

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

January 17, 2023

at 6:30 p.m. at 8334 Sandreed Circle, Parker, CO 80134

ATTENDEES

Directors present: Bill Thomas, Linda Dillon, Steve McCulloch, Ron Hilton and Judy Lavell attended in person.

Others present: Luis Tovar, Laurie Tatlock and Lucas Stafford; Mulhern MRE, Inc; attended in person. Kelly Conover; Mulhern MRE attended via electronic device.

Carolyn Steffl, Dietze and Davis, P.C. attended via electronic device.

THE AGENDA

The Board considered the proposed agenda. There were no changes. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the agenda was unanimously adopted as presented.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meeting held December 20, 2022;
- Approval of Disconnect List dated January 16, 2022;
- Approval of checks numbered 22470 - 22495, listed on the check register;
 - ACH payment to Century Link on 1/4/2023 for \$92.12 and \$181.50,
 - ACH payment to Path Point Merchant Services on 1/13/2023 for \$4,715.54,
 - ACH payments to Payroll Specialists on 12/31/2022 for \$79.08, \$1,841.00 and \$328.00,
 - ACH payment to Xcel Energy on 12/22/2022 for \$170.81,
 - ACH payment to Xpress Bill Pay on 1/5/2023 for \$914.57; and
- Disclosure of potential conflicts of interest
- Ratification of Director Payments

Director Hilton disclosed a conflict of interest related to Brakes Plus, a current development within the District.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented with the noted conflict of interest for Director Hilton.

DIRECTOR ITEMS

Director McCulloch provided a memo for the Board packet for review and discussion regarding water supply for the District. Luis Tovar discussed the water rights pumping and storage ability of the District. Staff will schedule a separate work session for further discussion.

CONSIDER RESOLUTION TO APPROVE THE 2022 MID-YEAR SUB FUND ESTABLISHMENT AND BALANCE

Carolyn Steffl discussed with staff that the proposed reallocation of the budget would not move money from one fund to another, it is reformatting the way in which it is shown on the budget and within accounting reports. The funds are being categorized within the existing funds which does not require a Board Resolution. Carolyn recommended a Board motion to accept the reformatting as sufficient action.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director McCulloch and upon vote, the Board unanimously accepted the reformatting of the 2022 budget as reflected in the 2023 Budget.

CONSIDER 2023 ELECTION RESOLUTION

Laurie Tatlock reviewed the 2023 Election Resolution. The Resolution details the 2 Directors seats whose terms will end on May 2, 2023, Director Thomas and Director McCulloch. The Resolution appoints Laurie as the Designated Election Official and authorizes her to take required steps to carry out or cancel the election as necessary.

Upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board unanimously approved the 2023 Election Resolution.

MANAGER'S REPORT

Luis reviewed the Managers Report with the Board updating the Board on the JWPP Raw Water Feed Wells inspection and cleaning, Phase I of the meter upgrade project is complete, Phase II is underway, Walker Reservoir Phase I assessments will be covered by the CWCB grant funds, the proposed water exchange with ACWWA, the Cottonwood Highlands waterline, and deep ground well maintenance.

REPORTS

Dashboard – Lucas Stafford reviewed the dashboard with the Board and addressed Board questions.

Legal Report – Carolyn Steffl provided a legal report for review and discussion. She discussed the rescheduling of the mediation in April.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to section 24-6-402 (4)(b) and (4)(e), C.R.S for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the CH2M mediation to discuss mediation statement and provide specific settlement authorization.

This session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously moved out of executive session.

ADJOURNMENT

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 8:52 p.m. The next regular meeting of the Board is scheduled for Tuesday, February 21, 2023 beginning at 6:30 p.m. at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: April 13 2023

William C. [Signature]

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

February 21, 2023

at 6:30 p.m. at 8334 Sandreed Circle, Parker, CO 80134

ATTENDEES

Directors present: Bill Thomas, Linda Dillon, Steve McCulloch, Ron Hilton and Judy Lavell attended in person.

Others present: Luis Tovar, Laurie Tatlock and Lucas Stafford; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C. attended in person.

Kelly Conover; Mulhern MRE attended via electronic device.

THE AGENDA

The Board considered the proposed agenda. There were no changes. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the agenda was unanimously adopted as presented.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meeting held January 17, 2023;
- Approval of Disconnect List dated February 17, 2023;
- Approval of checks numbered 22497 - 22527, listed on the check register;
 - ACH payment to Century Link on 2/4/2023 for \$101.20 and \$183.34,
 - ACH payment to Path Point Merchant Services on 02/02/2023 for \$4,014.62,
 - ACH payments to Payroll Specialists on 1/31/2023 for \$461.75, \$80.50 and \$258.07,
 - ACH payment to US Bank for Debt Service on 1/23/20203 for \$349,431.51
 - ACH payment to Xcel Energy on 1/27/2023 for \$186.66 and \$55.94,
 - ACH payment to Xpress Bill Pay on 2/5/2023 for \$925.51; and
- Disclosure of potential conflicts of interest
- Ratification of Director Payments on Feb 1, 2023

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS

Director McCulloch discussed his attendance at a recent Colorado Water Conservation Board meeting regarding the 2023 Water Plan.

Luis informed the Board that there will be an update next month on the trash proposals.

MANAGER'S REPORT

Luis Tovar discussed items in the manager's report including the JWPP deliveries and well inspections. Luis suggested holding some of the upcoming board meetings at the JWPP. The Board agreed to alternate meeting locations

between the Meeting House on Sandreed and the JWPP on Jordan Road beginning with the March 21st meeting. Staff will update the transparency notice, the website and the meeting notices for changes.

Luis provided an update on the Walker Reservoir Project and provided a presentation for the Board discussing the three phases, the pending operations agreement, alternatives for water deliveries and storage for Cottonwood and the District's interest in maintaining membership in the Cherry Creek Project Water Authority.

Luis discussed options to encourage people to participate in the Garden in a Box program. Ideas discussed include increasing the rebate amount, District delivery of purchased boxes, a demonstration garden and a community garden. Staff will coordinate details with Directors Dillon and Lavell.

