

RECORD OF PROCEEDINGS

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

January 18, 2018

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

ATTENDEES Directors present: Bill Thomas, Linda Dillon, Adam Perez and Steve Wasiecko. Director Kasaris participated by phone. Others present: Randy Warren, Luis Tovar, Pat Mulhern and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.

THE AGENDA The Board considered the proposed agenda. Upon motion duly made, seconded and unanimously carried, the agenda was adopted.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the meeting held December 14, 2017, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated January 12, 2018, approval of checks numbered 20002 through 20054 listed on the check register, disclosure of potential conflicts of interest and ratification of Director payments on December 20, 2017.

Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Director Thomas addressed the Board regarding the proposed meeting house rental. Legal Counsel prepared a confidential memo to the Board to discuss use restrictions and the limitations of the District as a public entity.

The Board discussed concerns and logistics of renting the meeting house including staffing the event, providing access to the Cottonwood customer, times the house would be available, a possible trial period, and covering administrative costs related to organizing and management. Following Board discussion, legal counsel was asked to draft guidelines distinguishing use by a group on an as needed basis.

Director Wasiecko also asked for a status on the trash collection and possibility of the District providing the service. Staff will follow up with the SDA on legislative consideration.

PUBLIC COMMENT

There was no public present.

**RESOLUTION ON 2018 ELECTION
AND DESIGNATION OF AN ELECTION OFFICIAL**

Upon motion duly made by Director Thomas, seconded by Director Perez, and upon vote, the 2018 Election Resolution was unanimously passed.

PUBLIC HEARING ON 2018 RATES

The Board opened a public hearing at 7:19pm to discuss the proposed rate changes. There being no public present, the public portion of the hearing was closed. Randy Warren reviewed the proposed changes as provided in the Board packet and at the November 2017 meeting. The details are included in the resolution exhibit.

RESOLUTION REGARDING RATE CHANGES

Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board unanimously approved the Resolution Regarding Rate Changes effective February 1, 2018.

CONSIDER EASEMENT AGREEMENT WITH ACWWA ON TRACT C PROPERTY

Luis Tovar reviewed the agreement. There is a new development just south of the Tract C property near the JWPP that ACWWA is requesting to have an easement to install a sewer line to serve the property. Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board unanimously approved the agreement.

CONSIDER AGREEMENT WITH GARDEN IN A BOX

Carolyn Steffl reviewed the commitment of the District of \$60 per garden for up to 50 homeowners which includes a \$25 discount to the customer and a \$35 administrative fee to program organizers, Boulder Energy Conservation Center.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board approved the agreement in substantially the form presented pending legal counsel's review and approval of minor changes.

JWPP STATUS

The Board moved to discuss this item under executive session.

MANAGERS REPORT

Randy Warren reviewed the staff memo provided in the packet. There was no Board action.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Microfiltration Cleaning Study- CH2M** - \$71,956 to complete autopsy of MF system and in plant water quality testing (will request ACWWA to pay their portion)
2. **Well D4A Phase I Rehabilitation** - \$43,170 to continue the District's well rehab program. Removal of equipment, video, cleaning and pump test.
3. **Well D3 Emergency Repair** - \$6,670 to remove well piping and motor to investigate failure of well production.
4. **Phase I Iron and Manganese Filtration Study – Bai Engineers** - \$45,600 to test filtration system effectiveness to remove iron and manganese at 2 well sites

5. **Crown Point Secondary Line** - \$8,020 for security deposit to the Town of Parker for project. This amount was previously approved via email. Staff asks that the expenditure be ratified.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board approved items 1-4 with ratification of item #5.

REPORTS

Hughes & Stuart – A website analysis was provided in the board packet. There was no Board action.

Legal Report – Carolyn Steffl reviewed current legal cases and discussed the deadline extension request of the Cherry Creek Alluvial Study to 2021. She will revisit this item when there is a draft agreement available. There was no Board action.

EXECUTIVE SESSION


At 7:40pm, upon motion duly made, seconded and upon vote, the Board moved into an executive session pursuant to C.R.S. 24-6-402 (4)(b) & (e) for purposes of conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators related to the proposed reconversion of the JWPP and contracts and negotiations with ACWWA related thereto.

At 8:15pm, upon motion duly made, seconded and upon vote, the Board moved out of executive session.

