

**MERIDIAN SERVICE METROPOLITAN DISTRICT (MSMD)
REGULAR MEETING AGENDA**

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expiration</u>
Butch Gabrielski	President	May 2023
Wayne Reorda	Secretary/Treasurer	May 2025
Bill Gessner	Asst. Secretary/Treasurer	May 2023
Mike Fenton	Asst. Secretary/Treasurer	May 2023
Tom Sauer	Asst. Secretary/Treasurer	May 2025

DATE: Wednesday, October 5, 2022

TIME: 11:00 a.m. or as soon thereafter as possible upon adjournment of the MRMD meeting

PLACE: Meridian Ranch Recreation Center
10301 Angeles Road
Peyton, CO 80831

The Public may participate in person or by following this link [Click here to join the meeting](#) or by telephone by calling +1 872-242-8662 and using Phone Conference ID: 47550663#

I. ADMINISTRATIVE ITEMS:

- A. Call to Order
- B. Conflicts of Interest
- C. Approve Agenda
- D. Visitor Comments (Limited to 3 minutes per resident or household)
- E. Review and Approve September 14, 2022, Regular Board Meeting Minutes (enclosure) ***Page 3***

II. FINANCIAL ITEMS:

- A. Review and Accept MSMD Cash Position Summary and Unaudited Financial Statements (enclosure and/or distributed under separate cover) ***Pages 8-20***
- B. Review Tap Fee Report for Information Only (enclosure and/or distributed under separate cover) ***Pages 21 & 22***
- C. Review, Ratify and Approve Monthly Payment of Claims (enclosure and/or distributed under separate cover) ***Pages 23 & 24***
- D. Receive Finance Committee Report ***Page 25***
- E. Discussion on engagement of Auditor Services for 2022 Audit.

III. OPERATIONS & ENGINEERING ITEMS:

- A. Information Items (No Action)
 1. MSMD Operations Reports – Water, Sewer, Parks and Grounds, Recreation (enclosure and/or handout) ***Pages 26-28***
 2. Manager’s Verbal Report

IV. ACTION ITEMS:

- A. Consider and accept agreement with Swedish Industrial Coatings, LLC, for repairs and relining of water storage tank No. 3, \$346,202.00. ***Pages 29-34***
- B. Consider length of Recreation Center privilege suspension for Alex Ables for use of a prohibited substance (Cannabis) within the Recreation Center.
- C. Consider length of Recreation Center privilege suspension for Kendan Rowe for use of a prohibited substance (Cannabis) within the Recreation Center.

V. DIRECTOR ITEMS:

VI. LEGAL ITEMS:

- A. Consider Adoption of Resolution 22-02 declining all participation in Colorado's Family and Medical Leave Insurance Program (FAMLI). **Pages 35-58**

VII. ADJOURNMENT:

The next regular meeting of the Boards is scheduled for Wednesday, November 2, 2022, at 10:30 a.m. or as soon thereafter as possible upon adjournment of the MRMD meeting at the Meridian Ranch Recreation Center, 10301 Angeles Road, Peyton, Colorado 80831.

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MERIDIAN SERVICE METROPOLITAN DISTRICT (MSMD)

Held: September 14, 2022, 10:30 a.m., at the Meridian Ranch Recreation Center,
10301 Angeles Road, Peyton, Colorado 80831

Attendance: The following Directors were in attendance:

Butch Gabrielski, President
Wayne Reorda, Secretary/Treasurer
Bill Gessner, Asst. Secretary/Treasurer
Mike Fenton, Asst. Secretary/Treasurer
Tom Sauer, Asst. Secretary/Treasurer

Also present were:

Jim Nikkel; Meridian Service Metro District
Jennette Coe; Meridian Service Metro District
Beth Aldrich; Meridian Service Metro District
Braden McCrory; Meridian Service Metro District
Ryan Kozlowski; Meridian Service Metro District
Aleks Myszkowski; Meridian Service Metro District
Carrie Billingsly; Meridian Service Metro District (via teleconference)
Debra Williams; Meridian Service Metro District (via teleconference)
Karrie Dean; Meridian Service Metro District (via teleconference)
Eileen Krauth; Meridian Service Metro District (via teleconference)
Ron Fano; Spencer Fane
Raul Guzman; Tech Builders
Jeannie Zaccagnino; Resident
Adrian Vafides; Resident
Beverly Rossman; Resident
Ray Rossman; Resident
Clint Gibson; Resident
David Martin; Resident
Cindy Martin; Resident

Call to Order A quorum of the Board was present, and the Directors confirmed their qualification to serve. The meeting was called to order at 10:37 a.m.

Disclosure Matter Mr. Fano noted that written disclosures of the interests of all Directors have been filed with the Secretary of State.

Approve Agenda The Board reviewed the Agenda. A motion was made to amend the agenda to include a Directors item to discuss releasing board members personal contact

RECORD OF PROCEEDINGS

information. The motion was seconded and approved by unanimous vote of directors present.

Visitor Comments Ms. Zaggagnino discussed her concerns about the landscaping along Rex Road. Mr. Nikkel suggested scheduling a time for District staff and any interested residents to meet at the specified area to discuss possible solutions.

Ms. Vafides asked the Board if it was possible to add parking spaces at the neighborhood parks. Director Gabrielski explained that the original concept for the development was that these would be neighborhood parks that the resident would walk to. Mr. Nikkel informed Ms. Vafides that there is going to be a new field house and we will be moving organized sports to that location, which will alleviate some of the parking issues. He also explained that we would not be able to add parking spaces to the existing parks due to the developer's agreement with and the requirements of El Paso County but would take it into consideration in the construction of any new parks.

Mr. Gibson is a Soccer coach and wanted to know if he could use the neighborhood parks for his soccer team's practice. Mr. Kozlowski explained that District rules generally preclude use of District parks for organized sports events. Director Gessner explained that the parks are for use by residents and their guests and are not open to the public for organized sports groups/teams to use. Residents pay for the upkeep, and organized sports would cause wear and tear that residents pay for. Director Gabrielski asked Mr. Kozlowski and staff to recommend possible rule changes to better clarify the rules and what constitutes prohibited organized sports in the parks.

Mr. Martin expressed concerns about the prairie grass being too tall and wanted to know if he is allowed to mow it. He also asked if residents are allowed to park on the street. Mr. Nikkel explained that we have the prairie grass because it is native to our area, and he is not allowed to mow it. Director Gessner also explained that the Colorado Legislature passed a law which prohibits HOAs from enforcing rules relating to parking on public streets if the vehicle is registered.

Approve Minutes The Board reviewed the August 3, 2022, Board Minutes, and a motion was made and seconded to approve the minutes as presented. The motion was approved by unanimous vote of directors present.

Financial Items Cash Position Summary and Financial Statements: Ms. Coe reviewed the cash position summary and monthly financial reports for July 2022. A motion was made and seconded to accept the cash position summary and financial statements as presented. The motion was approved by unanimous vote of directors present.

RECORD OF PROCEEDINGS

Review 2022 Tap Fee Report: Ms. Coe reviewed the August 2022, Tap Fee Report with the Board for information only.

- Approval of Payment of Claims: Ms. Coe reviewed the updated claims presented for approval at this meeting represented by check numbers:
Interim: Bill.com payments for ratification totaling \$501,653.40
MSMD: Bill.com payments totaling \$645,597.46

A motion was made and seconded to approve the MSMD payment of claims. The motion was approved by unanimous vote of directors present.

Receive Finance Committee Report: Ms. Coe noted the Finance Committee met on August 26, 2022, and she gave a summary of the Finance Committee Report on page 24 of the MSMD Board Packet. The August Interim payments were reviewed and signed by Director Gabrielski and Director Sauer.

Operations & Engineering Items

Information Items:

MSMD Operations Reports:

- Mr. McCrory presented the water, sewer, parks and grounds, and drainage operation reports which included information from pages 25 and 26 of the MSMD Board Packet. Mr. McCrory also noted:
 - During August and September, Parks and Grounds have continued to focus on removing dead trees. Staff have waited to see which ones were going to survive before we cut them down and enough time has passed that we feel comfortable removing them. Decorative rock has been ordered and is due to arrive on Monday. The ponds and storm drains have been cleaned up from the storm damage.
 - The Sewer department cleaned and organized the storage shed, completed air-vac maintenance, and cleaned gravity sewer lines.
 - In the Water department, well LFH-3 was reinstalled after repairs and maintenance was completed. Having reached the allotment for the Guthrie alluvial one we have switched to alluvial two. The tank and filter plant expansion bypass tie-in are 90% complete.
- Mr. Kozlowski presented the Recreation Center Report to the Board which included information from page 27 of the MSMD Board Packet. Mr. Kozlowski also noted:
 - Closure of the outdoor pool was necessary due to staffing shortage because of the start of the school year.

RECORD OF PROCEEDINGS

Managers Verbal Report: Mr. Nikkel provided status reports on the following matters:

- We continue to inform residents to contact the website and or call the office regarding questions and complaints and not social media as we do not monitor those sites.
- Staff is currently working on the 2023 budget.
- Mr. Fano, Ms. Coe, Mr. McCrory, and Mr. Nikkel are working on a new water sale agreement for the golf course with Woodmen Hills. There should be an item on the October Agenda.
- The replacement plan along with the model were submitted to the State of Colorado. We should receive a response within sixty days.
- We are taking bids tomorrow for the tank painting project. Hopefully we will be able to start sometime in October and finish before the cold weather arrives.

Action Items:

1. Consider and Accept Agreement with Lytle Water Solutions for design, and construction, observation, development, and testing of Latigo FLH Wells LFH-2P and LFH-3, \$79,265.00: A motion was made and seconded to accept the agreement with Lytle Water Solutions for the design and construction, observation, development, and testing of Latigo LFH wells LFH-2P and LFH-3 for \$79,265.00. The motion was approved by unanimous vote of Directors present.
2. Consider and Accept Agreement for Professional Services with Morgan Black for Brazilian Jiu Jitsu classes: A motion was made and seconded to accept the agreement for professional services with Morgan Black for Brazilian Jiu Jitsu classes. The motion was approved by unanimous vote of Directors present.
3. Consider and Accept request to have funds released to GTL Development for Repayment of developer advances and to accept the GTL offer to reduce the outstanding interest by the same amount: A motion was made and seconded to accept the release of funds to GTL Development for repayment of developer advances and to accept the GTL offer to reduce outstanding interest by the same amount. The motion was approved by unanimous vote of Directors present.
4. Consider and Accept Bill of Sale transferring ownership and maintenance of Meridian Road Sewer Line to FAWWA: A motion was made and seconded to consider and accept the bill of sale transferring ownership and maintenance of the Meridian Road Sewer Line to FAWWA. The motion was approved by unanimous vote of Directors present.

RECORD OF PROCEEDINGS

Director Items Discussion of Board of Directors Releasing Personal Contact Information:
Mr. Nikkel asked the Board how they felt about releasing their contact information to residents that request it. After a discussion, the Board decided to have residents reach the Board of Directors by coming to the monthly Board Meeting or through the General Manager, Mr. Nikkel.

Legal Items There were none.

Adjournment There being no further business to come before the Board, the President adjourned the meeting at 12:00 p.m.

The next regular meeting of the Boards is scheduled for October 5, 2022 at 10:30 a.m. or as soon thereafter as possible upon adjournment of the MRMD meeting, at the Meridian Ranch Recreation Center, 10301 Angeles Road, Peyton, Colorado 80831.