ACTION ITEMS

Luis discussed the below action item;

1. Concrete Repairs – Chavez Services proposes to install a driveway at the District well house on Bluemist Circle, not to exceed \$13,626.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the above expenditure.

REPORTS

Dashboard – Lucas Stafford reviewed the dashboard with the Board and addressed Board questions.

Financial Report – Lucas reviewed the financial reports and addressed Board questions.

Legal Report – Carolyn Steffl provided a legal report for review and discussion. She discussed the rescheduling of the mediation to June, later than previously expected.

EXECUTIVE SESSION

At 8:16pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to section 24-6-402 (4)(b) and (4)(e), C.R.S for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the CH2M mediation to discuss mediation statement and provide specific settlement authorization.

This session was recorded.

At 8:44pm, the President ended the executive session.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 8:45 p.m.

A Board work session is scheduled for Friday, February 24, 2023, beginning at 9:00am at 8334 Sandreed Circle. The next regular meeting of the Board is scheduled for Tuesday, March 21, 2023 beginning at 6:30 p.m. at the Joint Water Purification Plant at 8051 S. Jordan Road.

READ AND APPROVED BY THE BOARD:

Date: March 22, 2023
William C Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

February 24, 2023

at 9:00 a.m. at the JWPP, 8051 South Jordan Road, Englewood, CO

ATTENDEES

Directors present: Linda Dillon, Ron Hilton, Judy Lavell, Steve McCulloch, and Bill Thomas

Others present: Luis Tovar, Laurie Tatlock; Mulhern MRE, Inc.; Richard Mehren; Moses, Wittemyer, Harrison and Woodruff, P.C.

THE AGENDA

The Board considered the proposed agenda. Staff suggested that the work session be held in Executive Session and the agenda be revised accordingly. Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the revised agenda was unanimously approved.

PUBLIC COMMENT

There were no members of the public present.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board began an executive session at 9:15am pursuant to C.R.S Section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to a partnership with the Stonegate Village Metropolitan District for water supply.

This session was recorded.

Upon motion duly made by Director Lavell, seconded by Director Hilton and upon vote, the Board ended the executive session at 10:47am.

CONTINUATION

Upon motion duly made, seconded and unanimously carried, the meeting was continued to Friday, March 3 at 2pm at the JWPP, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: April 13, 2023

William C. Thomas, Secretary

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT
SPECIAL MEETING HELD**

April 13, 2023
at 6:00 p.m. at 8334 Sandreed Circle, Parker, CO

- ATTENDEES** Directors present: Linda Dillon, Judy Lavell, and Bill Thomas
Others present: Joanne McLain of 17565 Ponderosa Avenue, Parker, CO 80134.
- THE AGENDA** The Board considered the proposed agenda. Upon motion duly made, seconded and upon vote, the agenda was unanimously approved.
- PUBLIC COMMENT** Ms. McLain was in attendance to participate in the discussion regarding a community garden.
- GARDEN IN A BOX** There was discussion about the Garden in a Box which will be displayed in the landscaping at the entry of the Sandreed Meeting House, on either side of the walkway.
- COMMUNITY GARDEN DISCUSSION** There was discussion about a Community Garden. The Board members will discuss the matter at the next Board meeting during Directors' Items.
- ADJOURNMENT** Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Tuesday, April 18, 2023 at 6:30pm, at the Cottonwood Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: April 18, 2023
William C. Manning, Secy.

RECORD OF PROCEEDINGS

MINUTES OF THE BOARD OF DIRECTORS OF THE COTTONWOOD WATER & SANITATION DISTRICT

April 18, 2023

ATTENDEES

Directors present: Bill Thomas, Linda Dillon, Steve McCulloch, Ron Hilton and Judy Lavell attended.

Others present: Luis Tovar, Laurie Tatlock and Genevieve Love; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

THE AGENDA

The Board considered the proposed agenda. There were no changes. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the agenda was unanimously adopted as presented.

PUBLIC COMMENT

There were no members of the public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meetings held March 21, April 7 and April 13, 2023;
- Approval of Disconnect List dated April 14, 2023;
- Approval of checks numbered 22569-22596, listed on the check register;
 - ACH payment to Century Link on 4/4/2023 for \$100.18 and \$183.34,
 - ACH 3/29/2023, \$628.83. Director Fees - \$461.75; Tax Impounds - \$80.50; Payroll Processing - \$86.58; and
 - ACH payment to Xcel Energy on 3/28/2023 for \$136.62 and on 3/29/2023 for 56.33.
- ACH payment to Xpress Bill Pay on 4/5/2023 for \$977.09;
- Disclosure of potential conflicts of interest;

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS

Director Dillon presented the research that she, Director Thomas and Director Lavell have completed for the startup of a Community Garden and the next steps needed to start it up in 2023. The Board directed that staff prepare a couple of garden layouts and a scope of work for the initial construction.

CHAMBERS PIPELINE LEASE

The Board considered approval of the Sixth Amendment to the Lease Agreement between ACWWA and Cottonwood for ACWWA to transport raw water in the Chambers Pipeline. Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board approved the Sixth Amendment to the Chambers Pipeline Lease Agreement.

MANAGER'S REPORT

Luis Tovar discussed items in the manager's report including the startup of new finished water delivery pumps at the JWPP.

Luis reviewed with the Board his recommendation to start a water court application to claim Lawn Irrigation Return Flows (“LIRF”). The application is intended to quantify the LIRFs generated from the Cottonwood Highlands and the Crown Point area outdoor irrigation. HRS Water Consultants has prepared a proposal to review the last 10 years of geotechnical data as the first step in the application.

Luis discussed with the Board the sewer master meters at Sandreed and Snowberry required by ACWWA to meter Cottonwood wastewater and the operation and maintenance challenges that we have been experiencing, requiring the replacement of the Snowberry meter. The District’s engineering staff and the meter manufacturer have determined that the meter needs to be relocated closer to the power source, requiring a new meter vault.

