Resolution

Dallas Meadows Community Association

Resolution Number 2025-001(TBR)

Water Overages Fee Waiver Request Due to Broken Pipes or Malfunctioning Plumbing and/or Water Controllers

Whereas Article V Section 2 of the Bylaws of the Dallas Meadows Community Association, Inc.("Bylaws") assigns the Board of Directors ("Board") all powers and duties specified by the Colorado Revised Non-Profit Corporation Act, unless limited by the Declaration or Articles of Incorporation.

Whereas there is a need to adopt a specific policy regarding fee waiver requests from water overages due to faulty or broken pipes or malfunctioning plumbing/water controllers.

Whereas this policy regarding fees for water overages due to broken pipes or malfunctioning plumbing and/or water controllers is applicable to all lot owners of the Dallas Meadows Community Association ("DMCA").

Whereas a Dallas Meadows Community Association homeowner may appeal water overage fees and request a waiver of fees to the DMCA Board of Directors if the water overage is due to broken pipes or malfunctioning plumbing and/or water controllers.

Whereas water overages due to broken pipes or malfunctioning plumbing and/or water controllers result in additional costs of water service to Dallas Meadows Community Association homeowners.

Now therefore be it resolved that the Board hereby adopts the following policy for water fee waiver requests due to water overage from a broken pipe or malfunctioning plumbing and/or water controllers.

• Water overages above 12000gal/month will result in additional water fees according to the current water overage rates. Requests for water fee waiver from current water overage rates shall be considered by the DMCA Board of Directors only if the overage is due to broken pipes or malfunctioning plumbing and/or water controllers. Documentation must be provided that substantiates the issue including confirmation of corrective action. The minimum water fee for a waiver request shall be the cost of water overage production as follows:

- Cost of electricity to pump the water overage amount (gallons) above the normal 12000gal/month allocation according to following formula: Cost of

Electricity = (0.0015 kwh/gallon of water) times (SMPA average rate of $0.14/kwh) times (gallons consumed over 12k gallon/month allocation).[1]

- Plus cost of chorine to treat the water overage amount at the rate of $0.00075/gallon.[2]

- Plus $10 /day from when the leak was detected to the date when the leak was corrected.[3]

• Water overages for any other reason such as but not limited to irrigation, issues related to renters, or other water overages beyond the allocation of 12000 gallons/month per lot owner shall be paid in full according to the Dallas Meadows Community Association water overage rates in effect.

• A water overage fee waiver request shall be allowed once per calendar year. Additional water overage fees for any reason in one calendar (January to December) year shall be paid in full according to the Dallas Meadows Community Association water rates in effect.

• Appeals to water overage fees and requests for a waiver of fees to the DMCA Board of Directors shall include documentation substantiating the reasons for the water overage, plus documentation substantiating repairs. Appeals shall only be considered for significant hardship issues for only broken pipes or malfunctioning plumbing and/or water controllers servicing the primary home or DMCA conforming secondary structure(s).

• Water service costs that are the basis of this policy may be reviewed and adjusted annually by the DMCA Board of Directors and may result in adjusted minimum water overage fees for broken pipes or malfunctioning plumbing and/or water controllers.

IN WITNESS HEREOF, the Board of Directors has adopted this RESOLUTION this Monday on September 15th, 2025.

Mark Dollard, DMCA President

Jacob Sklar, DMCA Secretary

---

[1] For example, a 50K gallon water overage above the 12000 monthly allocation will cost $10.50 in electricity and is the result of kwh required to pump one gallon (0.0015kwh/gallon) times SMPA rate ($0.14/kwh) times (50K gallons consumed) = $10.50 or (0.0015kwh/gallon)x($0.14/kwh)x50000gallons.
Note 14 cents per kwh is an average of SMPA 2025 TOU rates of 11cents off peak and 22 cents peak rates.

[2] For example a 50K gallon water overage above the 12000 monthly allocation will result in the cost of chorine of $37.66 ($0.00075/gallon water times 50000 gallons = $37.66)

[3] This example took 10 days to fix or $100. Total min fee for this example shall be $10.50 + $37.66 + $100 = $148.16.