Respectfully submitted,

Secretary for the Meeting

**MERIDIAN SERVICE METROPOLITAN DISTRICT
CASH POSITION SUMMARY
For the Period Ended August 31, 2022
Adjusted as of Spetember 30, 2022**

	CHECKING Wells Fargo
Account Activity Item Description	
Cash balance at end of period	\$ 5,850,430
September activity:	
Utility billing from residents	758,506
Recreation Center Program Fees	2,832
Tap fees and meter fees (In)	24,795
Tap fees transferred to MRMD (Out)	24,000
Transfer from Meridian Ranch - CTF	12,975
AT&T, Falcon Freedom Days and reimbursements	10,700
Payroll	(169,750)
Reserve Transfers	(12,975)
Developer Advance Payment	(5,061,135)
Transfer from MRMD - IGA	5,061,135
Transfer to Clean Water Loan Fund	(42,056)
September checks and payments	
Operations incl. interim payments	(1,105,322)
Interest, fees and returned checks	(211)
Sub-total	5,353,926
October 25th payment Estimate	(580,000)
Adjusted balance	\$ 4,773,926
Less restricted funds as of August 31, 2022:	
Conservation Trust Funds	38,204
5% Reserve Fund	(38,753)
Sewer Reserve Fund	(18,969)
Capital Project Funds	289,356
Rate Stabilization Fund	16,553
Capital TDS	73,492
Adjusted Unrestricted Balance	\$ 5,133,811

MERIDIAN SERVICE METROPOLITAN DISTRICT
CASH POSITION RECONCILED TO GENERAL LEDGER
CASH POSITION SUMMARY
For the Period Ended August 31, 2022
Adjusted as of September 30, 2022

Account Activity Item Description	INVESTMENTS ColoTrust Plus/Edge							Bank of San Juan Loan Funds	Zions Bank Loan & Reserve Fund	TOTAL ALL ACCOUNTS
	Checking Wells Fargo	Petty Cash	Conservation Trust Funds	5% Reserve	Sewer Reserve (\$2)	Capital Project Funds	Rate Stabilization Funds			
	Cash balance at end of period	5,850,430	386	66,846	2,200,354	442,850	6,438,404			
September activity:										
Utility billing from residents	758,506	-	-	-	-	-	-	-	-	758,506
Recreation Center Program Fees	2,832	-	-	-	-	-	-	-	-	2,832
Tap fees and meter fees (In)	24,795	-	-	-	-	-	-	-	-	24,795
Tap fees transferred to MRMD (Out)	24,000	-	-	-	-	-	-	-	-	24,000
Transfer from Meridian Ranch - CTF	12,975	-	-	-	-	-	-	-	-	12,975
AT&T, Falcon Freedom Days and reimbursements	10,700	-	-	-	-	-	-	-	-	10,700
Payroll	(169,750)	-	-	-	-	-	-	-	-	(169,750)
Reserve Transfers	(12,975)	-	12,975	-	-	-	-	-	-	0
Developer Advance Payment	(5,061,135)	-	-	-	-	-	-	-	-	(5,061,135)
Transfer from MRMD - IGA	5,061,135	-	-	-	-	-	-	-	-	5,061,135
Transfer to Clean Water Loan Fund	(42,056)	-	-	-	-	-	-	-	(42,056)	(84,113)
September checks and payments										
Operations incl. interim payments	(1,105,322)	-	-	-	-	-	-	-	-	(1,105,322)
Interest, fees and returned checks	(211)	-	-	-	-	-	-	-	-	(211)
Sub-total	5,353,926	386	79,821	2,200,354	442,850	6,438,404	651,656	125,028	197,417	15,489,841
October 25th payment Estimate	(580,000)	-	-	-	-	-	-	-	-	(580,000)
Adjusted balance	4,773,926	386	79,821	2,200,354	442,850	6,438,404	651,656	125,028	197,417	14,909,841
Less restricted funds as of August 31, 2022:										
Petty Cash	-	(386)	-	-	-	-	-	-	-	(386)
Conservation Trust Funds	38,204	-	(79,821)	-	-	-	-	-	-	(41,617)
5% Reserve Fund	(38,753)	-	-	(2,200,354)	-	-	-	-	-	(2,239,107)
Sewer Reserve Fund	(18,969)	-	-	-	(442,850)	-	-	-	-	(461,819)
Capital Project Funds	289,356	-	-	-	-	(6,438,404)	-	-	-	(6,149,047)
Rate Stabilization Fund	16,553	-	-	-	-	-	(651,656)	-	-	(635,103)
Capital TDS	73,492	-	-	-	-	-	-	(125,028)	(197,417)	(248,952)
Unrestricted cash balance	\$ 5,133,811	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,133,811

Note: Additional investment accounts can be used for extraordinary expenditures.

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
SUMMARY OF ALL FUNDS
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance	
				Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
General Revenue - Fund 10	\$1,553	\$362,423	\$368,634	(\$6,211)	98.3%
Parks/Grounds Revenue - Fund 15	110,294	851,035	1,271,805	(420,770)	66.9%
Rec Center Revenue - Fund 16	194,300	1,491,020	2,206,548	(715,528)	67.6%
Water Revenue - Fund 40	324,617	2,347,305	3,318,835	(971,530)	70.7%
Sewer Revenue - Fund 50	171,165	1,390,090	3,281,460	(1,891,370)	42.4%
Clean Water Surcharge	37,656	288,988	425,760	(136,772)	67.9%
Billing Fees	10,623	87,283	64,000	23,283	136.4%
Grant Revenue	804	56,120	55,000	1,120	102.0%
Development Inspection Fees	-	68,875	-	68,875	-
Interest Income	15,500	107,682	-	107,682	-
Miscellaneous Income	-	-	150	(150)	-
TOTAL REVENUES	866,511	7,050,822	10,992,192	(3,941,370)	64.1%
EXPENSES					
Fund & General Expenses					
General & Admin. Expense	27,451	399,597	817,989	(418,392)	48.9%
Personnel Expenses	190,171	1,413,565	2,542,460	(1,128,895)	55.6%
Tracking should net \$0	-	(0)	-	(0)	-
Parks/Grounds Expense - Fund 15	59,201	285,097	575,000	(289,903)	49.6%
MRRC Expense - Fund 16	21,554	294,586	508,720	(214,134)	57.9%
Water Expense - Fund 40	264,969	533,683	1,139,500	(605,817)	46.8%
Sewer Expense - Fund 50	61,010	469,854	843,800	(373,946)	55.7%
General Operating Expenses	95,047	709,310	1,133,520	(424,210)	62.6%
TOTAL Fund & General Expenses	719,403	4,105,692	7,560,989	(3,455,297)	54.3%
Capital Expenses					
Capital Expense - Other	-	39,660	60,000	(20,340)	66.1%
Capital Expense P&G Fund 15	-	300,000	321,000	(21,000)	93.5%
Capital Expense MRRC Fund 16	-	325,308	268,000	57,308	121.4%
Capital Expense Water Fund 40	415,242	2,347,123	6,312,000	(3,964,877)	37.2%
Capital Expense Sewer Fund 50	-	16,057	182,000	(165,943)	8.8%
Capital Interest Expense	-	47,754	703,240	(655,486)	6.8%
TOTAL Capital Expenses	415,242	3,075,902	7,846,240	(4,770,338)	39.2%
TOTAL EXPENSES	1,134,646	7,181,594	15,407,229	(8,225,635)	46.6%
EXCESS REVENUES OVER (UNDER) EXPENSES	(268,135)	(130,772)	(4,415,037)	4,284,265	
Other Financing Sources (Uses)					
Tap Fees Received	78,000	4,258,000	4,750,000	(492,000)	89.6%
Tap Fees Transferred to MRMD	(78,000)	(4,260,000)	(4,750,000)	490,000	89.7%
Contributions to Other Gov'ts	-	(354,996)	-	(354,996)	-
Transfer from (to) Other Funds	(23,401)	(185,214)	(278,000)	92,786	66.6%
Emergency Reserve (5%)	16,665	133,340	200,000	(66,660)	66.7%
Emergency Reserve (\$2) - Sewer	6,736	51,874	78,000	(26,126)	66.5%
TOTAL Other Financing Sources (Uses)	-	(356,996)	-	(356,996)	-
NET CHANGE IN FUND BALANCE	(\$268,135)	(\$487,768)	(\$4,415,037)	\$3,927,269	
BEGINNING FUND BALANCE**		13,341,540			
ENDING FUND BALANCE		<u><u>\$12,853,772</u></u>			
Operating Fund Balance		2,770,577			
Capital Project Fund Balance		6,761,216			
Emergency Reserve Fund Balance 5%		2,230,481			
Sewer Reserve Fund Balance \$2		456,498			
Rate Stabilization Fund Balance		635,000			
Total Fund Balance		<u><u>\$12,853,772</u></u>			

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
General Fund
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
IGA - Meridian Ranch	-	\$350,000	\$350,000	-	100.0%
AT&T Lease	1,553	12,423	18,634	(6,211)	66.7%
Grant Revenue	-	1,655	-	1,655	-
Interest Income	3,290	11,242	-	11,242	-
Miscellaneous Income	-	-	150	(150)	-
TOTAL REVENUES	4,843	375,320	368,784	6,536	101.8%
EXPENSES					
Accounting	-	-	1,000	(1,000)	-
Audit	-	21,036	20,000	1,036	105.2%
Payroll & HR Services	4,323	38,473	54,000	(15,527)	71.2%
Election Expense	-	2,878	6,000	(3,123)	48.0%
Engineering/Consulting	117	990	2,000	(1,010)	49.5%
Legal	-	42,023	80,000	(37,977)	52.5%
Personnel Expenses	1,966	17,574	30,357	(12,783)	57.9%
Copier - Contract Expenses	-	411	5,000	(4,589)	8.2%
IT/Computer/Software	117	7,127	14,200	(7,073)	50.2%
Rent - Shared	3,734	29,022	47,080	(18,058)	61.6%
Telephone & Internet	888	7,379	7,500	(121)	98.4%
Utilities	244	2,193	4,000	(1,807)	54.8%
Repairs & Maint - Office	552	2,529	5,000	(2,471)	50.6%
Office Furniture	-	12,113	-	12,113	-
Supplies	(83)	1,136	5,500	(4,364)	20.7%
Licenses,Certs & Memberships	175	712	2,500	(1,788)	28.5%
Insurance	362	3,143	5,839	(2,696)	53.8%
Subscriptions	-	-	250	(250)	-
Bank Charges	-	25	-	25	-
Public Information	-	20	500	(480)	4.0%
Meals & Entertainment	290	1,752	6,284	(4,532)	27.9%
Miscellaneous Expense	-	-	1,000	(1,000)	-
Vehicle, Equipment & Travel	275	3,077	4,900	(1,823)	62.8%
TABOR Emergency Reserve 3%	-	-	11,062	(11,062)	-
TOTAL EXPENSES	12,961	193,616	313,972	(120,356)	61.7%
NET CHANGE IN FUND BALANCE	(\$8,118)	\$181,704	\$54,812	\$126,892	
BEGINNING FUND BALANCE**		89,803			
ENDING FUND BALANCE		<u><u>\$271,507</u></u>			

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
Parks & Grounds Fund
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
Parks & Grounds Fees	\$92,557	\$714,227	\$1,065,143	(\$350,916)	67.1%
Street Lighting Fees	17,737	136,808	206,662	(69,854)	66.2%
Billing Fees	2,656	21,821	16,000	5,821	136.4%
Grant Revenue	73	28,586	55,000	(26,414)	52.0%
Interest Income	111	319	-	319	-
TOTAL REVENUES	113,133	901,761	1,342,805	(441,044)	67.2%
EXPENSES					
General & Admin. Expense					
Accounting	-	-	1,000	(1,000)	-
Customer Billing Services	-	13,329	24,000	(10,671)	55.5%
Engineering/Consulting	418	4,319	7,000	(2,681)	61.7%
Legal	-	168	2,500	(2,332)	6.7%
Personnel Expenses	17,378	121,000	240,650	(119,650)	50.3%
General Operations - Admin	1,283	7,777	19,900	(12,123)	39.1%
TOTAL General & Admin. Expense	19,080	146,594	295,050	(148,456)	49.7%
Operating Expense					
Landscape Repair & Maint.	56,241	267,612	506,000	(238,388)	52.9%
Hardscape Repair & Maint.	-	9,086	24,500	(15,414)	37.1%
Park Maint.	2,862	6,910	37,500	(30,590)	18.4%
Pond Maint.	98	1,489	7,000	(5,511)	21.3%
Utilities	14,641	116,821	189,210	(72,389)	61.7%
Insurance	1,295	10,374	19,305	(8,931)	53.7%
Vandalism Cost of Repairs	38	38	-	38	-
Vehicle, Equipment & Travel	1,207	9,231	15,000	(5,769)	61.5%
TOTAL Operating Expense	76,382	421,559	798,515	(376,956)	52.8%
TOTAL EXPENSES	95,462	568,153	1,093,565	(525,412)	52.0%
EXCESS REVENUES OVER (UNDER) EXPENSES	17,672	333,608	249,240	84,368	
Other Financing Sources (Uses)					
Transfer from (to) Capital	-	(300,000)	(321,000)	21,000	93.5%
TOTAL Other Financing Sources (Uses)	-	(300,000)	(321,000)	21,000	93.5%
NET CHANGE IN FUND BALANCE	\$17,672	\$33,608	(\$71,760)	\$105,368	
BEGINNING FUND BALANCE**		522,813			
ENDING FUND BALANCE		\$556,421			
Operating Fund Balance		401,417			
Emergency Reserve Fund Balance 5%		145,004			
Rate Stabilization Fund Balance		10,000			
Total Fund Balance		\$556,421			