ACTION ITEMS

The Board considered the action items below:

1. Snowberry Laser Meter Relocation by Prime Construction for \$47,500.
2. Snowberry Laser Meter Relocation – Mulhern MRE Inc., services during construction for fees not to exceed \$3,400.
3. LIRFs Water Rights Application Phase I – HRS Water Consultants to provide a hydraulic surface connection report or fees not to exceed \$17,600

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the action items listed above in the total amount of 68,500.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board and addressed Board questions.

Financial Report – Genevieve Love reviewed the financial statements and addressed Board questions. Staff will research the “Memberships” classification and report back to the Board.

Legal Report – Carolyn Steffl provided a legal report for the Board. She noted that the engineers from ACWWA, Cottonwood and CH2M are meeting in May to discuss Phosphorus pretreatment options.

EXECUTIVE SESSION

At 8:44pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. section 24-6-402 (4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to a partnership with the Stonegate Village Metropolitan District for water supply infrastructure.

This session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the Executive Session ended at 8:58 p.m.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 9:00 p.m.

The next regular meeting of the Board is scheduled for Tuesday, May 16, 2023 beginning at 6:30 p.m. at the Joint Water Purification Plant, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: May 14, 2023

Hollan C Thomas, Secy

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**
May 5, 2023
at 9:00 a.m. at the JWPP, 8051 South Jordan Road, Englewood, CO

ATTENDEES Directors present: Linda Dillon, Ron Hilton, Judy Lavell, and Bill Thomas.

Others present: Genevieve Love, Lucas Stafford, Luis Tovar; Mulhern MRE, Inc.; Richard Mehren; Moses, Wittemyer, Harrison and Woodruff, P.C.

Upon motions duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board excused the absence of Director Steve McCulloch.

THE AGENDA The Board reviewed the proposed agenda and, after a motion by Director Thomas, seconded by Director Hilton, and unanimous vote, the agenda was approved. Director Thomas suggested a revision to the agenda to accurately reflect the meeting's purpose, which is the partnership with the Arapahoe Water and Wastewater Authority for water supply storage infrastructure, as initially planned.

PUBLIC COMMENT There were no members of the public present.

MANAGER'S UPDATE Luis Tovar presented the Board with an update on the District's long-term financial plan, which included a revised schedule of the District's Capital Improvement Projects.

EXECUTIVE SESSION Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board began an executive session at 10:02am pursuant to C.R.S Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to a partnership with the Arapahoe Water and Wastewater authority for water supply storage infrastructure.

This session was recorded.

Upon motion duly made by Director Dillon, seconded by Director Hilton and upon vote, the Board ended the executive session at 10:59am.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Tuesday, May 16, 2023 at 6:30pm, at 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: May 16, 2023
Hilman C Thomas, Secy

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

May 16, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton Steve McCulloch, and Judy Lavell attended.

Others present: Luis Tovar, Laurie Tatlock and Genevieve Love; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

THE AGENDA The Board considered the proposed agenda. The Board suggested adding an agenda item to administer the Oaths of Office for Bill Thomas and Steve McCulloch, have the Election of Officers, and amend Agenda Item VII to be an update, not a Resolution for CWSD WISE Loans, C150498B and C150408D. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the revised agenda was unanimously adopted.

PUBLIC COMMENT
There were no members of the public present.

OATHS OF OFFICE Board President, Linda Dillon administered the Oaths of Office for newly elected Board members, Bill Thomas and Steve McCulloch.

ELECTION OF OFFICERS
The Board considered the following slate of officers: Board President, Linda Dillon, Vice-President and Secretary, Bill Thomas, Treasurer, Judy Lavell.

CONSENT AGENDA
The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meetings held April 18 and May 5, 2023;
- Approval of Disconnect List dated May 12, 2023;
- Approval of checks numbered 22597-22638, listed on the check register;
 - 2023 BOKF, NA interest payment in the amount of \$17,716.50
 - ACH payment to Century Link on 5/4/2023 for \$106.25 and \$181.46,
 - ACH 4/25/2023, \$1,171.08; \$923.50-Director Fees; \$161.00-Tax Impounds; Payroll Processing- \$86.58
 - ACH payment to Xcel Energy on 4/27/2023 for \$55.95 and \$105.82
 - ACH payment to Xpress Bill Pay on 5/5/2023 for \$875.65; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS None.

COTTONWOOD-STONEGATE INFRASTRUCTURE TRADE
Luis advised the Board that a draft proposal will be ready for Board review on May 19th. The Board will review for submittal to Stonegate at the June Board Meeting.

CWCB WISE LOANS C150408B and C150408D

Luis reviewed with the Board a letter that he has drafted requesting additional funding from the Colorado Water Conservation Board for the Phase 2 Infrastructure Loan and the WISE Project - DIA Connection Project.

MANAGER'S REPORT

Luis Tovar discussed items in the manager's report including PFAS, the need for SCADA system and Industrial Control System upgrades at the JWPP, the damage incurred at the Walker Reservoir from the recent rain storm, an update on Chambers Reservoir discussions, and an update on the schedule for the Cottonwood Highlands Non-Potable Water Line Project.

ACTION ITEMS

The Board considered the action items below:

1. JWPP – SCADA & Industrial Control System Upgrade proposal from Jacobs' for \$96,805.
2. Hazen & Sawyer Phosphorous Pretreatment Study, Amendment #1 to include the evaluation of a post-treatment system for Phosphorous and Sulfides downstream of the BTS for \$20,000.
3. Cottonwood Highlands Non-Potable Water Line – Services During Construction: Mulhern MRE, Inc. - \$31,000, Galloway & Co. - \$6,900, Ground Engineering - \$5,900.
4. ISCO Laser Meter for the purchase and installation of an ISCO Laser Flow Meter to measure Sanitary Sewer flows at the Snowberry site connection to ACWWA - \$18,018.
5. 8334 Sandreed Circle and Community Garden Landscape Improvements not to exceed \$20,000.

Upon motion duly made by Director Thomas, seconded by Director Hilton and upon vote, the action items listed above in the total amount of \$199,123.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board and addressed Board questions.

Financial Report – Genevieve Love reviewed the financial statements and addressed Board questions.

