

# FAIRWAYS METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
Tel: 303-987-0835 • 800-741-3254  
Fax: 303-987-2032

## NOTICE OF SPECIAL MEETING AND AGENDA OF THE BOARD OF DIRECTORS OF THE FAIRWAYS METROPOLITAN DISTRICT AND OF THE WASTEWATER UTILITY ENTERPRISE

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
John Pavlovic	President/Archivist	2022/May 2022
Gerald “Jerry” Schram	Treasurer	2023/May 2023
Wilmer “Catt” Wilson	Assistant Secretary	2023/May 2023
<b>VACANT</b>		2022/May 2022
<b>VACANT</b>		2022/May 2022
David Solin	Secretary	

DATE: December 16, 2021 (Thursday)

TIME: 6:00 P.M.

**PLACE:** **VIA Conference Call ONLY**

***\*NOTE: given current events and current advice and directives from local, state and federal jurisdictions related to COVID-19, this meeting is being held by teleconference only. Board members, consultants and members of the public may participate by teleconference by utilizing the following teleconference information:***

**Phone: 1-669-900-6833**

**ID Number: 546 9119 353**

**Passcode: 912873**

### I. ADMINISTRATIVE MATTERS

- A. Present Disclosures of Potential Conflicts of Interest.
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- B. Approve Agenda; confirm location of meeting and posting of meeting notices.
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### II. COMMUNITY COMMENTS

- A. \_\_\_\_\_
- B. Discuss and consider matters relating to amending the District’s Rules and Regulations to increase Quarterly Fee (enclosure - 30-day Notice of rate increase was posted on the Special District Association website).
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1. Review and consider adoption of Resolution No. 2021-12-01; Regarding the Amendment of the District's Rules and Regulations including fee increase and modification of fee structure (enclosure).
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2. Review and consider notice to residents regarding Quarterly Fee increase (enclosure).
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III. ADJOURNMENT     **THE NEXT REGULAR MEETING IS SCHEDULED FOR  
JANUARY 10, 2022.**

**NOTICE**  
**REGARDING PROPOSED AMENDMENTS TO**  
**FAIRWAYS METROPOLITAN DISTRICT**  
**RULES AND REGULATIONS,**  
**INCLUDING SCHEDULE OF SEWER FEES**

As required by Section 32-1-1001(2)(a), C.R.S., the Board of Directors (the “Board”) of the Fairways Metropolitan District (the “District”) hereby provides notice to customers receiving sanitary sewer service from the District that the Board will consider adoption of a certain proposed amendment to the District’s Rules and Regulations, including a fee increase from the current \$205.00 per quarter, to \$216.25 per quarter (effective January 1, 2022) at a public meeting to be held on December 16, 2021, beginning at 6:00 p.m., via conference call at Conference Line: 1-669-900-6833; ID Number: 546 9119 353; Passcode: 912873.

For more information, please contact District Manager, David Solin, by telephone at (303) 987-0835 or by email at [dsolin@sdmsi.com](mailto:dsolin@sdmsi.com).

**RESOLUTION NO. 2021-12- \_\_\_\_**  
**FAIRWAYS METROPOLITAN DISTRICT**  
**Resolution Regarding the**  
**Amendment of the District's Rules and Regulations**

A. Pursuant to Section 32-1-1001(1)(m), C.R.S., Fairways Metropolitan District (the “District”) has adopted rules and regulations (the “**Rules and Regulations**”).

B. In order to produce revenues sufficient to provide for (i) the operations and maintenance costs of the wastewater treatment plant and (ii) debt service coverage for the District’s Loans, the District has concluded that existing sewer service charges will not provide adequate revenue to pay its annual expenses for providing service to the District’s residents and satisfy the debt service coverage required by the Loan Agreements or establish sufficient reserves for future wastewater treatment facility repairs and upgrades.