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
Recreation Center Fund
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
Recreation Center Service Fees	\$176,834	\$1,363,878	\$2,076,458	(\$712,580)	65.7%
Fee Based Programming	16,577	108,065	114,000	(5,935)	94.8%
MRRC Concession Sales	553	1,519	2,000	(481)	75.9%
Falcon Freedom Days Revenue	-	14,800	8,750	6,050	169.1%
Advertising Fees	336	2,758	5,340	(2,582)	51.6%
Billing Fees	2,656	21,821	16,000	5,821	136.4%
Grant Revenue	586	734	-	734	-
TOTAL REVENUES	197,542	1,513,575	2,222,548	(708,973)	68.1%
EXPENSES					
General & Admin. Expense					
Accounting	-	-	1,000	(1,000)	-
Customer Billing Services	-	23,279	42,000	(18,721)	55.4%
Engineering/Consulting	735	6,332	10,000	(3,668)	63.3%
Legal	-	-	1,000	(1,000)	-
Personnel Expenses	98,890	726,750	1,200,967	(474,217)	60.5%
General Operations - Admin	5,264	33,415	60,350	(26,935)	55.4%
TOTAL General & Admin. Expense	104,889	789,776	1,315,317	(525,541)	60.0%
Operating Expense					
Programming Supplies	5,126	60,905	62,000	(1,095)	98.2%
Building Maint.	11,347	96,656	144,720	(48,064)	66.8%
Grounds Maint.	-	-	1,000	(1,000)	-
Pool Maint.	1,960	38,800	157,000	(118,200)	24.7%
MRRC Security	-	1,900	4,000	(2,100)	47.5%
Exercise Equip. & Furn.-Replace	2,194	59,841	75,000	(15,159)	79.8%
MR Community Events	927	2,420	15,000	(12,580)	16.1%
Falcon Freedom Days Expenses	-	34,064	50,000	(15,936)	68.1%
Utilities	11,442	132,728	186,375	(53,647)	71.2%
Insurance	2,275	18,206	32,315	(14,109)	56.3%
Vehicle, Equipment & Travel	21	1,542	2,500	(958)	61.7%
TOTAL Operating Expense	35,292	447,062	729,910	(282,848)	61.2%
TOTAL EXPENSES	140,181	1,236,838	2,045,227	(808,389)	60.5%
EXCESS REVENUES OVER (UNDER) EXPENSES	57,360	276,737	177,321	99,416	
Other Financing Sources (Uses)					
Transfer from (to) Capital	(22,330)	(178,680)	(268,000)	89,320	66.7%
TOTAL Other Financing Sources (Uses)	(22,330)	(178,680)	(268,000)	89,320	66.7%
NET CHANGE IN FUND BALANCE	\$35,030	\$98,057	(\$90,679)	\$188,736	
BEGINNING FUND BALANCE**		541,431			
ENDING FUND BALANCE		<u><u>\$639,488</u></u>			
Operating Fund Balance		469,909			
Emergency Reserve Fund Balance 5%		159,579			
Rate Stabilization Fund Balance		10,000			
Total Fund Balance		<u><u>\$639,488</u></u>			

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
Capital Fund
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
Clean Water Surcharge	\$37,656	\$288,988	\$425,760	(\$136,772)	67.9%
Grant Revenue	-	25,000	-	25,000	-
Interest Income	11,421	38,875	-	38,875	-
TOTAL REVENUES	49,077	352,864	425,760	(72,896)	82.9%
EXPENSES					
Capital Expense - Other					
Build-Out CIP & Funding Plan	-	39,660	60,000	(20,340)	66.1%
TOTAL Capital Expense - Other	-	39,660	60,000	(20,340)	66.1%
Capital Expense P&G Fund 15					
3rd Const & Acq-Winding Walk	-	300,000	300,000	-	100.0%
Vehicle & Equipment - Fund 15	-	-	21,000	(21,000)	-
TOTAL Capital Expense P&G Fund 15	-	300,000	321,000	(21,000)	93.5%
Capital Expense MRRC Fund 16					
MRRC Expansion	-	-	50,000	(50,000)	-
Lobby Remodel	-	124,983	118,000	6,983	105.9%
Locker Replacement	-	-	100,000	(100,000)	-
Pool Improvements 2022	-	200,326	-	200,326	-
TOTAL Capital Expense MRRC Fund 16	-	325,308	268,000	57,308	121.4%
Capital Expense Water Fund 40					
Expand Filter Plant & Bldg	2,350	347,171	2,000,000	(1,652,829)	17.4%
Purchase WHMD 2.0 MG Water Tank	-	-	750,000	(750,000)	-
Water Rights	-	171,772	750,000	(578,228)	22.9%
Wells at Guthrie Ranch Site 4	-	-	30,000	(30,000)	-
Well at Latigo Trails	-	-	1,500,000	(1,500,000)	-
Transmission Line FP to Tanks	412,892	906,529	1,200,000	(293,471)	75.5%
Latigo Transmission Line	-	-	50,000	(50,000)	-
Tamlin Road Water Pipeline	-	900,000	-	900,000	-
Vehicle & Equipment - Fund 40	-	21,651	32,000	(10,349)	67.7%
TOTAL Capital Expense Water Fund 40	415,242	2,347,123	6,312,000	(3,964,877)	37.2%
Capital Expense Sewer Fund 50					
WH Sewer Bypass Phase 2 & 3	-	-	75,000	(75,000)	-
Mid-Point Injection Station	-	-	20,000	(20,000)	-
2022 Lift Station Improvements	-	-	55,000	(55,000)	-
Loan Cost of issuance	-	(5,594)	-	(5,594)	-
Vehicle & Equipment - Fund 50	-	21,651	32,000	(10,349)	67.7%
TOTAL Capital Expense Sewer Fund 50	-	16,057	182,000	(165,943)	8.8%
Capital Interest Expense	-	47,754	703,240	(655,486)	6.8%
TOTAL EXPENSES	415,242	3,075,902	7,846,240	(4,770,338)	39.2%
EXCESS REVENUES OVER (UNDER) EXPENSES	(366,165)	(2,723,038)	(7,420,480)	4,697,442	
Other Financing Sources (Uses)					
Contributions to Other Gov'ts	-	(354,996)	-	(354,996)	-
Transfer from (to) General Fund	191,665	1,533,340	2,300,000	(766,660)	66.7%
Transfer from (to) P&G Fund	-	300,000	321,000	(21,000)	93.5%
Transfer from (to) Rec Fund	22,330	178,680	268,000	(89,320)	66.7%
Transfer from (to) Water Fund	170,830	1,388,331	2,082,000	(693,669)	66.7%
Transfer from (to) Sewer Fund	4,400	56,897	84,846	(27,949)	67.1%
TOTAL Other Financing Sources (Uses)	389,225	3,102,253	5,055,846	(1,953,593)	61.4%
NET CHANGE IN FUND BALANCE	23,060	379,214	(2,364,634)	2,743,848	
BEGINNING FUND BALANCE**		6,382,002			
ENDING FUND BALANCE		6,761,216			
Capital Other - Fund 10		1,440,860			
Capital Parks & Ground Fund 15		131,175			
Capital Recreation Center Fund 16		214,585			
Capital Water Fund 40		3,324,357			
Capital Sewer Fund 50		1,128,083			
Capital TDS - Clean Water		522,156			
Capital Total Fund Balance		6,761,215			

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
Water Fund
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
Water Service Fees - Res.	\$283,214	\$1,914,035	\$2,714,980	(\$800,945)	70.5%
Water Service Fees - Comm.	16,339	92,011	145,165	(53,154)	63.4%
Meter Set Fees	11,930	160,905	162,500	(1,595)	99.0%
Irrigation	13,879	178,506	256,190	(77,684)	69.7%
UB - Water Adjustments	(1,969)	(3,857)	-	(3,857)	-
IGA Shared Water Cost Reimb.	1,223	5,704	40,000	(34,296)	14.3%
Billing Fees	2,656	21,821	16,000	5,821	136.4%
Grant Revenue	73	73	-	73	-
Development Inspection Fees	-	34,438	-	34,438	-
Interest Income	-	2	-	2	-
TOTAL REVENUES	327,345	2,403,638	3,334,835	(931,197)	72.1%
EXPENSES					
General & Admin. Expense					
Accounting	-	-	1,000	(1,000)	-
Customer Billing Services	-	31,633	52,800	(21,167)	59.9%
Engineering/Consulting	2,682	26,293	100,000	(73,707)	26.3%
Legal	-	3,542	20,000	(16,458)	17.7%
Tracking should net \$0	-	(0)	-	(0)	-
Personnel Expenses	39,658	265,373	524,311	(258,938)	50.6%
General Operations - Admin	3,209	21,521	66,575	(45,054)	32.3%
TOTAL General & Admin. Expense	45,548	348,362	764,686	(416,324)	45.6%
Operating Expense					
Water Operations General	2,381	71,812	86,000	(14,188)	83.5%
Raw Water Operations	232,904	255,047	375,000	(119,953)	68.0%
Water Treatment Operations	3,261	41,259	473,000	(431,741)	8.7%
Water Distribution Operations	26,030	160,286	184,000	(23,715)	87.1%
Non-Potable Water Operations	394	5,280	21,500	(16,220)	24.6%
Utilities	43,365	317,351	539,685	(222,334)	58.8%
Insurance	3,085	29,202	49,447	(20,245)	59.1%
Vehicle, Equipment & Travel	519	8,684	15,500	(6,816)	56.0%
TOTAL Operating Expense	311,938	888,920	1,744,132	(855,212)	51.0%
TOTAL EXPENSES	357,485	1,237,282	2,508,818	(1,271,536)	49.3%
EXCESS REVENUES OVER (UNDER) EXPENSES	(30,141)	1,166,357	826,017	340,340	
Other Financing Sources (Uses)					
Tap Fees Received	39,000	2,129,000	2,375,000	(246,000)	89.6%
Tap Fees Transferred to MRMD	(39,000)	(2,130,000)	(2,375,000)	245,000	89.7%
Transfer from (to) Capital	(170,830)	(1,388,331)	(2,082,000)	693,669	66.7%
TOTAL Other Financing Sources (Uses)	(170,830)	(1,389,331)	(2,082,000)	692,669	66.7%
NET CHANGE IN FUND BALANCE	(\$200,971)	(\$222,975)	(\$1,255,983)	\$1,033,008	
BEGINNING FUND BALANCE**		2,359,813			
ENDING FUND BALANCE		\$2,136,838			
Operating Fund Balance		831,084			
Emergency Reserve Fund Balance 5%		1,005,754			
Rate Stabilization Fund Balance		300,000			
Total Fund Balance		\$2,136,838			

Meridian Service Metropolitan District
Statement of Revenues, Expenses and Change in Fund Balance
Budget vs. Actual - Accrual Basis
Sewer Fund
For the One Month and Eight Months Ended August 31, 2022

	Month of Aug 2022	YTD Actual	Adopted 2022 Budget	Variance Over (Under) Budget	% of Budget (66.7% YTD)
REVENUES					
Sewer Fees - Res.	\$158,647	\$1,222,755	\$1,848,242	(\$625,487)	66.2%
Sewer Fees - Comm.	3,041	16,063	36,750	(20,687)	43.7%
Sterling Ranch Revenue	-	100,986	1,341,468	(1,240,482)	7.5%
IGA Shared Sewer Cost Reimb.	9,477	50,286	55,000	(4,714)	91.4%
Billing Fees	2,656	21,821	16,000	5,821	136.4%
Grant Revenue	73	73	-	73	-
Development Inspection Fees	-	34,438	-	34,438	-
Interest Income	678	57,243	-	57,243	-
TOTAL REVENUES	174,571	1,503,664	3,297,460	(1,793,796)	45.6%
EXPENSES					
General & Admin. Expense					
Accounting	-	-	1,000	(1,000)	-
Customer Billing Services	-	25,626	42,000	(16,374)	61.0%
Engineering/Consulting	962	9,075	35,000	(25,925)	25.9%
Legal	-	7,154	20,000	(12,846)	35.8%
Personnel Expenses	32,280	282,868	546,175	(263,307)	51.8%
General Operations - Admin	2,539	16,313	49,050	(32,737)	33.3%
TOTAL General & Admin. Expense	35,781	341,036	693,225	(352,189)	49.2%
Operating Expense					
Sewer Operations	42,970	306,731	489,500	(182,769)	62.7%
Lift Station Operations	12,571	87,928	244,200	(156,272)	36.0%
Lift Station Operations-Shared	5,469	75,195	110,100	(34,905)	68.3%
Utilities	12,508	22,290	4,515	17,775	493.7%
Insurance	2,504	20,200	31,367	(11,167)	64.4%
Vehicle, Equipment & Travel	1,510	16,423	26,500	(10,077)	62.0%
TOTAL Operating Expense	77,533	528,767	906,182	(377,415)	58.4%
TOTAL EXPENSES	113,314	869,803	1,599,407	(729,604)	54.4%
EXCESS REVENUES OVER (UNDER) EXPENSES	61,257	633,861	1,698,053	(1,064,192)	
Other Financing Sources (Uses)					
Tap & Transfers from (to) Other Funds					
Tap Fees Received	39,000	2,129,000	2,375,000	(246,000)	89.6%
Tap Fees Transferred to MRMD	(39,000)	(2,130,000)	(2,375,000)	245,000	89.7%
Transfer from (to) Capital	(196,065)	(1,590,237)	(2,384,846)	794,609	66.7%
Transfer from (to) Emer Reserve	(16,665)	(133,340)	(200,000)	66,660	66.7%
Transfer from (to) Emer. (\$2)	(6,736)	(51,874)	(78,000)	26,126	66.5%
TOTAL Tap & Transfers from (to) Other Fund	(219,466)	(1,776,451)	(2,662,846)	886,395	66.7%
Reserves					
Emergency Reserve (5%)	16,665	133,340	200,000	(66,660)	66.7%
Emergency Reserve (\$2) - Sewer	6,736	51,874	78,000	(26,126)	66.5%
TOTAL Reserves	23,401	185,214	278,000	(92,786)	66.6%
TOTAL Other Financing Sources (Uses)	(196,065)	(1,591,237)	(2,384,846)	793,609	66.7%
NET CHANGE IN FUND BALANCE	(\$134,808)	(\$957,376)	(\$686,793)	(\$270,583)	
BEGINNING FUND BALANCE**		3,445,678			
ENDING FUND BALANCE		<u>\$2,488,302</u>			
Operating Fund Balance		796,660			
Emergency Reserve Fund Balance 5%		920,144			
Sewer Reserve Fund Balance \$2		456,498			
Rate Stabilization Fund Balance		315,000			
Total Fund Balance		<u>\$2,488,302</u>			