Legal Report – Carolyn Steffl provided a legal report for the Board. She reviewed with the Board Conflicts of Interest and the disclosures that are required.

EXECUTIVE SESSION

At 9:03pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the CH2M mediation to discuss mediation statement and provide specific settlement authorization.

This session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the Executive Session ended at 9:47 p.m.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 9:48 p.m.

The next regular meeting of the Board is scheduled for Tuesday, June 20, 2023 beginning at 6:30 p.m. at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: 6/16/23

Linda J. Dillon

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

June 15, 2023

ATTENDEES

Directors present: Linda Dillon, Judy Lavell, Steve McCulloch, and Bill Thomas attended.

Others present: Luis Tovar and Genevieve Love; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

Upon motion duly made, seconded and upon vote, the Board excused the absence of Director Ron Hilton

THE AGENDA

The Board considered the proposed agenda. Staff asked that the Board consider the addition of an agenda item to approve the request to extend the deadline for the 2022 Audited Financial Statements from June 30, 2023 to September 30, 2023. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the revised agenda was unanimously adopted.

PUBLIC COMMENT

There were no members of the public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meeting held May 16, 2023;
- Approval of Disconnect List dated June 13, 2023;
- Approval of checks numbered 22639-22679, listed on the check register;
 - ACH payment to Century Link on 6/4/2023 for \$181.46 and on 6/5/2023 for \$100.13,
 - Credit Card Fees, payable to Path Point Merchant Services for \$4,467.17,
 - ACH 5/23/2023, \$831.15-Director Fees; \$144.90-Tax Impounds; Payroll Processing- \$90.91
 - ACH payment to Xcel Energy on 5/25/2023 for \$66.30 and on 5/26/2023 for \$54.88
 - ACH payment to Xpress Bill Pay on 6/5/2023 for \$1,039.72; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS

Director McCulloch asked if the Board would consider offering 9News a tour of the JWPP. The Board agreed to making the offer. Director McCulloch asked about a review and update of the Water Conservation Plan. Luis advised that it had last been updated in 2012 and noted that it would be good to update it.

COTTONWOOD-STONEGATE INFRASTRUCTURE TRADE

The Board agreed that a meeting with Cottonwood and Stonegate Board members should be scheduled to discuss terms and charges for the proposed infrastructure trade. Directors Dillon and Thomas advised that they could attend.

MANAGER'S REPORT

Luis Tovar discussed items in the manager's report. The Board asked to review credit card processing fees after the 3rd quarter of 2023

ACTION ITEMS

None.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board and addressed Board questions.

Financial Report – Genevieve Love reviewed the financial statements and addressed Board questions.

Legal Report – Carolyn Steffl provided a legal report for the Board.

2022 AUDIT EXTENSION

After discussion, upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board unanimously approved the application for an extension of the deadline to file the 2022 Audit from June 30, 2023 to September 30, 2023.

EXECUTIVE SESSIONS

At 8:05pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the CH2M mediation to discuss mediation statement and provide specific settlement authorization and;

pursuant to C.R.S. section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the CCPWA Walker Reservoir Project damages due to erosion following the rainstorm events in May.

The sessions were recorded.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the Executive Sessions ended at 8:50 p.m.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 9:00 p.m.

The next regular meeting of the Board is scheduled for Thursday, July 20, 2023 beginning at 6:30 p.m. at the Joint Water Purification Plant, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: July 20, 2023
William C Thomas, Mgr.

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT
SPECIAL MEETING HELD**

June 26, 2023
at 8:30 a.m. via ZOOM

ATTENDEES Directors present: Linda Dillon, Ron Hilton, Judy Lavell, Steve McCulloch, and Bill Thomas

Others present: Luis Tovar, and Genevieve Love; Mulhern MRE, Inc; Carolyn Steffl, Dietze and Davis, P.C.; and Richard Mehren, Moses, Wittemyer, Harrison and Woodruff, P.C

THE AGENDA The Board considered the proposed agenda. Upon motion duly made, seconded and upon vote, the agenda was unanimously approved.

EXECUTIVE SESSION

At 8:35 a.m., upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to Sec. 24-6-402(4)(e), C.R.S. for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the Chambers Reservoir.

The session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Executive Sessions ended at 9:45 a.m.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Friday, June 30, 2023 at 8:30am, via Zoom.

READ AND APPROVED BY THE BOARD:

Date: July 20, 2023
William C. Thomas, Mayor

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT
SPECIAL MEETING HELD**

June 30, 2023
at 8:30 a.m. via ZOOM

ATTENDEES Directors present: Linda Dillon, Ron Hilton Judy Lavell, Steve McCulloch, and Bill Thomas

Others present: Luis Tovar, and Laurie Tatlock; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C.

THE AGENDA The Board considered the proposed agenda. Upon motion duly made, seconded and upon vote, the agenda was unanimously approved.

EXECUTIVE SESSION

At 8:44 a.m., upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to Sec. 24-6-402(4)(e), C.R.S. for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the June 29, 2023 mediation with CH2M Engineers and ACWWA regarding the BTS project.

The session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Executive Sessions ended at 9:39 a.m.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, July 20, 2023 at 6:30pm, at the Joint Water Purification Plant, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: July 20, 2023
William C. Thomas, Mayor

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

July 20, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton, Steve McCulloch, and Judy Lavell attended.

Others present: Luis Tovar, Laurie Tatlock; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

THE AGENDA The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the agenda was unanimously adopted.

