email address-PSH2O@Jiotrmail.com.

TREASURER'S REPORT: There is a negative variance in the net income for July due to the Highway 36 transfer line repair. There is a positive variance for the year to date for total revenue of \$21,100.62.

WATER TECHNICIAN'S REPORT: Total water production for July was 957,347 gallons. The river is almost dry, plant running as water is available. One leak on Iroquois.

OLD BUSINESS:

1. Water alert/caution status-still hauling
2. Brazleton-Andy will contact him regarding status of low river
3. State and Federal postings-Gary is gathering information from various sources regarding postings
4. Fire district usage of water-request Jake Jacobson notify the Water District before using water
5. Apache/PRV report-discussed during water superintendent's report
6. Prince/Glasgow well status-discussed under customer concerns
7. High usage-Cheri to send high usage letters to customers using 6,000 gallons of water or more in a month.

NEW BUSINESS:

1. Fire District/joint future planning-The Fire Dept. would like input on putting a dry hydrant at Crescent Lake. Jake suggested an 8" line from the new 500K tank to the Deer Lane hydrant. Jake suggested joint committee to address tapping into other storage tanks or other projects. Andy Sharp suggested Jake make a wish list and keep the lines of communication open.
2. Water court decree interpretation-meeting scheduled 8-31-01 with Ronnie Sperling (water attorney) Don Brazleton (water commissioner), Dick Stenzel (State Engineer), and a representative from the PWSWD (Meg Rotan) and Big Elk Meadows to discuss the decree.
3. New email account-addressed in Administrative Clerk's report
4. Signed applications for new service-Cheri reported she is only receiving about 50% of the forms that need to be signed by new customers. The form indicates the new customer has received a copy of the Rules and Regulations and provides accurate billing information.

Suggested that Cheri talk to the title company to tell them the water will be shut off at the final reading before settlement, and the new owner needs to call for service.

5. Grants-Linda will get information on grants
6. New position-discussion on the need for a possible part time position to alleviate some of the workload that Board members currently perform

Andy Sharp made a motion to adjourn. Approved unanimously Meeting adjourned at 12.00AM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Margaret L. Datta", is written on a light gray rectangular background.

Pinewood Springs Water District

Operational report July 25th 2001 Through August 20th , 2001

Date: Monday, August 20, 2001

From: Ron Savage Water Supervisor

Total water production July 2001

957,347gallons

699,899 gallons from river

257,448 gallons from wells

Water breaks: 1 on Iroquois

All water meters read August 1st, Water hauling started.

336,000 gallons hauled so far this month

6 water meters, replaced

Tanks 500 K 391,900 gallons, 100K 80,280 gallons, 20 K 4,000 gallons.

Water production from river about 22,577 gallons/day avg. for the month of July

7,148 gallons/per/day so far this month.

River is almost dry producing from alluvium as water is available

500K Tank Painting and super chlorination done, water lines to be installed 8/21/01

Water Line crossing at Hwy 36, repaired by CDOT and DCI Construction.

August 17, 2001

To: The Board of Directors-Pinewood Springs Water District

From : Frank L. Novak

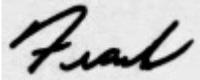
Re: Resignation

To confirm the final thoughts in my E-Mail to Mr. Mike Keilty on August 2, 2001, this is to advise that I resign from my current assignment as Project Manager and Engineer for the Pinewood Springs Water District.

I will continue to work with the District in the current last stages of the contract with Eidson Brown Minneapolis Tank Company for the 500,000 gallon tank, until it is complete.

I have sincerely appreciated the opportunity of having been of service to the District, and the kindness you have shown to me.

With warmest regards,

A handwritten signature in black ink, appearing to read "Frank", is placed over a light gray rectangular background.

Frank L. Novak, P.E.

August 5, 2001

To: Mr. Mike Keilty, and Members of the District Board

From: Frank L. Novak

Re: Repair of the Transfer Line beneath Highway 36

Following is a summary of the events related to the discovery of the leak in the transfer line beneath Highway 36, its ultimate repair, and the position taken by the Colorado Department of Transportation (C-DOT) on the repair.

(The situation had become rather complex, and the report which had originally been started was quite involved and necessarily lengthy. However, an event which occurred yesterday, Saturday, August 4th, shortened it considerably.)

The leak was discovered on July 5th when Ron reported water leaking from the east embankment of Highway 36, where the transfer lines cross the highway. It was concluded that the leak was occurring in the combination 3" and 6" piping system somewhere inside the 15" sleeve that had been installed to convey these lines beneath the 36 pavement.

Because of the potential danger to the roadbed from the leaking water, the Lyons office of C-DOT was contacted, and they arrived on site to assess the possible problems.