Meridian Service Metropolitan District
Balance Sheet Summary - Unaudited
As of August 31, 2022

	Aug 31, 22
ASSETS	
Current Assets	
Checking/Savings	16,015,427.39
Accounts Receivable	-1,660,304.51
Other Current Assets	44,060.00
Total Current Assets	14,399,182.88
Fixed Assets	48,076,975.64
Other Assets	302,664.21
TOTAL ASSETS	62,778,822.73
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	832,791.23
Credit Cards	802.84
Other Current Liabilities	14,271,823.68
Total Current Liabilities	15,105,417.75
Long Term Liabilities	31,516,128.97
Total Liabilities	46,621,546.72
Equity	16,157,276.01
TOTAL LIABILITIES & EQUITY	62,778,822.73

Meridian Service Metropolitan District

Balance Sheet - Unaudited

09/30/22

As of August 31, 2022

Accrual Basis

	Aug 31, 22
ASSETS	
Current Assets	
Checking/Savings	
1000000 · Operating Funds	
1000100 · Wells Fargo - Operating	5,850,430.46
1000300 · Petty Cash	386.16
Total 1000000 · Operating Funds	5,850,816.62
110000 · Non-Operating Funds	
1100100 · ColoTrust - CTF from MRMD 8001	28,635.62
1100101 · ColoTrust - CTF from MRMD E001	38,210.06
1100200 · ColoTrust - Reserve 8002	100,428.16
1100201 · ColoTrust - Reserve E002	2,099,926.00
1100400 · ColoTrust - Sewer Reserve 8004	56,198.27
1100401 · ColoTrust - Sewer Reserve E003	386,651.67
1100500 · ColoTrust - Cap Projects 8005	2,213,292.70
1100501 · ColoTrust - Cap Projects E004	4,225,110.85
1100601 · ColoTrust - Rate Stabiliz E005	651,656.32
1100901 · Bank of the San Juans -Reserves	125,028.10
1100904 · Zions Bank Loan Payment Fund	239,473.02
Total 110000 · Non-Operating Funds	10,164,610.77
Total Checking/Savings	16,015,427.39
Accounts Receivable	
1400000 · Accounts Receivable	
1400100 · UB Accounts Receivable	1,038,002.05
1400200 · Accounts Receivable - Non UB	-2,698,306.56
Total 1400000 · Accounts Receivable	-1,660,304.51
Total Accounts Receivable	-1,660,304.51
Other Current Assets	
1500000 · Prepaid Expenses	
1500100 · Prepaid Insurance	44,060.00
Total 1500000 · Prepaid Expenses	44,060.00
Total Other Current Assets	44,060.00
Total Current Assets	14,399,182.88
Fixed Assets	
2100000 · Fixed Assets	
2110000 · Non-Depreciable Assets	
2110100 · Water Rights	257,084.50
Total 2110000 · Non-Depreciable Assets	257,084.50
2120000 · Depreciable Assets	
2120100 · Water System	38,293,567.39
2120200 · Wastewater System	19,204,787.07
2120400 · Systems - Acc. Dep.	-21,915,512.79
Total 2120000 · Depreciable Assets	35,582,841.67
2130000 · Recreation Assets	11,887,621.65
2140000 · Vehicles & Equipment	349,427.82
Total 2100000 · Fixed Assets	48,076,975.64
Total Fixed Assets	48,076,975.64

Meridian Service Metropolitan District

Balance Sheet - Unaudited

09/30/22

As of August 31, 2022

Accrual Basis

	Aug 31, 22
Other Assets	
1600000 · Other Assets	
1600100 · Security Deposit	15,080.00
Total 1600000 · Other Assets	15,080.00
2000000 · Construction in Progress	287,584.21
Total Other Assets	302,664.21
TOTAL ASSETS	62,778,822.73
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	832,791.23
Credit Cards	802.84
Other Current Liabilities	
3100000 · Other Current Liabilities	
3110000 · Payroll Liabilities	1,925.42
3120000 · Retainage Payable	43,979.79
3140000 · Accr Int Payable - Developer	13,591,477.00
3160000 · Deposits Held	6,000.00
3180100 · GTL Loan (Current)	300,000.00
3180300 · Bank of San Juan Loan-Current	328,441.47
Total 3100000 · Other Current Liabilities	14,271,823.68
Total Other Current Liabilities	14,271,823.68
Total Current Liabilities	15,105,417.75
Long Term Liabilities	
3500000 · Long Term Liabilities	
3500100 · Notes Payable	9,315,476.39
3500200 · Cherokee - New WWTP (LT Liab)	17,253,652.58
3500300 · Bank of San Juan TDS Loan	4,347,000.00
3500400 · GTL Loan (LT Liab)	600,000.00
Total 3500000 · Long Term Liabilities	31,516,128.97
Total Long Term Liabilities	31,516,128.97
Total Liabilities	46,621,546.72
Equity	
4000000 · Retained Earnings	23,465,658.36
4000100 · Comprehensive Income	-34,962.77
Net Income	-7,273,419.58
Total Equity	16,157,276.01
TOTAL LIABILITIES & EQUITY	62,778,822.73

Meridian Service Metropolitan District
Statement of Cash Flows - Unaudited
August 2022

	Aug 22
OPERATING ACTIVITIES	
Net Income	-849,573.82
Adjustments to reconcile Net Income to net cash provided by operations:	
1400110 · Accounts Receivable	58,693.37
1400200 · Accounts Receivable - Non UB	4,131,264.99
1500100 · Prepaid Insurance	11,015.00
3000000 · Accounts Payable	433,117.87
3070400 · Conoco Credit Card	-158.92
3110100 · Payroll Taxes Payable	478.60
3110300 · Employee Paid Ins Contrib.	-0.15
3120000 · Retainage Payable	-133,002.70
3160000 · Deposits Held	-2,000.00
	3,649,834.24
Net cash provided by Operating Activities	3,649,834.24
FINANCING ACTIVITIES	
3500200 · Cherokee - New WWTP (LT Liab)	581,439.24
4000100 · Comprehensive Income	7,427.78
	588,867.02
Net cash provided by Financing Activities	588,867.02
Net cash increase for period	4,238,701.26
Cash at beginning of period	11,776,726.13
Cash at end of period	16,015,427.39

Meridian Service Metropolitan District
 2022 Tap Report

Counts	Date	Tap Receipt No.	Service Address	Filing #	Lot #	Builder	Tap Amt Paid	Meter Amt Paid	Check No.	Monthly Totals
218	9/15/2022	3713	10855 Evening Creek Dr	Rolling Hills Ranch 1	161	ZRH Construction	\$ 19,000.00	\$ 655.00	Check #1611	4 September

Meridian Service Metropolitan District
2022 Tap and Meter Set Additional Fees Collected

(Initial) Tap Purchase Date	Tap Receipt No.	Service Address	Builder	Meter Set				Date Paid	Total Additional Amount Collected Prior to Meter Set	
				Tap Fee Paid At Time of Purchase	Fee Paid At Time of Purchase	Additional Tap Fees Due (Per Current Fee Schedule)	Additional Meter Set Fee Due (Per Current Fee Schedule)			
				Purchase	Purchase	Schedule	Fee Schedule			
8/30/2018	2579	12963 Stone Valley Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	1/13/2022	\$ 4,115.00	
6/12/2020	3076	9793 Fairway Glen Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	1/20/2022	\$ 2,055.00	
12/18/2020	3233	12658 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	1/20/2022	\$ 2,055.00	
11/24/2020	3208	12571 Granite Springs Pl	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	1/21/2022	\$ 2,055.00	\$ 10,280.00 Jan-22
11/27/2019	2889	13075 Stone Valley Dr	Campbell Homes	\$ 16,000.00	\$ 575.00	\$ 3,000.00	\$ 80.00	2/9/2022	\$ 3,080.00	
2/28/2020	2963	13028 Stone Valley Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/9/2022	\$ 2,055.00	
11/24/2020	3205	12571 Stone Valley Dr	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/17/2022	\$ 2,055.00	
11/24/2020	3209	12565 Granite Springs Pl	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/17/2022	\$ 2,055.00	
11/24/2020	3206	12563 Stone Valley Dr	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/24/2022	\$ 2,055.00	
11/24/2020	3210	12559 Granite Springs Pl	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/24/2022	\$ 2,055.00	
11/24/2020	3211	12553 Granite Springs Pl	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/24/2022	\$ 2,055.00	
11/24/2020	3212	12547 Granite Springs Pl	Century Comm	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	2/24/2022	\$ 2,055.00	
11/29/2018	2669	12956 Stone Valley Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	2/24/2022	\$ 4,115.00	
11/29/2018	2670	12964 Stone Valley Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	2/24/2022	\$ 4,115.00	
5/30/2019	2767	13011 Stone Valley Dr	Campbell Homes	\$ 16,000.00	\$ 575.00	\$ 3,000.00	\$ 80.00	2/24/2022	\$ 3,080.00	
2/18/2021	3273	12818 Windingwalk Dr	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	2/28/2022	\$ 1,030.00	
2/18/2021	3280	12887 Morning Creek Ln	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	2/28/2022	\$ 1,030.00	\$ 30,835.00 Feb-22
12/3/2020	3223	9877 Meridian Hills Tr	Covington Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	3/8/2022	\$ 2,055.00	
12/3/2020	3224	9885 Meridian Hills Tr	Covington Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	3/10/2022	\$ 2,055.00	
9/15/2020	3174	12618 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	3/11/2022	\$ 2,055.00	
2/18/2021	3272	12814 Windingwalk Dr	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	3/15/2022	\$ 1,030.00	
2/18/2021	3279	12895 Morning Creek Ln	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	3/22/2022	\$ 1,030.00	
2/18/2021	3276	9741 Winding Bend Ln	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	3/29/2022	\$ 1,030.00	
2/18/2022	3281	12879 Morning Creek Ln	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	3/29/2022	\$ 1,030.00	
3/13/2020	2984	12638 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	3/31/2022	\$ 2,055.00	
12/18/2020	3235	12670 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	3/31/2022	\$ 2,055.00	
6/26/2020	3084	10151 Boulder Creek Wy	Covington Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	3/31/2022	\$ 2,055.00	\$ 16,450.00 Mar-22
11/29/2018	2674	10170 Boulder Ridge Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	4/5/2022	\$ 4,115.00	
12/18/2020	3234	12662 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	4/6/2022	\$ 2,055.00	
12/13/2020	3225	9893 Meridian Hills Tr	Covington Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	4/13/2022	\$ 2,055.00	
3/26/2021	3301	9863 Marble Canyon Way	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	4/13/2022	\$ 1,030.00	
4/9/2021	3311	12780 Enclave Scenic Dr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	4/13/2022	\$ 1,030.00	
4/9/2021	3309	12847 Morning Creek Ln	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	4/21/2022	\$ 1,030.00	
2/10/2021	3268	12863 Morning Creek Ln	Reunion Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	4/25/2022	\$ 2,055.00	
4/1/2021	3306	9522 Fairway Glen Dr	Reunion Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	4/25/2022	\$ 1,030.00	\$ 14,400.00 thru April 28
4/14/2021	3313	9853 Marble Canyon Way	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	4/29/2022	\$ 1,030.00	
3/13/2020	2983	12634 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	5/3/2022	\$ 2,055.00	
8/30/2018	2581	12947 Stone Valley Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	5/5/2022	\$ 4,115.00	
3/10/2021	3295	12682 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	5/26/2022	\$ 2,055.00	\$ 9,255.00 May-22
3/13/2020	2981	12626 Windingwalk Dr	Campbell Homes	\$ 16,000.00	\$ 575.00	\$ 3,000.00	\$ 80.00	6/1/2022	\$ 3,080.00	
9/15/2020	3175	12622 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	6/3/2022	\$ 2,055.00	
10/14/2020	3188	9804 Meridian Hills Tr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	6/6/2022	\$ 2,055.00	
4/6/2021	3307	12772 Enclave Scenic Dr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	6/8/2022	\$ 1,030.00	
6/1/2021	3319	12764 Enclave Scenic Dr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	6/8/2022	\$ 1,030.00	
5/19/2021	3316	12740 Enclave Scenic Dr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	6/8/2022	\$ 1,030.00	
12/18/2020	3232	12654 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	6/16/2022	\$ 2,055.00	
11/29/2018	2671	12972 Stone Valley Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	6/23/2022	\$ 4,115.00	
11/29/2018	2672	12980 Stone Valley Dr	Campbell Homes	\$ 15,000.00	\$ 540.00	\$ 4,000.00	\$ 115.00	6/23/2022	\$ 4,115.00	
5/30/2019	2769	12987 Stone Valley Dr	Campbell Homes	\$ 16,000.00	\$ 575.00	\$ 3,000.00	\$ 80.00	6/23/2022	\$ 3,080.00	
3/13/2020	2982	12630 Windingwalk Dr	Campbell Homes	\$ 16,000.00	\$ 600.00	\$ 3,000.00	\$ 55.00	6/24/2022	\$ 3,055.00	\$ 23,645.00 Jun-22
10/14/2020	3189	9812 Meridian Hills Tr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	7/12/2022	\$ 2,055.00	
12/18/2020	3236	12674 Windingwalk Dr	Campbell Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	7/13/2022	\$ 2,055.00	
3/26/2021	3302	9843 Marble Canyon Wy	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	7/20/2022	\$ 1,030.00	
6/18/2021	3323	9812 Marble Canyon Wy	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	7/20/2022	\$ 1,030.00	
6/22/2021	3325	9822 Marble Canyon Wy	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	7/20/2022	\$ 1,030.00	
7/26/2021	3339	9948 Meridian Hills Tr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	7/29/2022	\$ 1,030.00	
7/26/2022	3338	9940 Meridian Hills Tr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	7/29/2022	\$ 1,030.00	\$ 9,260.00 Jul-22
8/6/2021	3343	12716 Enclave Scenic Dr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	8/9/2022	\$ 1,030.00	
7/27/2022	3340	9956 Meridian Hills Tr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	8/26/2022	\$ 1,030.00	\$ 2,060.00 Aug-22
12/8/2020	3226	12875 Stone Valley Dr	Creek Stone Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	9/15/2022	\$ 2,055.00	
12/21/2020	3237	12867 Stone Valley Dr	Creek Stone Homes	\$ 17,000.00	\$ 600.00	\$ 2,000.00	\$ 55.00	9/15/2022	\$ 2,055.00	
8/27/2021	3346	9932 Meridian Hills Tr	Covington Homes	\$ 18,000.00	\$ 625.00	\$ 1,000.00	\$ 30.00	9/15/2022	\$ 1,030.00	\$ 5,140.00 Sep-22