PUBLIC COMMENT There were no members of the public present.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meetings held June 15, June 25 and June 30, 2023;
- Approval of Disconnect List dated July 14, 2023;
- Approval of checks numbered 22680-22712, listed on the check register;
 - 2023 US Bank NA, NA interest payment in the amount of \$350,931.51;
 - ACH payment to Century Link on 7/5/2023 for \$99.36 and \$181.46;
 - ACH 6/30/2023 Payroll Specialists, \$34.65 zero payroll service fee;
 - ACH 7/6/2023, Payroll Specialists, \$1,600.81 - Director Payroll;
 - ACH payment to Xcel Energy on 6/28/2023 for \$53.82 and on 6/29/2023 \$58.89;
 - ACH payment to Xpress Bill Pay on 5/5/2023 for \$903.25;
 - Path Point Merchant Services Credit Card Fees on 7/3/2023 for \$4,408.09; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS Director Ron Hilton reviewed with the Board Water Conservation Programs promoted through Resource Central, including Garden In A Box, Waterwise Yard Seminars, Slow the Flow residential irrigation audits and Lawn Replacement Programs. Director Dillon asked that the Board come to the August meeting with a list of Conservation Programs prioritized to offer in 2024 for budgeting purposes.

MANAGER'S REPORT Luis Tovar discussed items in the Manager's Report including updates on the Walker Reservoir Project, WISE changes, Cottonwood Highlands Non-Potable Water Line Project, ARPA and CWCB funding. Director Thomas asked that staff schedule a work session on finances and loan funding.

ACTION ITEMS The Board considered the action items listed below:

1. Cottonwood Highlands Irrigation Main Relocation: BrightView Landscaping Services - \$18,300.
2. Cottonwood Highlands Potable Irrigation Waterline conversion to a Non-Potable Irrigation Waterline: Mulhern to design, permit and provide services during construction - \$8,100.
3. Sanitary Sewer Cleaning and Video Inspection 2023: DES Environmental Services - \$46,100.

Upon motion duly made by Director Thomas, seconded by Director McCulloch and upon vote, the action items listed above in the total amount of \$72,500.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board and addressed Board questions.

Financial Report – The Board reviewed the financial statements and addressed Board questions.

Legal Report – Carolyn Steffl provided a legal report for the Board.

EXECUTIVE SESSIONS

At 8:01 pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to (i) the Cottonwood Water and Sanitation District's temporary treatment of the Biological Treatment System's concentrate discharge at the LTCWRF and (ii) the pro-rata share of investment by Cottonwood Water and Sanitation District and the Arapahoe County Water and Wastewater Authority in the JWPP Reconversion Project.

This session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Executive Session ended at 8:36 p.m.

At 8:42 pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to utility easements required from the parcel (a.k.a. Bryant Parcel where the Cottonwood Water and Sanitation District's Booster Pump Station is located).

This session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the Executive Session ended at 9:31 p.m.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 9:48 p.m.

The next regular meeting of the Board is scheduled for Thursday,
August 17, 2023 beginning at 6:30 p.m. at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: August 17, 2023

William C. Thomas, Pres.

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

August 17, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton, Steve McCulloch, and Judy Lavell attended.

Others present: Luis Tovar, Genevieve Love, Becca Haines, Laurie Tatlock; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

THE AGENDA The Board considered the proposed agenda. Luis advised that there was no need to hold an Executive Session regarding the Douglas County Water Commission. Instead, he will just update the Board on the formation efforts of Douglas Water Commission. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the revised agenda was unanimously adopted.

PUBLIC COMMENT There were no members of the public present.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meetings held July 20, 2023;
- Approval of Disconnect List dated August 10, 2023;
- Approval of checks numbered 22713-22751, listed on the check register;
 - ACH payment to Century Link on 8/5/2023 and 8/7/2023 for \$181.70 and \$94.12;
 - ACH 7/24/2023, Payroll Specialists, \$630.16 - Director Payroll;
 - ACH payment to Xcel Energy on 7/26/2023 for \$52.35 and on 7/27/2023 \$58.07;
 - ACH payment to Xpress Bill Pay on 8/8/2023 for \$1,216.48903.25;
 - Path Point Merchant Services Credit Card Fees on 8/2/2023 for \$5,288.48;
- Acceptance of the Financial Statements for the period ending July 31,2023; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS Director McCulloch asked staff to explain the South Metro Water Supply Authority's plan for the renewable water supply gap during a drought. Luis explained that SMWSA had authorized a Master Plan Study to chart out each of the participant's needs and strategize a plan to serve water during a drought.

Luis reviewed a map and table summarizing projected development in the District with estimate water demands with the Board.

MANAGER'S REPORT Luis Tovar discussed items in the Manager's Report noting ACWWA's desire to finalize the Chambers Reservoir agreements and expenditure of ARPA Funding to design, permit and construct emergency connections between Inverness ACWWA, Cottonwood and

Stonegate. Noting that he had met with the Colorado Water Conservation Board (“CWCB”), Luis asked for the Board’s direction to pursue a new loan for the purchase of capacity at ACWWA’s Chambers Reservoir. The Board directed staff to pursue the new loan with the CWCB. Luis noted that staff will be looking at alternative billing systems versus upgrading the Caselle billing system.

ACTION ITEMS

1. Cottonwood Highlands Irrigation Main Relocation: BrightView Landscaping Services - \$18,300.
2. Cottonwood Highlands Potable Irrigation Waterline conversion to a Non-Potable Irrigation Waterline: Mulhern to design, permit and provide services during construction - \$8,100.
3. Sanitary Sewer Cleaning and Video Inspection 2023: DES Environmental Services - \$46,100.

Upon motion duly made by Director Thomas, seconded by Director McCulloch and upon vote, the action items listed above in the total amount of \$72,500.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board and addressed Board questions.

Legal Report – Carolyn Steffl provided a legal report for the Board. She detailed discussions with her law partner and outlined a direction forward.

EXECUTIVE SESSION

At 8:08 pm, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. section 24-6-402(4)(b) and (4)(e) for conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators relating to the CH2M mediation to discuss mediation statement and provide specific settlement authorization.

This session was recorded.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Executive Session ended at 8:39 p.m.

DOUGLAS COUNTY WATER COMMISSION

Luis updated the Board on the activities regarding the formation of the proposed Douglas County Water Commission.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 9:48 p.m.

The next regular meeting of the Board is scheduled for Thursday, September 21, 2023 beginning at 6:30 p.m. at the Joint Water Purification Plant, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: September 21, 2023

William C. Thomas, Sr.