C. After conducting a public hearing on December 16, 2021, to consider the proposed amendment of the Rules and Regulations, notice of which hearing was posted on the Special District Association website in accordance with applicable state law, the Board of Directors of the District (the “**Board**”) determined that it is necessary to amend the Rules and Regulations to adjust the sewer service charges as set forth on the Schedule of Fees and Charges, attached hereto and incorporated herein as **Appendix A**,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fairways Metropolitan District as follows:

1. Capitalized terms not otherwise defined herein have the meanings ascribed to them in the Rules and Regulations.
2. The Board hereby adopts the Schedule of Fees and Charges, attached hereto as Appendix A, which shall replace and supersede all prior versions of Appendix A to the Rules and Regulations effective as of January 1, 2022.
3. The Board finds and determines that the adoption of this Resolution 2021-12-\_\_ is in the best interests of the District and is necessary to protect the health, safety and public welfare of its residents.

APPROVED AND ADOPTED this 16<sup>th</sup> day of December, 2021.

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John Pavlovic, President

Attest:

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David Solin, Secretary

APPENDIX A  
TO THE FAIRWAYS METROPOLITAN DISTRICT RULES AND REGULATIONS,  
ADOPTED SEPTEMBER 26, 1989  
AND AS AMENDED BY RESOLUTION NO. 2008-12-04, ADOPTED DECEMBER 9, 2008  
AND BY RESOLUTION NO. 2016-11-02, ADOPTED NOVEMBER 10, 2016  
AND BY RESOLUTION NO. 2018-12-01, ADOPTED DECEMBER 17, 2018  
AND BY RESOLUTION NO. 2021-12-\_\_, ADOPTED DECEMBER 16, 2021

SCHEDULE OF FEES AND CHARGES

- |    |   |                    |
|----|---|--------------------|
| 1. | <u>SEWER TAP FEES</u>                                   |                    |
|    | Single Family Residence:                                | \$2,600.00         |
|    | Fairways Living Special Assessment:                     | \$1,000.00         |
| 2. | <u>INSPECTION FEES</u>                                  |                    |
|    | Sewer   | \$ 50.00           |
| 3. | <u>INCLUSION FEES</u>                                   | TBD Per Occurrence |
| 4. | <u>SEWER SERVICE CHARGES</u>                            |                    |
|    | Multi and Single Family (flat fee per quarter, per tap) | \$ 216.25          |
|    | Penalty for Late Payment (per quarter, per tap)         | \$ 15.00           |

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141 Union Boulevard, Suite 150  
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December 17, 2021

Dear Neighbor,

Your Fairways Metropolitan District is dedicated to providing reliable and safe wastewater services. The existing wastewater treatment plant, originally constructed in 1986, underwent upgrades in 2006, 2016 and 2018 to improve treatment efficiency and to meet Colorado Department of Public Health and Environment regulations. A Capital Improvement Program dedicated to meeting these improvements in a timely and cost-effective manner was adopted to address updates to aging portions of our wastewater treatment plant and address regulatory requirements. The District's objective is to invest in projects that maintain the facility in the most efficient and economically-viable manner, while helping us all to protect our property values.

Following appropriate notification, and a hearing at a public meeting held on December 16, 2021, the District's Board of Directors considered and approved a Sewer Fee increase to allow for enough revenue to pay for increased operating costs.

Therefore, effective January 1, 2022 the Fairways Metropolitan District will implement a Consumer Price Index-based increase of \$11.25 per quarter/per household (3.5% for 2021 and 2.0% for 2020) to the current \$205 per quarter/per household Sewer Fee. The new fee of \$216.25 per quarter/per household will appear on your quarterly sewer service fee invoice.

The increase was not an action that the Board of Directors took lightly. However, based upon the relatively small size of the District, the District does not benefit from the economies of scale that some Districts enjoy. In order to help keep future Fee increases reduced, each household can take certain steps to minimize the District's expenses. The introduction of solid materials other than human waste and toilet paper is the cause of the most serious and costly problems. **Flushing of synthetic cleaning wipes and cloth products have caused blockages that result in the processing equipment shutting down at a cost of more than \$7,500 to repair, per occurrence.** Please ensure that your household staff and guests also know what is allowed to be flushed. All of us working together, diligently, should help our wastewater treatment plant to operate well into the future.

Should you have any questions, please contact me at 303-987-0835 or [dsolin@sdmsi.com](mailto:dsolin@sdmsi.com).

Sincerely,

David Solin  
District Manager

cc: Board of Directors