**Meridian Service Metropolitan District
Vendor Payment Register Report - Summary
Finance Committee - Payments to Approve
October 5, 2022**

<u>Date</u>	<u>Payment Type</u>	<u>Vendor</u>	<u>Amount</u>
10/05/22	ePayment	All Rental Center Inc	\$ 2,975.27
10/05/22	ePayment	Aqueous Solution Inc.	\$ 4,367.00
10/05/22	Check	Black Hills Energy	\$ 6,090.65
10/05/22	Vendor Direct	BrightView Landscape Services Inc.	\$ 45,433.00
10/05/22	ePayment	Browns Hill Engineering & Controls, LLC	\$ 2,332.40
10/05/22	Check	Bruno's Party Time Rental	\$ 832.27
10/05/22	ePayment	Carlson, Hammond & Paddock, LLC	\$ 2,022.90
10/05/22	Check	CEBT Payments	\$ 15,826.78
10/05/22	Check	Colorado Springs Winwater	\$ 311.05
10/05/22	ePayment	Core & Main LP	\$ 1,307.50
10/05/22	Check	CPS Distributors, Inc	\$ 3,413.68
10/05/22	ePayment	CRS Community Resource Services	\$ 13,974.41
10/05/22	ePayment	CSU Colorado Springs Utilities	\$ 38.84
10/05/22	Vendor Direct	El Paso County Public Health	\$ 268.50
10/05/22	Check	Filtronics	\$ 384,303.00
10/05/22	Check	Grainger	\$ 2,604.01
10/05/22	ePayment	Jan-Pro of Southern Colorado	\$ 2,735.25
10/05/22	ePayment	JDS-Hydro Consultants, Inc.	\$ 15,681.88
10/05/22	Check	John Deere Financial	\$ 183.89
10/05/22	Vendor Direct	LONG Building Technologies	\$ 3,249.00
10/05/22	Check	Lytle Water Solutions, LLC	\$ 13,448.25
10/05/22	ePayment	Municipal Treatment Equipment Inc.	\$ 49.40
10/05/22	Check	Pioneer	\$ 5,682.57
10/05/22	Vendor Direct	Rampart Supply Inc.	\$ 79.86
10/05/22	ePayment	Rob's Septic Service & Porta-Pot Rental	\$ 600.00
10/05/22	Check	Shops at Meridian Ranch, LLC	\$ 95.88
10/05/22	Vendor Direct	Spencer Fane LLP	\$ 6,628.20
10/05/22	Check	Tech Builders Inc	\$ 2,070.76
10/05/22	Check	Ten Point Sales & Marketing, LLC	\$ 19,596.77
10/05/22	Vendor Direct	USA BlueBook	\$ 668.06
10/05/22	Check	VertiCloud Networks LLC	\$ 3,167.40
10/05/22	Vendor Direct	Waste Management of Colorado Springs	\$ 1,507.72
BDC Total			\$ 561,546.15
10/05/22	ACH	Conoco Fleet Services	\$ 2,112.24
10/05/22	Check# 13319	HPA US1	\$ 196.11
Total Payments	34	Total Payments	\$ 563,854.50

<u>Payroll Transactions</u>	<u>09/01-09/30/22</u>
BOD Payroll:	\$ 430.60
Bi-weekly Payroll:	\$ 168,320.26
Payroll & HR Services:	\$ 998.73
Total:	\$ 169,749.59

Meridian Service Metropolitan District
Vendor Payment Register Report - Summary
Finance Committee - Payments to Ratify
September 23, 2022

<u>Date</u>	<u>Payment Type</u>	<u>Vendor</u>	<u>Amount</u>
09/23/22	Check	Amazon Capital Services	\$ 1,052.57
09/23/22	ePayment	Aqueous Solution Inc.	\$ 4,953.50
09/23/22	Check	Badger Meter	\$ 2,392.44
09/23/22	ePayment	BailOut Window Cleaning	\$ 30.00
09/23/22	ePayment	Beers Construction LLC	\$ 161,861.00
09/23/22	ePayment	Browns Hill Engineering & Controls, LLC	\$ 2,085.00
09/23/22	Check	Carrie Billingsly	\$ 69.99
09/23/22	Vendor Direct	CenturyLink - FP	\$ 200.76
09/23/22	Vendor Direct	CenturyLink - LS	\$ 251.87
09/23/22	Check	CIT-First Citizens Bank & Trust CO	\$ 177.92
09/23/22	ePayment	Club Automation, LLC	\$ 3,251.92
09/23/22	Vendor Direct	Colorado Analytical Lab	\$ 1,841.00
09/23/22	Vendor Direct	Comcast - MRRC	\$ 405.54
09/23/22	Vendor Direct	Comcast - Office	\$ 327.19
09/23/22	Check	El Paso County Public Health Laboratory	\$ 273.00
09/23/22	Check	Front Range Kubota, Inc	\$ 876.00
09/23/22	Check	Front Range Winwater	\$ 2,350.00
09/23/22	Check	Grainger	\$ 167.02
09/23/22	Check	GTL Development Inc.	\$ 1,440.40
09/23/22	Check	Home Depot Credit Services	\$ 626.15
09/23/22	Check	Infra Pipe Solutions Ltd.	\$ 207,143.76
09/23/22	Check	Luke Schmidt	\$ 538.95
09/23/22	Vendor Direct	Meineke	\$ 42.94
09/23/22	Vendor Direct	Morning Star Elevator, LLC	\$ 244.00
09/23/22	Vendor Direct	Mug-A-Bug Pest Control	\$ 62.00
09/23/22	ePayment	Municipal Treatment Equipment Inc.	\$ 42.99
09/23/22	Check	MVEA	\$ 71,106.66
09/23/22	Vendor Direct	Northern Tool & Equipment	\$ 268.44
09/23/22	Vendor Direct	O'Reilly Automotive	\$ 7.99
09/23/22	Vendor Direct	Rampart Supply Inc.	\$ 547.35
09/23/22	Check	Shops at Meridian Ranch, LLC	\$ 4,107.93
09/23/22	Check	Thatcher Company, Inc	\$ 12,592.55
09/23/22	Vendor Direct	UniFirst First Aid & Safety	\$ 1,109.45
09/23/22	Vendor Direct	USA BlueBook	\$ 1,765.70
09/23/22	Check	Utility Maintenance and Inspections LLC	\$ 200.00
09/23/22	Check	Utility Notification Center of Colorado	\$ 547.30
09/23/22	Vendor Direct	Waste Management of Colorado Springs	\$ 789.65
09/23/22	Check	WHMD Woodmen Hills Metropolitan District	\$ 6,775.00
		BDC Total	\$ 492,525.93
09/23/22	Check #13318	Summer Goodwin	\$ 422.59
Total Payments	39	Total Payments	\$ 492,948.52



MERIDIAN SERVICE METROPOLITAN DISTRICT
Water, Wastewater, Parks and Recreation
11886 Stapleton Dr, Falcon, CO 80831
719-495-6567, Fax 719-495-3349

DATE: September 23, 2022
TO: MSMD Board of Directors
RE: Finance Committee Report

On September 23, 2022 the Board's Finance Committee, Directors Gabrielski and Sauer met with Jim Nikkel, General Manager and Jennette Coe, AFS Manager. The following is a summary of the meeting:

- The Finance Committee approved interim MSMD payments in the amount of \$492,948.52 and directed staff to add this to the Board's October 2022 agenda for ratification.
- Staff presented bank account details for ColoTrust Edge Accounts.
- Staff reviewed the \$2 Sewer Reserve transfer procedure and determined to end this as of 2023 since the balance of the reserve account meets the target balance.
- Staff presented information on the 2023 renewal of health insurance

Submitted by:

A handwritten signature in black ink, appearing to read "Milton B. Gabrielski".

Milton B. Gabrielski, Finance Committee Chair

MSMD Operations Report for September 2022

September water operations completed the monthly Bac-T sampling with no issues. Lead and Copper samples were collected and dropped off for analysis. Monthly water meter reading and water usage performed on 9-26-22. LFH-3 has been reinstalled pending start up due to a delay in getting the water level sensor. Startup completion is scheduled for mid-October. Coating rehab on the 2 MG tank has been awarded, tank draining should be completed end of September barring any unforeseen draining issues. Staff continued dead end flushing and hydrant maintenance with 55 dead ends flushed. A handheld electric valve turning tool was purchased to assist staff with valve maintenance.

Parks and drainage personnel continued dead tree removal. Several tons of planter bed rock and large rip rap rock have been ordered, received, and staged at the filter plant. Planter bed rehab will continue over the next several weeks. Preparations for irrigation winterization have begun with irrigation blow outs tentatively scheduled to begin in mid-October. A water trailer has been purchased for winter watering and planter bed renovation.

Staff performed weekly infiltration gallery inspections and recorded water level logging data. Monthly flow measurement and calculations were taken on 9-29-22.

The irrigation pond level is slowly being lowered for winter maintenance. Algae and water dye are being added as needed.

Wastewater operations staff completed weekly composite sampling and drop off to Cherokee. Weekly Hydrogen Sulfide (H₂S) and Total Dissolved Solids (TDS) samples were collected during weekly sewer flow meter inspections. Crews worked on gravity sewer line cleaning. The filter plant manhole was also cleaned mid and the end of September. Replacement air vacs arrived 9-22-22 with installed tentatively scheduled for mid-October. Pending scheduling, grease accumulation in the grit chamber will be removed in the up-coming weeks. A sewer department employee has left to join wastewater treatment at the Cherokee facility. Andrew was a hard worker and passionate towards his work in the industry, he will be missed.

Upcoming or continued water tasks:

- Monthly meter reading (completed ~~1-27-22, 2-28, 3-25, 4-25, 5-25, 6-25, 7-25, 8-25, 9-26, 10-25, 11-28, 12-27~~)
- Monthly Bac-T sampling (~~Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sept, Oct, Nov, Dec~~)
- ~~1st Quarter monitoring and sampling~~
- ~~2nd Quarter monitoring and sampling~~
- ~~3rd Quarter monitoring and sampling~~
- 4th Quarter monitoring and sampling
- ~~Well step testing (mid February 2-8, 2-10, 2-18, 2-25-22)~~
- ~~Lead and Copper Sampling (bi-yearly)~~ **Completed, pending results**
- ~~Flow control valve replacement (completed 5-23-22)~~
- ~~Reclamation tank pipe expansion (completed 5-20-22)~~

Upcoming or continued parks and drainage:

- Continue irrigation repairs/testing (in progress)
- ~~2022 annual backflow testing (completed)~~
- ~~Irrigation spring start up~~
- Irrigation winterization
- Continue fence repairs (in progress)
- Mulch/rock replacement in planter beds (in progress)
- Dead tree removal (in progress)

Upcoming or continued wastewater tasks:

- Sewer force main air vac maintenance/vault inspections **(in progress)**
- Sewer force main flow meter replacement/relocate
- Infiltration pit maintenance **(in progress)**
- ~~Infiltration pit logger installs (2) (pending weather, in progress)~~
- Sewer line maintenance **(underway)**

October 5th, 2022 Recreation Board Report

Usage Numbers September 1-29, 2022

Total Attendance – 10402

Group Ex – 861 participants. Of those we received \$432 from non-members

Childcare attendance – 305

Parents Night Out – 40 children. \$655

Parties – 7 pool parties, 1 Auditorium rental

Revenue collected - **\$14,991.00**

Pulse Check:

The recreation slowed down for general usage in September, but programming continued to stay strong and keep us busy.

The sports department is currently running youth flag football and adult basketball while registering for youth basketball and BJJ classes. Everything is going well, and Tevin continues to grow his programs and run excellent leagues. The aquatics department continues to fill swim lessons and keep staff trained and ready to respond.