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT
SPECIAL MEETING HELD**

September 5, 2023
at 11:00 a.m. via ZOOM

ATTENDEES Directors present: Linda Dillon, Ron Hilton, Judy Lavell, Steve McCulloch, and Bill Thomas

Others present: Luis Tovar, Laurie Tatlock, and Becca Haines; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C.

THE AGENDA The Board considered the proposed agenda. Upon motion duly made, seconded and upon vote, the agenda was unanimously approved.

EXECUTIVE SESSION

At 11:02 a.m., upon motion duly made by Director Dillon, seconded by Director Thomas, and upon vote, the Board unanimously moved into executive session pursuant to C.R.S. Sec. 24-6-402 (4)(e), for instructing negotiators relating to settlement of the dispute with CH2M Hill Engineers and CH2M Engineers regarding the JWPP.

The session was recorded.

Upon motion duly made by Director Dillon, seconded by Director Thomas and upon vote, unanimously carried, the Executive Sessions ended at 11:20 a.m.

After Board discussion, the Board directed negotiators to finalize the settlement offered by CH2M Hill regarding the JWPP.

After Board discussion, the Board directed staff to continue to refine the Memorandum of Understanding with ACWWA regarding the treatment of JWPP reject water and bring the final document back for final Board consideration.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, September 21, 2023 at 6:30pm, at the Joint Water Purification Plant, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: September 21, 2023

William C. Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**
September 21, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton, and Steve McCulloch, attended.

Others present: Luis Tovar, Laurie Tatlock, Genevieve Love, Becca Haines; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

Board President, Linda Dillon, called the meeting to order at 6:30pm.

Upon motion made by Director Thomas, seconded by Director Hilton, and upon unanimous vote, Director Judy Lavell's absence was excused.

THE AGENDA The Board considered the proposed agenda. No changes to the agenda were proposed. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the agenda was unanimously adopted.

PUBLIC COMMENT There were no members of the public present.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meetings held August 17, 2023 and September 5, 2023;
- Approval of Disconnect List dated September 8, 2023;
- Approval of checks numbered 22752-22785, listed on the check register;
 - 2023 BOKF, NA Series 2019 Bond Payment in the amount of \$637,408.11
 - ACH payment to Century Link on 9/5/2023 and 9/7/2023 for \$181.70 and \$101.90 respectively;
 - ACH 8/22/2023, Payroll Specialists, \$630.16 – Director Payroll;
 - ACH payment to Xcel Energy on 8/25/2023 for \$58.39 and \$52.10;
 - ACH payment to Xpress Bill Pay on 9/5/2023 for \$1,215.29
 - Path Point Merchant Services Credit Card Fees on 9/5/2023 for \$5,812.86
- Acceptance of the Financial Statements for the period ending August 31,2023; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the consent agenda as presented.

DIRECTOR ITEMS Director Thomas requested that Board members discuss matters that they found pertinent from their attendance at the 2023 Special District Association Annual Conference.

Director McCulloch would like to pursue a grant to fund solar at the water tank site.

Director McCulloch asked about the District's long range planning. Luis Tovar recommended a special meeting to review the long range plans currently in place.

Director McCulloch asked staff about partnering opportunities with Parker Water and Sanitation District. Luis Tovar discussed current and future partnerships with local districts, and the likelihood of PWSO cooperating with CWSD.

Director Hilton asked how property taxes affect the mill levy rate. Carolyn Steffl and Luis Tovar explained how the enterprise and debt funds were funded.

Director Dillon asked about updating/upgrading the rules and regulations. Carolyn Steffl replied that the update is needed and would be a priority.

Director Thomas brought up website accessibility and referenced recent legislation that requires websites to be accessible to the blind.

Director Thomas spoke of creating a plan and backup for cyberattacks and technological errors.

Director Thomas asked about social media and making certain that the proper people have access and that there are no fake pages.

MOU BETWEEN ACWWA AND COTTONWOOD

Carolyn Steffl presented the Memorandum of Understanding between ACWWA and Cottonwood regarding the treatment of JWPP reject wastewater and use of settlement proceeds.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Hilton and upon vote, the Board ratified the MOU between ACWWA and Cottonwood.

2024 DRAFT BUDGET

Luis Tovar presented the draft budget to the Board.

MANAGER'S REPORT

Luis Tovar discussed items in the Manager's Report including updates on the JWPP Concentrate Disposal Due Diligence and changes to the proposal, along with monitoring the Aurora pilot to research the viability of the new technology being introduced by WISE; the Crown Point booster pump station ("CPBPS") upgrades that are needed to efficiently run the station must be approved now so that the equipment can be ordered and ready by the beginning of the year; updates on the Walker Reservoir Project (CCPWA).

ACTION ITEMS

The Board considered the action items listed below:

1. Crown Point Booster Pump Station Controls Upgrade Project – Equipment Purchase for \$67,610
2. Crown Point Booster Pump Station Controls Upgrade Project – Installation & Programming Services for \$64,443

Upon motion duly made by Director Thomas, seconded by Director McCulloch and upon unanimous vote, the action items listed above in the total amount of \$132,053 were approved.

REPORTS

Dashboard – Luis Tovar reviewed the dashboard with the Board.

Legal Report – Carolyn Steffl reviewed the legal report with the Board.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the meeting was adjourned at 8:50 p.m.

The next regular meeting of the Board is scheduled for Thursday,
October 19, 2023 beginning at 6:30 p.m. at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: October 19, 2023

By William C Thomas, secy.

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

October 19, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton, Steve McCulloch, and Judy Lavell attended.

Others present: Luis Tovar, Becca Haines, Laurie Tatlock, Erika Stasko; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

THE AGENDA The Board considered the proposed agenda. Carolyn advised that there was no need to hold an Executive Session regarding the PFAS litigation class action settlement and will be covered during the Legal Report. Upon motion duly made by Director Dillon, seconded by Director Thomas and upon vote, the revised agenda was unanimously adopted.