At first it was thought that the 15" sleeve under the Highway could be opened at the east end, and the leaking piping removed and replaced with new piping. However, exploratory excavation revealed that the east end of the sleeve was dangerously close to the edge of the pavement, and it was determined that any further work at that point could cause a failure of the embankment as well as the pavement.

The situation required that the existing sleeve and leaking piping be abandoned, and replaced with a new crossing, and C-DOT required that such a new crossing be done with a bored casing. We requested to open cut 36, but C-DOT advised that such was not an option.

Drake Construction was retained to do the cased boring, and Lyons Excavating did the necessary revised piping connections at each end of the new casing.

It should be mentioned at this point that Drake had encountered a large boulder just as they were to emerge from the the west face of the embankment. If such a bore was being done in natural subsoil, as opposed to a filled embankment, such as in our case, the boring auger would generally cut through such a boulder, since it would be firmly held in place by such soil.

However, since the boulder was encountered very close to where the auger was about to exit the embankment, there was apparently some dislodging of the boulder by the auger. Drake's crew were aware of this and felt they had properly replaced the boulder as close as possible to its original position, and filled any void which may have occurred as a result of its displacement.

Drake finished their work and departed the site on July 20th.

On July 31st, C-DOT personnel observed a slight depression in the 36 pavement in a location generally over the area where Drake had encountered the boulder. I reported this to Drake who promptly sent out the superintendent who had done this particular bore. While it could not be absolutely determined that this depression was being caused by Drake's work, it was agreed that this would require close watching and Drake would have to do any repair if was deemed their responsibility.

At this point, C-DOT personnel then believed that they now noticed some minor depression in the pavement over the old 15" sleeve which had now been abandoned in place. I looked at it but did not discern such depression. However, their suspicions were fueled by their understanding that when the original 15" sleeve had been installed, and the 3" and the 6" pipe were laid through it some 20 years ago, that the ends of the sleeve were then capped with a concrete plug, since this is what the 1979 plans for that system indicated.

This then meant that when the piping within the sleeve began to leak, the water was trapped inside and had no other place to go but to exit the sleeve possibly through a non-watertight joint in the sleeve and into the subgrade beneath 36, sufficiently wetting it to cause it to become unstable and voided-and all of this in turn was causing some settlement in the pavement above. (Sleeves conveying fluid utility lines are normally not plugged so as to allow their contents to be relieved out of the ends should there be a failure in the lines to avoid any damage to what the sleeve is passing through.)

However, I had seen those early plans, and the detail calling for both ends to be plugged, and C-DOT's theory could have some merit.

C-DOT then advised that they wanted the District to dig up the entire length of the old sleeve, backfill the excavation with flow-fill, and top it off with the original 8" of blacktop, plus a thin overlay of blacktop for 50' on either side of the excavation.

There then followed numerous, and sometime contentious, discussions with C-DOT with my holding the position with them that their plan was primarily built on the supposition of a heavily wetted subgrade, and such must be confirmed before we should be committed to doing such work.

At one point they did concede to allowing test borings to be made of the subgrade over the old sleeve, but it would soon be found to be unnecessary.

Enter Mr. Savage.

I was not on site when Ron and Mark began their first attempts to locate the leak which included exposing the plug on the east end of the 15" as shown on the early plans. Out of curiosity I asked him what shape he had found the plug.

He advised that though there was a plug in the west end of the sleeve, there was no plug in the east end!

This was a significant revelation. I then contacted C-DOT and claimed that the lack of a sleeve on the east end would have, indeed, allowed the leaking water to exit that end without heavily wetting the subgrade-as originally surmised.

They began to acknowledge that perhaps the sub-grade may not have been wetted, but they felt it would remain to be confirmed by actual test borings.

On Saturday morning, August 4th, I received a call from Jim Bullard of the Lyons C-DOT yard claiming that we had some serious problems on 36--that a section of pavement had collapsed over our crossing, and was a significant danger to traffic. I was quite concerned and immediately went to the site. It appeared that the depression was over where Drake had encountered the boulder, as mentioned earlier. What had remained for some time as a shallow depression had now become a distinct hole in the 36 pavement.

Though C-DOT had indeed taken what I thought was an arbitrary position on what they wanted the District to do over the old sleeve, we can be very grateful to them for their quick response in immediately marshalling their own forces and repairing the problem, restoring 36 to a safe roadway for the typically heavy traffic, without anyone being injured.

During the course of the day, I made a total of 6 calls to Drake, but could not make contact with anyone, but their absence did not deter C-DOT from working.