The Daddy Daughter dance was a success, and we were fully registered the week prior to the event. Rachel led the effort and put in many hours creating the decorations, recruiting staff to assist her with needed tasks, securing face painters, a DJ, catering, and table rentals, as well as executing the event. The annual trunk or treat, festival of trees, and cookies with Santa are the remaining events to close out the year.

Winterization of the outdoor pool is complete and went to plan. Annual maintenance on heaters and LED's is scheduled. Ross electric was out to fix a warranted light in the parking lot, as well as look at the pulley for the divider they replaced. Still waiting on our permit to begin garage construction. One of the outdoor volleyball poles outside has come loose and we are re-concreting next week. We had our fitness equipment upholstery replaced on all the machines that were in need. There were multiple cables replaced in equipment that had worn out. Elevator quarterly maintenance was just completed as well as the fire inspection on the unit. Cintas will be out next week to preform backflow testing.

BID TABULATION

Project: **2.0 MG Tank Interior Recoat**
 Owner: **Meridian Service Metropolitan District**
 Engineer: JDS-Hydro, a Division of RESPEC LLC
 Bid Date: September 15, 2022 @ 2:00 PM

<u>BID SCHEDULE</u>	<i>General Conditions</i>	<i>Sandblasting & Painting</i>	<i>Conduit Mounting & Exterior Touchup</i>	<i>Repairs as Needed</i>	<i>Disinfection</i>	<i>Total Bid Price</i>
Contractor	1 LS	1 LS	1 LS	24 HRS	1 LS	
TMI Coating	\$20,000.00	\$387,000.00	\$8,000.00	\$4,800.00	\$2,000.00	\$421,800.00
Viking Painting	\$22,100.00	\$362,100.00	\$3,000.00	\$6,000.00	\$1,000.00	\$394,200.00
Swedish Industrial Coatings	\$10,150.00	\$319,352.00	\$12,500.00	\$3,000.00	\$1,200.00	\$346,202.00
<i>Averages</i>	\$17,416.67	\$356,150.67	\$7,833.33	\$4,600.00	\$1,400.00	\$387,400.67

SECTION 00500

AGREEMENT

THIS AGREEMENT is dated as of the 20th day of September in the year 2022 by and between

MERIDIAN SEVICE METROPOLITANDISTRICT (hereinafter called **OWNER**)

and

SWEDISH INDUSTRIAL COATINGS, LLC (hereinafter called **CONTRACTOR**)

OWNER and **CONTRACTOR**, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 – WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

Meridian Service Metropolitan District – 2.0 MG Tank – Painting

The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

Work to be performed generally includes: sandblasting, painting, disinfection of the interior of a 2.0 MG potable water storage tank, the ability to post performance and payment bonds, and ability to deliver the work in conformance with specifications within the contract time.

ARTICLE 2 – ENGINEER

The Project has been designed by JDS-Hydro, a Division of RESPEC, who is hereinafter called **ENGINEER** and who will have the rights and authority assigned to **ENGINEER** in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3 – CONTRACT TIME

3.1 The **CONTRACTOR** shall commence performance on the project by the date specified in the Notice to Proceed. Substantial and Final Completion dates are as follows:

3.1.1 November 30th, 2022 – Substantial Completion

3.1.2 December 30th, 2022 – Final Completion

3.2 Liquidated Damages. **OWNER** and **CONTRACTOR** recognize that time is of the essence of this Agreement and that **OWNER** will suffer financial loss if the Work is not completed within the substantial completion dates specified in the Agreement, Section 00500. They also recognize the delays, expenses and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by **OWNER** if the Work is not completed on time. Accordingly, instead of requiring any such proof, **OWNER** and **CONTRACTOR** agree that as liquidated damages for delay (but not as a penalty) **CONTRACTOR** shall pay **OWNER** One Thousand Dollars (\$1,000.00) for each day that expires after the time specified for intermediate and substantial completion dates until that portion of the Work is substantially complete, and Five Hundred Dollars (\$500.00) for each day after substantial completion until final completion occurs.

ARTICLE 4 – CONTRACT PRICE

4.1 For the performance of Work and completion of the Project as specified in the Contract Documents, **OWNER** shall pay **CONTRACTOR** Three Hundred Forty Six Thousand Two Hundred Two Dollars (\$346,202), in accordance with the Contract Documents. The Agreement Price shall be subject to

adjustment for changes in the Drawings and Specifications or for extensions of time to complete performance, if approved by **OWNER** and **CONTRACTOR** as hereinafter provided, and for changes in quantities, if bid on a unit-price basis in the Bid Form, which shall be verified by **ENGINEER**.

ARTICLE 5 – PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by **ENGINEER** as provided in the General Conditions.

- 5.1 Progress Payments. **OWNER** shall make progress payments on account of the Contract Price on the basis of **CONTRACTOR**'s Applications for Payment as recommended by **ENGINEER** at the times described in the Supplementary Conditions during construction and as provided below. All progress payments will be on the basis of the progress of the Work measured by the schedule of values provided for in Paragraph 14.01 of the General conditions.
- 5.2 Pursuant to C.R.S. 24-91-101, et seq., as amended, an amount equal to five percent (5%) of the amount shown to be due the contractor on each application for payment shall be withheld until work required by the Agreement documents has been performed to the satisfaction of the **OWNER**. The withheld percentage shall be administered according to C.R.S. 24-91-101 through 110, et seq. and 38-26-101, et seq., as amended, and shall be retained until final payment.
- 5.3 **CONTRACTOR** acknowledges and agrees that **OWNER** is a political subdivision of the State of Colorado and, as such, (1) any and all financial obligations described herein are subject to annual budget and appropriations requirements, (2) neither **CONTRACTOR** nor any of **CONTRACTOR**'S subcontractors, if any, shall have lien rights against the **OWNER**, nor against any property lying within the boundaries of the **OWNER** in the event of nonpayment of any amount due under this Agreement or the Contract Documents, and (3) **OWNER** is exempt from sales and use taxes, and it is **CONTRACTOR**'S responsibility to obtain and use the sales tax exemption number of **OWNER**. **OWNER** shall not reimburse **CONTRACTOR** for sales or use taxes erroneously paid.

ARTICLE 6 – INTEREST

All moneys not paid when due hereunder shall bear interest at the rate of 10% annually, except in instances where **OWNER** contests owing such monies, in which case interest shall accrue only if **CONTRACTOR**'s claim is upheld.

ARTICLE 7 – CONTRACTOR'S REPRESENTATIONS

In order to induce **OWNER** to enter into this Agreement **CONTRACTOR** makes the following representations:

- 7.1 **CONTRACTOR** has familiarized himself with the nature and extent of the Contract Documents, Work, locality and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the Work.
- 7.2 **CONTRACTOR** has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting cost, progress or performance of the Work which were relied upon by **ENGINEER** in the preparation of the Drawings and Specifications and which have been identified in the Supplementary Conditions.
- 7.3 **CONTRACTOR** has made or caused to be made examinations, investigations and tests and studies of such reports and related data in addition to those referred to in Paragraph 7.2 as he deems necessary for the performance of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and the Contract Documents; and no additional

examinations, tests, reports or similar data are or will be required by **CONTRACTOR** for such purposes.

7.4 **CONTRACTOR** has correlated the results of all such observations, examinations, investigations, tests reports and data with the terms and conditions of the Contract Documents.

7.5 The **CONTRACTOR** certifies that the **CONTRACTOR** shall comply with the provisions of CRS 8-17.5-101, et seq. The **CONTRACTOR** shall not knowingly employ or contract with an illegal alien to perform work under this public contract or enter into a contract with a subcontractor that fails to certify to the **CONTRACTOR** that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this public contract. The **CONTRACTOR** represents, warrants, and agrees that it (i) has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this public contract through participation in the e-verify program or the department program. The **CONTRACTOR** shall comply with all reasonable requests made in the course of an investigation by the Colorado Department of Labor and Employment. If the **CONTRACTOR** fails to comply with any requirement of this provision or CRS 8-17.5-101, et seq., the **OWNER** may terminate this contract for breach of contract, and the **CONTRACTOR** shall be liable for actual and consequential damages to the **OWNER**. The **CONTRACTOR** is prohibited from using either the e-verify program or the department program procedures to undertake pre-employment screening of job applicants while this public contract is being performed.

If the **CONTRACTOR** obtains actual knowledge that a subcontractor performing work under this contract knowingly employs or contracts with an illegal alien, the **CONTRACTOR** shall:

(a.) Notify the subcontractor and the **OWNER** within three days that the **CONTRACTOR** has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

(b.) Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to sub-paragraph (a) above, the subcontractor does not stop employing or contracting with the illegal alien, unless the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

ARTICLE 8 – CONTRACT DOCUMENTS

The Contract Documents which comprise the entire agreement between **OWNER** and **CONTRACTOR** are attached to this Agreement, made a part hereof and consist of the following:

- 8.1 Agreement (Pages 1 to 5, inclusive)
- 8.2 Notice of Award
- 8.3 Notice to Proceed
- 8.4 Performance and Payment Bonds, consisting of 2 pages.
- 8.5 General Conditions (Pages 1 to 38 inclusive)
- 8.6 Supplementary Conditions (Pages 1 to 6)
- 8.7 Specifications bearing the title, “Meridian Service Metropolitan District – 2.0 MG Tank Interior Recoat”
- 8.8 Addenda numbers 1 to 1 inclusive.
- 8.9 **CONTRACTOR**'s Bid Form, (Pages 1 to 3, inclusive) marked Exhibit "A".

- 8.10 Documentation submitted by **CONTRACTOR** prior to Notice of Award (Pages 1 to 2, inclusive).
- 8.11 Drawings consisting of sheets Cover, G1, C1, & P1 entitled "Meridian Service Metropolitan District – 2.0 MG Tank Interior Recoat"
- 8.12 Any Modification, including Change Orders, duly delivered after execution of Agreement.

There are no Contract Documents other than those listed above in this Article 8. The Contract Documents may only be altered, amended or repealed by a Modification (as defined in Section 1 of the General Conditions).

ARTICLE 9 – MISCELLANEOUS

- 9.1 Terms used in this Agreement which are defined in Article 1 of the General Conditions shall have the meanings indicated in the General Conditions.
- 9.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- 9.3 **OWNER** and **CONTRACTOR** each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partner, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

ARTICLE 10 – OTHER PROVISIONS

- 10.1 No elected official, director, officer, agent or employee of the **OWNER** shall be charged personally or held contractually liable by or to **CONTRACTOR** under any term or provision of this Agreement or the Contract Documents, or because of any breach thereof or because of its or their execution, approval or attempted execution of this Agreement or the Contract Documents.
- 10.2 Nothing in this Agreement nor in the Contract Documents shall be construed as a waiver by the **OWNER** of the provisions and protections contained in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., as amended from time to time.
- 10.3 As required by Section 38-26-106, C.R.S., and as set forth in the Contract Documents (Section 8.4 above), **CONTRACTOR** agrees at **CONTRACTOR'S** expense, to provide and continuously maintain for the term of this Agreement, performance and payment bonds from a surety company licensed to do business in the State of Colorado in a form acceptable to and enforceable by the **OWNER** in an amount equal to one hundred percent (100%) of the cost of the Work under this Agreement that guarantees faithful performance of this Agreement and any changes thereto, and payments to suppliers of materials and labor.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement in triplicate. One counterpart each has been delivered to **OWNER**, **CONTRACTOR**, and **ENGINEER**. All portions of the Contract Documents have been signed or identified by **OWNER** and **CONTRACTOR** or by **ENGINEER** on their behalf.

This Agreement will be effective on September 20, 2022.

OWNER Meridian Service Metropolitan District **CONTRACTOR** Swedish Industrial Coatings, LLC

BY _____
(Corporate Seal)

BY _____
(Corporate Seal)

ATTEST _____

ATTEST _____

Address for giving notices:

Address for giving notices

License No. _____

Agent for service of process:

END OF SECTION

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MERIDIAN SERVICE METROPOLITAN DISTRICT**

**RESOLUTION DECLINING ALL PARTICIPATION IN COLORADO’S FAMILY AND
MEDICAL LEAVE INSURANCE PROGRAM**

In the matter of participation in Colorado’s Family and Medical Leave Insurance program, the Board of Directors (“Board”) of the Meridian Service Metropolitan District (“District”) hereby adopts this Resolution as follows:

WHEREAS, Colorado has passed the Paid Family and Medical Leave Insurance Act (“Act”), C.R.S. §§ 8-13.3-501 *et seq.*, which establishes a state-administered Family and Medical Leave Insurance (“FAMLI”) program funded through premiums paid by employers and employees;

WHEREAS, effective January 1, 2023, the FAMLI program requires employers with 10 or more employees to begin paying premiums to the Colorado Department of Labor and Employment equal to 0.9% of each employee’s wages, of which half may be collected through payroll deductions on wages paid to employees;

WHEREAS, effective January 1, 2023, the FAMLI program requires employers with fewer than 10 employees to begin paying premiums to the Colorado Department of Labor and Employment equal to 0.45% of each employee’s wages, all of which may be collected through payroll deductions on wages paid to employees;

WHEREAS, pursuant to C.R.S. § 8-13.3-522 and 7 C.C.R. 1107-2:2.6, a local government may decline all participation in the FAMLI program by an affirmative vote of its governing body;

WHEREAS, the Board of Directors is the governing body of the Meridian Service Metropolitan District;

WHEREAS, on October 5, 2022, following all public notice and other requirements mandated by the Act and its implementing regulations, the Board held a public meeting to consider and vote on the District’s participation in the FAMLI program; and

WHEREAS, the District has found and does hereby find that it is in the best interests of the District, its employees, and the public to decline all participation by the District in the FAMLI program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MERIDIAN SERVICE METROPOLITAN DISTRICT OF EL PASO COUNTY, COLORADO AS FOLLOWS:

1. Pursuant to C.R.S. § 8-13.3-522 and 7 C.C.R. 1107-2, the District declines all participation in Colorado’s FAMLI program.