PUBLIC COMMENT There were no members of the public present.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meeting held September 21, 2023;
- Approval of Disconnect List dated October 11, 2023;
- Approval of checks numbered 22787-22830, listed on the check register;
 - ACH payments to Century Link on 10/5/2023 for \$181.70 and \$99.94;
 - ACH 10/2/2023, Payroll Specialists, \$34.65 – Zero Payroll Fee;
 - ACH 10/3/2023, Payroll Specialists, \$1,061.56 - Director Payroll;
 - ACH payment to Xcel Energy on 9/26/2023 for \$52.10 and on 9/27/2023 \$58.39;
 - ACH payment to Xpress Bill Pay on 10/5/2023 for \$1,208.53;
 - Path Point Merchant Services Credit Card Fees on 8/2/2023 for \$4,978.94; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

FINANCIAL STATEMENTS Luis Tovar presented the Financial Statements to the Board. The Board considered the Financial Statements for the period ending September 30, 2023.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board accepted the financial reports.

DIRECTOR ITEMS Director McCulloch addressed the wetlands that have been built along Cherry Creek, Lone Tree, Cottonwood, and Windmill Creek as natural filters. Luis replied that the best way to improve wetlands and retention ponds is for CCBWA (Cherry Creek Basin Water Authority) to purchase more land along the flood plain in order to have the space to build more.

Director McCulloch pointed out that the solar money is a loan and not a grant, and staff advised how to obtain a grant to reduce costs for the solar energy system in the future. Director McCulloch shared his observations with regard to his attendance at the Cottonwood Metropolitan District Open House and the Stonegate Metropolitan District Board Meeting.

2024 DRAFT RATES

Luis Tovar reviewed the 2024 proposed rates with the Board.

MANAGER’S REPORT

Luis Tovar discussed items in the Manager’s Report noting that the replacement of the non-working polishing cells will need to be removed and that proposals for this work are being considered. Luis highlighted that ACWWA will take the lead on creating a technical review committee with recommendations from Staff on a technical review consultant to use. The EPA and DHS require new cybersecurity measures to be implemented in the District. The District is considering running trash service and costs of marketing which will be brought back to the Board in the November meeting. Luis updated the board regarding ADG, the new billing system, which includes the fact that Inverness and Cottonwood can share costs for the new system as opposed to shouldering the cost alone.

ACTION ITEMS

1. Vulnerability Assessment Plan Update: Jacobs – Not to exceed \$50,000

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the action items listed above with the total amount not to exceed \$50,000.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board. There were no Board questions.

Legal Report – Carolyn Steffl provided a legal report for the Board which included the PFAS litigation class action lawsuit settlement and described the options available to the Board.

Upon motion duly made by Director Thomas, seconded by Director Dillon, the Board moved to accept the class action suit.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, unanimously carried, the meeting was adjourned at 8:48 p.m.

The next regular meeting of the Board is scheduled for Thursday, September 21, 2023 beginning at 6:30 p.m. at the Joint Water Purification Plant, 8051 South Jordan Road, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: November 16, 2023

William C Thomas, CEO

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

November 16, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton, Steve McCulloch, and Judy Lavell attended.

Others present: Luis Tovar, Becca Haines, Laurie Tatlock, Genevieve Love; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C

THE AGENDA The Board considered the proposed agenda. Luis Tovar recommended discussing the financial report at the same time as the budget. Upon motion duly made by Director Dillon, seconded by Director Thomas, upon vote, the revised agenda was unanimously adopted.

PUBLIC COMMENT There were no members of the public present.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meeting held October 19, 2023;
- Approval of Disconnect List dated November 9, 2023;
- Approval of checks numbered 22831-22862, listed on the check register;
 - ACH payments to Century Link on 11/5/2023 for \$183.05 and \$99.94;
 - ACH payments to Payroll Specialists on 10/26/2023 for \$461.75, \$77.50, and \$90.91 – Director Payroll;
 - ACH payment to Xcel Energy on 10/25/2023 for \$52.10 and on 10/26/2023 for \$58.45;
 - ACH payment to Xpress Bill Pay on 11/5/2023 for \$1,200.70; and
- Disclosure of potential conflicts of interest

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS Director Thomas discussed the State of the County event that he and Director McCulloch attended.
Director Thomas suggested discussing water-saving programs at the January Board Meeting.
Director Hilton asked a question about Prop HH and whether or not a response is required. Carolyn Steffl expanded on Proposition HH's failure and how it will affect the District, and that a response is not necessary at this time.

PUBLIC HEARING ON 2024 BUDGET Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously opened a public hearing for discussion of the 2024 Budget at 7:07pm. There were no public present.

Genevieve Love and Luis Tovar addressed the Board regarding the proposed Budget. Genevieve reviewed the general fund, reviewing rates, projections for revenue, and projected expenditures. They also reviewed the Debt Fund and Capital Improvement Fund. Luis and Genevieve addressed Board questions.

Having no further discussion, upon motion duly made by Director Thomas, seconded by Director Dillon, upon vote, the Board unanimously closed the public hearing at 7:30pm.

**CONSIDER RESOLUTION TO ADOPT 2024 BUDGET
AND APPROPRIATE SUMS OF MONEY**

Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board unanimously approved the Resolution to Adopt 2024 Budget and Appropriate Sums of Money with finalization by staff with minor revisions to line items as discussed with the Board.

CONSIDER RESOLUTION CERTIFYING 2024 MILL LEVY

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, subject or modifications needed when Douglas County certified the final District Assessed Value, the Board unanimously approved the Resolution to Certify the 2024 Mill Levy with the Cottonwood General Obligation Bonds and Interest amended at 7.5 mills.

PUBLIC HEARING ON 2024 RATES

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously opened a public hearing for discussion on the 2024 Rates. There was no public present.

Luis Tovar discussed the staff recommendations for the 2024 rates for increases of 2.5% for water base and usage fees and 3.0% for wastewater use fees. Staff also recommends a 3.5% increase in water and wastewater tap fees.

There being no further discussion, upon motion duly made by Director Thomas, seconded by Director Hilton and upon vote, the Board closed the public hearing on the 2024 Rates at 7:55pm.

CONSIDER RESOLUTION TO ADOPT 2024 RATES AND FEES

Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board unanimously approved the Resolution to Adopt 2024 Rates and Fees.