In earlier discussions with Drake's superintendent, when the suspicion first arose concerning the shallow depression, he assured me that they would make any repairs necessary should anything develop with it. C-DOT's bill for their efforts will be passed on through Drake, since in a sense, C-DOT did Drake's work for them during this emergency

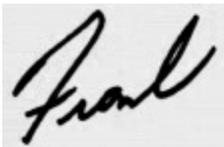
While the immediate problem was observed to be a void where the large boulder had been encountered by Drake, there was also some evidence of other remedial work to be done by Drake where some of the roof of the rest of the bore had voided to some extent due to the caving nature of the soil through which the bore had to proceed, and I am planning to contact them Monday morning before I leave. Drake will have to make their own arrangements with C-DOT to do such remedial work.

I had mentioned earlier that what happened on Saturday resulted in this report being shortened from its original version, (though 4 pages doesn't seem all that short).

Specifically what happened was that with an excavation of approximately 8' by 8', and at a depth down to the tops of both the new and old casing, it was possible to get a good look at the subgrade immediately above the old sleeve (with an 8' by 8' hole probably being the largest test boring ever made.)

There were no signs of the sub-grade being wetted as originally suspected by C-DOT, and their superintendent Mike Day of the Boulder C-DOT office withdrew their requirement for the District to perform the massive repair as described earlier.

The only work remaining at that location being Drake's remedial work on their line at their expense.

A handwritten signature in black ink, appearing to read "Frank", is centered at the bottom of the page. The signature is written in a cursive, slightly slanted style.

August 17, 2001

To: The Board of Directors-Pinewood Springs Water District

From: Frank L. Novak

Re: Status Report

500K Tank-On August 14th, Eidson disinfected the tank which essentially completed their work. I just processed their Partial Payment Request #4 in the amount of \$22,129.64 which represents such completion, and they are entitled to payment.

I have also submitted a Certificate of Substantial Completion (copy enclosed) which attests to this and begins the one year warranty period as of August 14th.

There remains one final payment of \$10,589.32 which is the amount of the 10% retainage which had been withheld from earlier payments, per the Contract requirements.

In a recent discussion with Jake, he advised that before such final payment is made, the District must prepare a Legal Notice to advertise its intent to make this final settlement in its newspaper of record--The Longmont Times Call--to allow anyone who may have a claim against Eidson to so file it with the District by a certain time, and at a certain place, after which the claims become invalid. This is a protection for the District and is required by State statute.

Accordingly I got a draft of Jake's wording for such a Legal Notice, and delivered it to the Times-Call for publication on August 20th, and August 27th, with the final time for claim submittal to be 10:00 AM local time Friday September 7, 2001 and the specific place being the District's payment box near the door to the fire house. (A copy of the Notice conveyed to the paper is enclosed)

Should there be no such claims filed, Eidson is then entitled to payment for the entire \$10,589.32.

Should a claim be filed, the claimant must declare the monetary value of the claim, and Eidson is then entitled to receive an amount equal to the \$10,589.32 minus such claim amount. The claimant has 90 days to settle such a claim or file an action-failing that, the withheld amount of the claim would be paid to Eidson at the end of the 90 days. (A copy of that part of Jake's faxed letter to me concerning this is enclosed.)

One last item to be verified on the new tank is to ensure that it has no leaks. Under normal circumstances, the tank could be filled in a relatively short time, and this could be determined rather quickly, but this will probably not happen with the current water situation.

However, even though it may take weeks or months to fill the tank, Eidson is required to correct any such leaks, should any be detected, under its one year warranty to the District. They appear to be a reputable firm, and I would have no concern about their making good on their responsibility in this regard.

As a separate issue, once the tank is fully loaded, I would suggest that a narrow, shallow drainage skirt be formed around the base of the tank wall which would start at the surface of the wall 3" above the base of the wall and slope downward to the top of the circumferential foundation retaining ring which is approximately 8" to 12" away from the wall.

There is already a drainage swale to convey surface run-off from the corridor around the tank perimeter, but the above skirt is intended to deflect whatever small amount of rain water which may stream directly down the tank wall away from the gravel base on which the tank rests. It could be constructed of either cold or hot mix asphalt.

Highway 36 Repair I noticed that Drake Construction has apparently worked a deal with another contractor to repair the pavement over their casing on the east side of the Highway 36 pavement, as part of their responsibility to the Colorado Highway Department (C-DOT).

On Saturday, August 4th, C-DOT responded to the problem on the west side of the pavement, and repaired it themselves in the interest of safety, since Drake was not available that day to do it themselves. It has been established that C-DOT is to be reimbursed by Drake for the work C-DOT did that Saturday. It is possible, however, that C-DOT will initially send their bill for this to the District since it was a District water line involved.

Should that happen, the bill should then be sent to Drake Construction, to Mr. Pete McMillin at 5190 Parfet St. Wheat Ridge , CO 80033---phone 303-421-1252.

City of Longmont Water Purchase As I indicated in a recent E-Mail, the City this year started us out on a load count basis, then converted to using a meter.