2. Pursuant to 7 C.C.R. 1107-2:2.5, this declination is not permanent and the District's participation in the FAML I program must be reconsidered every 8 years, at a minimum.

3. Pursuant to C.R.S. § 8-13.3-514, District employees may elect to individually participate in the FAML I program. Should an employee elect to individually participate in the FAML I program, the employee shall be responsible for submitting all required premiums and all required wage data to the Colorado Department of Labor and Employment's Division of Family and Medical Leave Insurance ("Division"). The District shall not collect the employee's FAML I premiums through payroll deductions or remit any premiums to the Division on the employee's behalf, and the District shall not make any wage reports to the Division concerning the employee's wage data.

4. As mandated by the Act and its implementing regulations, the District shall provide all required notices related to this declination vote to the Division and the District's employees, post all required workplace notices related to this declination vote, and fulfill all other notice and posting requirements related to this declination vote.

5. This Resolution shall be effective immediately.

Adopted and approved this 5th day of October, 2022.

MERIDIAN SERVICE METROPOLITAN
DISTRICT

By: _____
Milton Gabrielski, President

ATTEST:

By: _____
Secretary

FAMLI and Special Districts

(Local Governments)

Division of Family and Medical Leave Insurance
famli.colorado.gov

June 17, 2022 - Special District Association of
Colorado



COLORADO
Department of
Labor and Employment



What is FAMLI?

- Colorado's Family and Medical Leave Insurance (FAMLI) program will ensure all Colorado workers have access to paid leave during certain life events.
- Colorado's FAMLI program will have capacity to cover most workers, including self-employed individuals and independent contractors.
- The FAMLI program is a social insurance program with both employers and employees contributing to the fund that will eventually pay out benefits.
- The premiums are set to 0.9% of the employee's wage, with 0.45% paid by the employer and 0.45% paid by the employee.

FAMLI and Special Districts



Unlike private employers, local governments have options regarding their participation in Colorado's paid FAMLI program.

A local government's options to participate:

Participate in FAMLI.

- You pay the employer share of the premium like any other employer.
- That's 0.45% of wages if you have 10 or more employees, and 0% of wages if you have fewer than 10 employees.
- You remit employees' share of the premium (0.45% of wages) and submit wage data to the FAMLI Division once a quarter.

Decline *all* participation in FAMLI.

- Your local government must vote not to participate.
- Then you must notify the FAMLI Division of your decision.
- The local government must revisit the decision to opt out at least every eight years.
- Not offering paid family leave could place a local government at a disadvantage when competing for talent with employers who do.

Decline *employer* participation in FAMLI.

- If the local government votes to decline, it still has the option to assist its employees who want to individually participate in FAMLI.
- This means the local government would facilitate voluntary payroll deductions, remit the employee share of the premium, and submit wage data once a quarter to the FAMLI Division.

First Vote
Anytime before
January 1, 2023



180 Days Prior to Change in Benefits

Notify employees of any forthcoming changes. This will not apply in 2022 as benefits won't be until 2024.



Within 30 Days

Notify employees of decision



3 Years

Required length of participation if a local government chooses to opt in after previously opting out.

8 Years

A vote to opt out of the program must be held at least every 8 years.



Voting Timelines

FAQs from Local Governments

Employee Participation

Q: Do local governments need an equivalent private plan in place in order to opt out?

A: No. Local governments only need their governing body to conduct a vote to opt out.

Q: As a public employee, if my local government opts out, how do I opt in?

A(1): If your local government employer decides to opt out of *all* participation in the program, you as an employee have the option of opting in on your own. You would have to register within the FAMLI system this fall as a self-employed worker, and you would be responsible for remitting your wage data and 0.45% of your wages to FAMLI every quarter.

A(2): If your local government employer decides to opt out but help individual employees with the administrative burden, you will see a deduction on your paycheck starting in January 2023 and will be eligible to apply for benefits in 2024. Your employer will be responsible for remitting your half of the premium and your wage data every quarter.

Q: Can local government employees opt out?

A: If a local government opts into the FAMLI program, its employees cannot opt out. If the local government decides to opt out, its employees have the option of opting in.

Additional Resources

Tools for Local Governments

- Local Governments Page
- Pre-Recorded Local Governments Webinar
- Local Government Fact Sheet
- HR Fact Sheet
- Pay Stub Example
- Breakroom Poster
- Premium and Benefits Calculator

We want to hear from you!

We want to build a FAMLI program that is fair and meets the needs of both employers and workers.

Please help us by:

- *Participating in our webinar series*
- *Sharing your ideas and concerns*

Your input is essential!



WEBSITE

famli.colorado.gov



EMAIL

cdle_famli_info@state.co.us



FACEBOOK, TWITTER, LINKEDIN

[@ColoradoFAMLI](#)



Thank You!



COLORADO
Department of
Labor and Employment

Summary of Family Leave-related Benefits

	MSMD Benefits					
	Workers Compensation Insurance	Short Term Disability	Health Insurance	Paid sick leave	FMLA (federal Family and Medical Leave Act)	FAMLI (State of Colorado Family and Medical Leave Insurance)
What does it cover?	2/3 of earnings & medical expenses due to on-the-job injury or illness.	2/3 of earnings for up to six months in the case of a covered disability.	Part of medical expenses for non-work-related injury or illness.	Time away from work for illness; 1 hour paid sick leave for every 30 hours worked up to 48 hours/year.	Job-protected, unpaid leave for an employee's or family member's illness.	Pays part of employee's weekly wage for up to 12 weeks every year (16 weeks for childbirth complications).
Who is covered?	All employees.	Full-time employees.	Full-time employees.	All employees.	Employees who have worked more than 1,040 hours in the most recent 12 months (~20 hours/week).	Any employee who has earned at least \$2,500 in wages in Colorado within the last 4 calendar quarters.
How much does it cost the District?	The District pays an average of \$800 per employee per year for the coverage.	The District pays an average of \$250 per full-time employee for the coverage; ~\$22,700 in 2023.	The District pays 75% of premiums for employee and family coverage for plans that range from \$600 - \$1,600 per month; ~\$130,000 in 2023.	Employees current rate.	No costs.	Employer & employee both pay 0.45% of gross salary to the State of Colorado.
How much does it cost employees?	\$0	\$0	Employees pay 25% of premiums: \$150 - \$400 per month depending on coverage.	\$0	\$0	0.45% of salary. For an employee that makes \$25/hour, or \$52,000/year, cost would be \$234/year, or \$19.50/month.
Is it required by law?	Yes	No	No	Yes (HFWA)	Yes	Local government employees may opt out of the program.

FAMLI Program FAQ, with Example Resolution and Notification Letter:

July 25, 2022

These two Q&A sections below address some general questions about the Colorado Family Medical Leave Insurance (FAMLI) Program and overview local government employer options. Also, below are examples of a Resolution to Opt-Out of the FAMLI Program and a companion Notification to Employees of the opt-out action.

This information is provided as an SDA Member service; it is not intended as legal advice. If you have questions or need assistance, please reach out to your district’s legal counsel, human resource professionals, or use CSD Pool resources if your district is a Pool Member.

If your District elects to opt-out of the FAMLI Program, your District Board **must take action** to notify the Division of Family Medical Leave Insurance (the “Division”) **before January 1, 2023** to avoid automatic enrollment and premium payment obligation.

I. General information about FAMLI

Question	Answer
What is FAMLI?	The Colorado Family Medical Leave Insurance (FAMLI) Program was approved at the 2020 statewide election and generally requires payment of payroll premiums starting <u>January 1, 2023</u> , to provide up to twelve (12) weeks of paid FAMLI leave beginning <u>January 1, 2024</u> .
What agency is administering this program?	The Division of Family Medical Leave Insurance (the “Division”) in the Colorado Department of Labor and Employment is administering the FAMLI Program. The Division has an active webpage , with training and information.
To which employers does this apply?	Unlike the federal Family and Medical Leave Act (FMLA), the new Colorado FAMLI requirement applies to employers of any size, public or private. There are exceptions from participating for: <ul style="list-style-type: none">• employers providing leave through a private plan that meets or exceeds the requirements of FAMLI, or• local government employers declining to participate. <i>See below.</i>
How are premiums collected and benefits paid?	In general, employers and employees will both pay premiums, which is similar to unemployment benefits (UI). <ul style="list-style-type: none">• Employers with 10 or more employees will pay a premium of 0.45% of wages.

	<ul style="list-style-type: none"> • Employers with fewer than 10 employees will not pay an employer premium. • Employees will pay a premium of 0.45% of wages. <p>Employers will collect and remit employee premiums, unless the employer has been granted a waiver or is a local government employer that has opted-out entirely.</p>
How do employees get paid?	Similar to UI, employees make a claim to the Division for FAML I benefits and will be paid through the FAML I Program during their leave (rather than being paid by the employer.)
How does leave under FAML I differ from other types of paid leave?	<p>The Division has information and training on this issue. The March 31, 2022 Division webinar may be viewed at this link, the slides are available at this link, and the FAQs are here.</p> <p>The Division FAQ document responds to a lot of questions on how leave benefits under FAML I may differ or interact with federal FMLA and other types of paid sick leave or paid time off.</p> <p>Materials from the March 31, 2022 webinar indicate that additional information, including a matrix describing how leave programs may interact, will be published in 2023.</p>

II. Local government employer options

The Division has a page dedicated to Local Governments [here](#), which provides an overview of timelines, [FAQs](#), a [Fact Sheet](#), and other information. *[July Update: the Division’s Local Government FAQ is updated continuously, so if you have a question that was not previously addressed, check the FAQ link for new information – and feel free to send the Division any additional questions that are not yet on the FAQ page and consider cc.ing your SDA colleagues.]*

The Division conducted a “FAML I and Local Governments” webinar on April 29, 2022. A recording of that webinar is available [here](#), the slides are available [here](#), and the Division guidance document, “Preparing for FAML I– Local Governments,” is available at this [link](#).

The Division conducted a training for the Special Districts Association of Colorado on June 17, 2022, a recording of this webinar is available at the SDA website [here](#).

Earlier this year, the Division adopted the [Local Government Opt-Out rule](#) that provides direction to local government employers, including special districts, that choose to participate or decline to participate in the FAML I Program.

Question	Answer
<p>What options does a local government employer have?</p>	<ol style="list-style-type: none"> 1. Participate in FAMLI 2. Decline participation in FAMLI 3. Decline employer participation in FAMLI <p><i>See below for more information on each option.</i></p> <p><i>Please also note that employers providing the same or better benefits may apply for a waiver; however, as of the publication of this FAQ, the Division has not yet provided specific guidance on waivers but has indicated that rulemaking on this process will occur between May and June.</i></p>
<p>Option 1: how does a local government employer participate?</p>	<p>A local government employer which does not notify the Division by January 1, 2023 will be identified by the Division as participants.</p> <p>Premiums starting on January 1, 2023 will be due on April 1, 2023, along with wage data reporting.</p>
<p>Option 2: how does a local government employer decline to participate entirely?</p>	<ul style="list-style-type: none"> • The Board of Directors of the special district must vote (official action, public meeting) to opt-out; and • Before January 1, 2023, notify the Division of the vote by uploading into the Division’s online system a letter on special district letterhead, reporting: <ul style="list-style-type: none"> ○ the date of the vote, ○ the result, and ○ that the special district is opting-out of the employer obligation, including collecting and remitting employee premiums. <p><i>The Division’s online system will not be available until fall of 2022. If your district chooses to opt-out earlier than the fall, please note the requirement 30 days’ notice to employees of the vote below.</i></p>
<p>Option 2: how does a local government employer decline to participate by paying the employer premium, but agreeing to collect and remit the employee premium?</p>	<ul style="list-style-type: none"> • The Board of Directors of the special district must vote (official action, public meeting) to opt-out; and • Notify the Division of the vote by uploading into the Division’s online system a letter on special district letterhead, reporting: <ul style="list-style-type: none"> ○ the date of the vote, ○ the result, and ○ that the special district is opting-out of the employer obligation, but will be collecting and remitting employee premiums for employees wishing to participate. <p><i>The Division’s online system will not be available until fall of 2022. If your district chooses to opt-out earlier than the fall, please note the requirement 30 days’ notice to employees of the vote below.</i></p>

<p>What time frames apply for local government employers?</p>	<ul style="list-style-type: none"> • An official action to exercise opt-out in the near term can occur at any time in 2022. • A local government proposing to opt-out must provide notice of the public meeting <u>and</u> give written notice to employees prior to the meeting with information regarding the vote process and the opportunity to submit comments through a public process to the governing body. <i>See “Discussion – Advance Notice to Employees of the Public Meeting” below for further explanation and see § 2.6.A.2. of the Local Government Opt-Out Rule.</i> • A local government employer must provide notice of the Board’s decision to the opt-out of the FAMLI program to its employees within 30 days after the vote on the resolution. This notice should be posted; however, if the local government employer does not maintain a physical workspace, or an employee teleworks, electronic mail or web-based notification may be substituted. Written notice must: (1) explain the differences between benefits offered by the FAMLI program and leave plans of the employer; (2) state which employees, if any, are eligible for federal FMLA; (3) provide information regarding the right of employees to voluntarily opt into the FAMLI program with contact information for the Division. <i>Additional information and procedures are further explained in the below Post-Vote Employee Notification Example and see §§ 2.6.A.3. and 2.6.A.4. of the Local Government Opt-Out Rule.</i> • The opt-out action of a local government employer may last for up to eight (8) years. • A local government that participates must stay in the FAMLI Program for at least three (3) years. • An opt-out action in 2022 does not require advanced notice to employees. But, after benefits begin in 2024, a local government employer must give 180 days’ advance notice to employee before any change. • When a local government employer participating in the FAMLI Program (again, minimum 3 years) decides later to opt-out, it must give the Division 90 days’ advance notice.
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Discussion – Advance Notice to Employees of the Public Meeting

This is a discussion of the required written, advanced notice to employees of a public meeting at which a resolution to decline participation in the FAMLI Program [declining any and all participation; or declining but willing to facilitate the collection and remittance of employee-premiums] is under consideration for a vote. This discussion is provided as a member service; any drafting or legal questions should be referred to your District's general counsel.