MANAGER'S REPORT

Luis Tovar discussed items in the Manager's Report such as addressing updates on JWPP and the current status on upgrades at the Crown Point booster pump station; matters related to Water Court and how it relates to the District; the Cottonwood Highlands non-potable pipeline completion; furthering operations in conjunction with Inverness Water and Sanitation; updates on the Chambers Reservoir agreement; and current progress on the lead and copper request from the CDPHE (Colorado Department of Public Health and Environment). Luis addressed Board questions.

ACTION ITEMS

Luis Tovar reviewed the action items below for Board consideration;

1. Lead and Copper Rule, CDPHE Service Line Inventory – prepare and submit Service Line Inventory to the CDPHE – \$6,200
2. Water Court Case #23CW321 – Statement of Opposition Filing

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the action items listed above with the total amount not to exceed \$6,200.

REPORTS

Dashboard – Luis reviewed the dashboard with the Board and addressed board questions.

Legal Report – Carolyn Steffl provided a legal report for the Board which included an update on the Crown Point booster pump station. Genevieve Love addressed the current status of the District audit.

ADJOURNMENT

Upon motion duly made by Director Thomas, seconded by Director Hilton and upon vote, unanimously carried, the meeting was adjourned at 8:48p.m.

The next regular meeting of the Board is scheduled for Thursday, December 14, 2023 beginning at 6:30 p.m. at the at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: December 14, 2023

William C Thomas, Dir

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

December 14, 2023

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Ron Hilton, Steve McCulloch, and Judy Lavell attended.

Others present: Luis Tovar, Becca Haines, Genevieve Love; Mulhern MRE, Inc; and Carolyn Steffl, Dietze and Davis, P.C attended via Zoom on an electronic device.

THE AGENDA The Board considered the proposed agenda. Luis recommended an additional item be added to the Action Items section of the agenda to discuss a change to the December disconnection protocol to accommodate the holidays. Upon motion duly made by Director Thomas, seconded by Director Lavell, upon vote, the revised agenda was unanimously adopted.

PUBLIC COMMENT There were no members of the public present.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included;

- Approval of the minutes from the meeting held November 16, 2023;
- Approval of Disconnect List dated December 13, 2023;
- Approval of checks numbered 22863-22890, listed on the check register;
 - Wire Payment of 2023 Bond Series 2016 Principal and Interest Payment in the amount of \$482,716.50
 - ACH payment to Century Link on 12/5/2023 for \$184.34;
 - ACH payments to Payroll Specialists on 11/29/2023 for \$461.75, \$77.50, and \$90.91 – Director Payroll;
 - ACH payment to Xcel Energy on 11/27/2023 for \$71.69 and on 11/28/2023 for \$58.00;
 - ACH payment to Xpress Bill Pay on 12/5/2023 for \$1,259.78;
- Disclosure of potential conflicts of interest
 - Director Hilton disclosed that he is now a Board Member on the Cottonwood Highlands Metropolitan District No. 1 Board of Directors; and
- Designation of Posting Location and Set Meeting Dates for 2024.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board approved the consent agenda as presented.

DIRECTOR ITEMS Director McCulloch discussed Stonegate and a presentation that Luis attended about the options Stonegate has for effluent water. Luis addressed Board questions.

MANAGER'S REPORT Luis Tovar discussed items in the Manager's Report and addressed Board questions.

ACTION ITEMS

Luis Tovar reviewed the Action Items below for Board consideration;

- A. 2024 District Operation Services – Inverness Water and Sanitation District
 - Annual Cost of \$211,200 invoiced monthly at \$17,600
- B. Equipment Purchase Share Request – Shared cost with Inverness Water & Sanitation District
 - New truck \$46,965, Cottonwood’s share is \$23,483.
- C. 2024 Landscape Services – Baird Ground Maintenance.
 - Monthly \$1,195 March – October.
 - \$655 per mow for field mowing (2-3 times for the season).
- D. 2023-2024 Snow Removal – Baird Ground Maintenance.
- E. 2023 Financial Audit – Fiscal Focus Partners.
 - Audit for 2022 Financial Statements not-to-exceed \$8,500.
- F. 2024 On Call Emergency Repairs – C&L Water Solutions.
- G. 2024 General District Management – MMRE.
 - Annual Cost of \$176,130 in 12 monthly installments of \$14,677.50 each.
- H. 2024 District Accounting/Billing/Customer Service – MMRE.
 - Annual cost of \$145,230 in 12 monthly installments of \$12,103 each.
- I. 2024 JWPP Operations Oversight & Management – MMRE.
 - Not-to-exceed \$20,000.
- J. 2024 East Sewer Collector Assessment & Report per 2023 Jetting & CCTV Project – MMRE.
 - Not-to-exceed \$7,900.
- K. Water Court Cases – Statement of Opposition Filing.
 - Consider filing Statement of Opposition for Water Court Cases No. 23CW3129, No. 23CW3148.
- L. Luis recommended that the Board consider delaying the disconnect date from December 21, 2023 to January 4, 2024.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the yearly contract action items A, C, G, H, and I in the total amount of \$562,120 were approved by the Board.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the equipment share request action item B in the amount of \$23,483 was approved by the Board.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the action items E and J in the amount of \$16,400 were approved by the Board.

Upon motion duly made by Director Thomas, seconded by Director McCulloch and upon vote, the time and management project action items D, F, and K were approved by the Board.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the disconnect protocol was revised as recommended by staff.

REPORTS

Legal Report – Carolyn Steffl provided a legal report for the Board (and answered Board questions).

ADJOURNMENT

Upon motion duly made by Director Thomas seconded by Director Dillon and upon vote, unanimously carried, the meeting was adjourned at 8:10 p.m.

The next regular meeting of the Board is scheduled for Thursday, January 18, 2024 beginning at 6:30 p.m. at the at the Joint Water Purification Plant at 8051 S Jordan Rd, Englewood, CO 80112.

READ AND APPROVED BY THE BOARD:

Date: January 18, 2024
William C Thomas, secy