This required that a \$35 fee be paid for a six month Purchase Permit plus a \$600 deposit on the meter. The benefit of the meter plan is that the permit is good for six months, without having to renew it each month as we did last

year. Also, the City advised that the District would be billed only at the end of the six months, with the \$600 deposit considered a credit towards the bill.

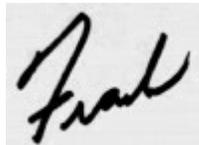
Should it be necessary to continue purchasing water past the original six months period, the City requires that another six month permit be taken out at a cost of another \$35, plus an additional \$600 deposit will be required, and the process begins all over again.

Alex Mestas in the City at 303-651-8815 handles the Permit process, and Alan Platt in the City at 303-651-8469 handles the billing procedures.

A bill from the City for 5 loads at 6000 gallons per load can be anticipated shortly to cover the amount initially purchased using load counts before they switched to the meter.

I have prepared this report in advance of the meeting on the 20th so you can have the opportunity to review it .Please know that if you have any question or comment on the report, or on any other subject relating to the projects I have worked on, do not hesitate to call me (303-678-5507) at any time day or evening.

I have developed a number of files on the various projects, and will be glad to meet with a District representative to determine just how much of the information in these files the District would want to have in its records.

A handwritten signature in black ink on a light gray background. The signature is written in a cursive style and appears to read "Fred".

August 17, 2001

To: The Board of Directors-Pinewood Springs Water District

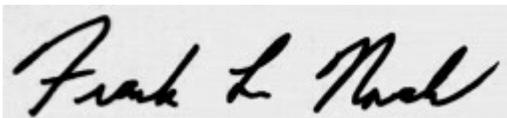
From: Frank L. Novak

Re: Substantial Completion of the 500,000 Gallon Water Storage Tank

CERTIFICATE OF SUBSTANTIAL COMPLETION

This is to advise that on August 14, 2001, Eidson Brown Minneapolis Tank Company substantially completed the work on the 500,000 gallon water storage tank, and it is ready to be filled by the District.

There remains no apparent work to be done by Eidson Brown Minneapolis Tank company on the tank, and the date of August 14, 2001, becomes the beginning of their one year warranty period covering workmanship, materials, and equipment.



Frank L. Novak, P.E.
Owner's Representative

PINEWOOD SPRINGS WATER DISTRICT

Notice of

Contractor's Settlement

500,000 Gallon Storage Tank Project

Notice is hereby given that on the 7th day of September, 2001, at 10:00AM local time, final settlement will be made by the Pinewood Springs Water District with Eidson Brown Minneapolis Tank Company, 8301 Broadway SE, Albuquerque, New Mexico, 87105, hereinafter called the " CONTRACTOR" for and on the account of the contract for the construction of a PROJECT described as "500,000 Gallon Storage Tank-Pinewood Springs Water District."

1. Any person, copartnership, association or corporation who has an unpaid claim against the said PROJECT for or on account of the furnishing of labor, materials, team hire, sustenance, provisions, provender, rental machinery, tools, or equipment and other supplies used or consumed by such CONTRACTOR, or any of his subcontractors in or about the performance of said work, may at any time up to and including said time of such final settlement, file a verified statement of the amount due and unpaid on account of such claim.
2. All such claims shall be filed with the Pinewood Springs Water District by placing them in the District's water payment mail slot adjacent to the entrance to the Pinewood Springs Fire House at 61 Kiowa Road in Pinewood Springs, Colorado.
3. Failure on the part of a creditor to file such statement prior to such final settlement will relieve the Pinewood Springs Water District from any and all liability for such claim.

Dated at Longmont, Colorado, this 16th day of August, 2001.

Pinewood Springs Water District, acting by and through:
by /s/ Frank L. Novak, P.E. Authority for Pinewood Springs Water District
Pinewood Springs Water District Contract Administrator
P.O. Box 862, Longmont, Colorado, 80502

Publication Dates:--August 20, 2001----August 27, 2001

Anonymous Customer List

1. Jerry Morris
2. Jeanine Byers
3. Ray & Cheryl Townsend
4. Andrew Hart
5. Robin Ferruggia
6. John Drabousky/Joshua Altern

Expenses from Highway 36 Repair Project

<u>Date</u>	<u>Company</u>	<u>Amount</u>	<u>Coded</u>
7/16/01	Lyons Excavating	\$2,601.85	50036
7/25/01	Drake Contractors	\$15,306.25	50036
8/8/01	Frederick Huff	\$36.05	52015
8/8/01	John's Well Service	\$68.80	50036
8/10/01	United Rentals	\$1,764.08	50036
8/9/01	Lyons Excavating	<u>\$10,810.11</u>	50036
		\$30,587.14	