Please note that, of the date of the publication of this document, the Division has not provided additional guidance on this written, advanced notice to employees other than the text of the Local Government Opt-Out Rule.

What Advanced Notice to Employees Is Required?

See § 2.6.A.2. of the Local Government Opt-Out Rule, [7 CCR 1107-2](#), which sets forth that notice of the public meeting at which a resolution is under consideration should be provided under the District's notice procedures, as well as providing written notice to employees in advance of the public meeting with information regarding the vote process and the opportunity to submit comments through a public process to the governing body.

Method of Written Notice?

§ 2.6.A.2. of the Local Government Opt-Out Rule does not specify if written, advanced notice must be in hard copy or if it may be made by e-mail. It may be reasonable to follow the same method of communication for this notice as your District would typically use to communicate other employment or benefits information to employees.

From Whom Is Notice Sent?

§ 2.6.A.2. of the Local Government Opt-Out Rule does not specify from whom the written, advanced notice should be sent. It may be reasonable to direct the District employee or official who would typically employment or benefits information employees to send this notice.

Some Districts considering a proposal to decline participation in the FAMLI Program may choose to send notice well in advance and/or to send the information out more than one time.

What Information Is Required?

§ 2.6.A.2. of the Local Government Opt-Out Rule only specifies that the required written, advanced notice must include information regarding the vote process and the opportunity to submit comments through a public process.

Some Districts considering a proposal to decline participation in the FAMLI Program may choose to provide similar information to employees as would be included in the post-vote notice, as well as a copy of the proposed resolution, and an explanation of procedures adopted or used by the District Board of Directors to take public comment.

Example – Resolution

This is an example provided as a member service; any drafting or legal questions should be referred to your District’s general counsel.

Declining All Participation or Willing to Facilitate Employee Premiums?

In the below, please note that the resolution should indicate whether the local government employer is declining all participation in the FAMLI Program or whether it is declining to participate as an employer (no employer contribution), but willing to facilitate the collection and remittance of the employee-premiums of its employees choosing to participate.

Typical Notice of Public Meeting and Advanced Notice to Employees

Please note that the § 2.6.A.2. of the Local Government Opt-Out Rule, [7 CCR 1107-2](#), requires typical public notice of the meeting be provided, as well as providing written notice to employees in advance of the public meeting with information regarding the vote process and the opportunity to submit comments through a public process to the governing body.

Filing Notification of the Vote with the Division

As of the date of the publication of this document, the Division has not yet deployed the Online Employer Service System, through which all employers must register. This is the system on which any District declining participation must both register and upload a letter of notification to the Division of the District’s Resolution – and date thereof – to Decline Participation. See § 2.5. of the Local Government Opt-Out Rule.

RESOLUTION NO. 2022-_____

A RESOLUTION DECLINING *[declining any and all employer participation; or declining participation as an employer, but willing to facilitate employee premiums]* PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM

WHEREAS, in November of 2020, Colorado voters approved Proposition 118, codified in Part 5, Article 13.3 of Title 8, Colorado Revised Statutes (C.R.S.), establishing the Family and Medical Leave Insurance (“FAMLI”) Program, a state insurance plan providing paid leave for Colorado workers during certain life circumstances; and

WHEREAS, under the FAMLI Program, employers and their employees are both responsible for funding the program and may split the cost 50/50; the premiums are set at 0.9% of the employee’s wage, with 0.45% paid by the employer and 0.45% paid by the employee; and

WHEREAS, the premiums required for FAMLI will be collected starting January 1, 2023, and benefits will begin January 1, 2024; and

WHEREAS, as a local government as defined by C.R.S. §§ 8-13.3-503(14) and 29-1-304.5(3)(b), the *[official name or designation of the special district, the "District"]* may decline to participate in FAMLI following a public hearing and vote of its governing body pursuant to C.R.S. § 8-13.3-522; and

[Option 1 – District declines or opt-outs entirely – no facilitating/withholding premiums and submitting employee contributions] WHEREAS, should the District decline to participate in FAMLI, its employees will still have the option to participate in the program and remit premiums to the State; **OR** *[Option 2 – District declines employer participation – but will facilitate/withhold premiums and submit employee contributions]* WHEREAS, should the District decline participation in the FAMLI Program as an employer and the statutory provisions of the FAMLI Program will not apply, the District may facilitate the premiums for any of its employees choosing to participate individually in the FAMLI Program; and

WHEREAS, at a public meeting held *[date of the resolution]*, the Board of Directors held a public hearing on the decision whether to participate in FAMLI; and

WHEREAS, *[the Resolution could include other findings regarding cost of participation, limited resources/revenues, inflation, other cost-drivers, or the benefits or short-term disability coverage currently provided ...]*; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. The Board of Directors finds and determines that, with regard to the public hearing on the decision of whether to decline participation in FAMLI, notice was given and the hearing was conducted in accordance with the regulations adopted by the Colorado Department of Labor and Employment and codified at 7 CCR 1107-2.
2. *[Option 1 – District declines or opt-outs entirely – no facilitating/withholding premiums and submitting employee contributions]* The Board of Directors, acting by and on behalf of the District, declines any and all participation in the FAMLI Program.

OR

[Option 2 – District declines employer participation – but will facilitate/withhold premiums and submit employee contributions] The Board of Directors, acting by and on behalf of the District, declines participation in the FAMLI Program as an employer, but will collect and remit employee premiums to the State for those employees who elect coverage under FAMLI.

3. The Board of Directors further directs its staff to bring the matter of revisiting the decision to decline participation in FAMLI before a future Board by no later than eight years from the date of the vote on this Resolution 2022-_____.

APPROVED AND ADOPTED this _____ day of _____, 2022 by the Board of Directors of *[official name or designation of the special district]*.

[Signatures and Attestations]

Example – Post-Vote Notification to Employees

This is an example provided as a member service; any drafting or legal questions should be referred to your District's general counsel.

See §§ 2.6.A.3. and 2.6.A.4. of the Local Government Opt-Out Rule, [7 CCR 1107-2](#), for the provisions related to this post-vote notice requirement.

§2.6.A.4. of the Local Government Opt-Out Rule indicates that the Division will create and make available posters and notices to meet the post-vote notice to employees requirement; however, as of the date of the publication of this document, no such posters or notices have been published.

The Division has indicated that it will publish a leave chart which illustrates how other types of paid leave will interact with FAML I leave (does other leave run concurrently with FAML I Leave) in the fall of 2022. That information may be useful to include, when available, in the individualized post-vote notification to employees.

Declining All Participation or Willing to Facilitate Employee Premiums?

In the below, please note that the notification should indicate whether the local government employer is declining all participation in the FAML I Program or whether it is declining to participate as an employer (no employer contribution), but willing to facilitate the collection and remittance of the employee-premiums of its employees choosing to participate.

When, How, and What Notice to Employees Is Required?

A local government employer must provide notice of the Board's decision to the opt-out of the FAML I program to its employees within 30 days after the vote on the resolution.

The Local Government Opt-Out Rule requires that this post-vote notice must be provided to employees individually as well as being posted in a conspicuous and accessible place in each establishment where employees are employed. However, if the local government employer does not maintain a physical workspace, or an employee teleworks, electronic mail or web-based notification may be substituted. Notice will be in English and in any language representing the first language spoken by at least 5% of employees.

Written notice must:

- (1) inform the employee of the vote and explain the differences between benefits offered by the FAML I program and leave plans of the employer;*
- (2) state which employees, if any, are eligible for federal FMLA; and*
- (3) provide information regarding the right of employees to voluntarily opt into the FAML I program with contact information for the Division.*

**NOTICE TO EMPLOYEES OF THE DECISION TO DECLINE PARTICIPATION IN
THE FAMILY AND MEDICAL LEAVE INSURANCE (FAMLI) PROGRAM, AND
THE RIGHT TO VOLUNTARILY OPT INTO THE FAMLI PROGRAM**

Notice is hereby given to District Employees that a vote on Resolution No. _____ was held on _____, 2022, in which the Board of Directors *[declined participation or declined participation, but will facilitate withholding and remittance of the premiums of individual employees opting in]* in the Family and Medical Leave Insurance (“FAMLI”) Program. This notice explains how the vote affects employees' rights and benefits.

I. LEAVE COMPARISON: FAMLI PROGRAM, DISTRICT’S LEAVE PROGRAM

The FAMLI Program

Under the FAMLI Program, covered individuals may take up to 12 weeks of paid aggregate family/medical leave (up to 16 weeks for pregnancy complications) in a 12-month period for:

- Birth, adoption, placement, care of a new child during first year after birth, adoption or foster care;
- Care for a family member with a “serious health condition” (including pregnancy);
- An employee’s own serious health condition;
- Exigency leave (active duty military; post deployment or death); or
- Safe leave (employee or employee’s family member is the victim of domestic abuse, stalking or sexual assault/abuse)

Employers participating in FAMLI Program must submit insurance premiums to the state starting on January 1, 2023 through a payroll premium split between employers and employees. Paid leave benefits start no sooner than January 1, 2024. Paid leave is a partial income replacement as follows: 90% of an employee’s average weekly wage for the portion of their wages equal to or less than 50% of the state average weekly wage; and 50% of the portion of their wages that exceeds the state average weekly wage. The maximum weekly benefit is \$1,100. For more information, see the FAMLI Premium and Benefits Calculator: <https://famli.colorado.gov/individuals-and-families/premium-and-benefits-calculator>.

The District has *[declined participation or declined participation, but will facilitate withholding and remittance of the premiums of individual employees opting in. If declining all participation, consider inserting this statement: “The District is not responsible for deducting an employee’s premium or to forward the premium to the FAMLI Division.” If declining participation, but willing to facilitate employee premiums, consider inserting this statement: “The District has declined to participate in the FAMLI Program as an employer; however, if an employee wishes to opt in to the FAMLI Program individually, the District is willing to facilitate the collection of the employee’s individual premium and to remit it to the Division on behalf of the employee.”]*

District Employee Benefit Program

Paid Holidays of the District are:

- ...
- ...
- ...

The Paid Sick/Personal Leave Policy of the District is:

[Explanation of District's Paid Sick/Personal or Paid Leave Program – how many hours annually by FTE, when can leave be used, can the leave be carried over]

The Paid Vacation Leave Policy of the District is:

[Explanation of District's Vacation Leave Program – how many hours annually by FTE, when can leave be used, can the leave be carried over]

Short-Term Disability Coverage:

[Explanation of any short-term disability coverage, and eligibility therefore, that the District has in place]

Long-Term Disability Coverage:

[Explanation of any long-term disability coverage, and eligibility therefore, that the District has in place]

Workers' Compensation:

[Explanation of the Workers' Compensation program]

Federal Family Medical Leave Act (FMLA):

[Indicate whether your District is subject to FMLA, and provide a description of the program]

[If your District has other employee benefits, list and provide a description]

[It may be helpful to refer to other, more detailed policies of the District, with a statement such as: "District employees should refer to the District's Personnel Guidelines/Employment Manual for more details."]

II. EMPLOYEE'S RIGHT TO VOLUNTARILY OPT-IN AS AN INDIVIDUAL PARTICIPANT

Even though the District has declined participation in the FAMLI Program, a District employee may individually opt into the program by contacting the FAMLI Division at CDLE_FAMLI_info@state.co.us.

[If the District is not going to facilitate the collection and remittance to the state of the premiums of individually opting-in employees, consider including the following statement: "PLEASE NOTE: Any District employee voluntarily opting into the program as an

individual will be responsible to remit premiums directly to the State of Colorado. The District will not be deducting the premium from paychecks nor will it remit any premium payments on your behalf to the State.”]