The Board instructed staff to move forward in meeting with ACWWA staff on the JWPP as discussed in executive session.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for February 15, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: 2/15/2018
READ AND APPROVED BY THE BOARD:


Adam Perez, Secretary


Steve Wasiecko, V.P.

RECORD OF PROCEEDINGS

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

February 15, 2018

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

ATTENDEES

Directors present: Bill Thomas, Alyssa Kasaris, Linda Dillon and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl and John Peckler, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

Upon motion duly made, seconded and upon vote, the Board unanimously excused Director Perez.

THE AGENDA

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

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held January 18, 2018, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated February 13, 2018, approval of checks numbered 20055 through 20092 listed on the check register, and disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Carolyn Steffl drafted a Board Resolution regarding use of the District Meeting House. The Board reviewed the Resolution and requested a revision to include detailing a fee related to having a District representative present during use if a Board member is not able to attend.

PUBLIC COMMENT

There was no public present.

JWPP UPDATE

Pat Mulhern reviewed the progress of the JWPP proposal for funding presented to ACWWA at their board meeting on Wednesday. The ACWWA Board agreed to pay 50% of the Preconstruction Phase Costs to develop a Guaranteed Maximum Price in the amount of \$187,500. Further discussion was held under executive session as advised by Counsel.

MANAGERS REPORT

Luis Tovar reviewed the items in the Manager's Report. The Snowberry water line is complete. The pilot study for iron and manganese is underway. Staff met with the homeowner on Wildrye to assess their lead and copper testing results. Staff provided comparative results of

neighboring homes. The Homeowner was comfortable with their test results and the follow up from the District. The home has a filtration system that does not allow them to provide a reliable sample and the District will move the sample site. Staff is working with contractors on the Crown Point Non Potable Line as well as the Potable Loop as a redundant supply to the Crown Point area. Bids were received today for the Well D3 Motor. Well DD7 rehabilitation costs were requested and staff is waiting on a 3rd contractor bid. The 2 wells that supply the JWPP are experiencing a decline in production as well. Staff requested costs for cleaning and videoing of those wells for consideration noted in the action items.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Well Equipment-HACH Analyzer Maintenance Plan-** a bi-annual maintenance plan for the 14 analyzers the District uses to track water quality for **\$14,282**.
2. **Construction Oversight-Mulhern MRE-** MMRE will provide contractor oversight during construction for the Crown Point Potable Loop Connection for **\$5,000**
3. **Well D3 Motor** – Motor has failed and staff recommends a full replacement of the motor for **\$43,700**
4. **Well DD7 Rehab** – Staff would like to initiate improvements to the well prior to irrigation season. Bids were requested.
5. **Wells DD4 & DD1** – The wells that supply the JWPP are slowing in production. The District received a bid to pull the equipment, video the wells, and clean the screens for **\$18,230**

Following Board discussion, Item 4 – Well DD7 Rehab, will be reconsidered once 3 formal bids are received. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board approved items 1, 2, 3 and 5 in the amount of \$81,212.

REPORTS

Hughes & Stuart – Melanie Goetz reviewed the brochure on the Garden in a Box program. There was no Board action.

Financial Report – Randy Warren reviewed the preliminary financial statements through December 31, 2017. There was no Board action.

Operations Report – Randy Warren reviewed the operations report. Director Wasiecko discussed the Beacon automated system which provides individual home consumption based on set parameters for leak detection and other features. There was no Board action.

Development Report – Randy Warren reviewed the development report.

Legal Report – Carolyn Steffl introduced John Peckler, an associate with her firm that will be assisting with the District.

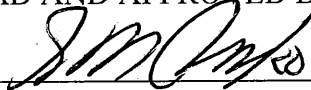
EXECUTIVE SESSION

At 7:28pm, upon motion duly made by Director Thomas, seconded by Director Dillon, the Board unanimously moved into an executive session pursuant to C.R.S. 24-6-402(4)(b) & (e) for the purposes of conference with the attorney for the District for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators related to the proposed reconversion of the JWPP and contracts and negotiations with ACWWA related thereto.

The Board moved out of the executive session at 7:58pm and requested staff schedule a special meeting on March 5th at 6pm to consider awarding the contract for the JWPP Reconversion project to CH2M.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. A special meeting is scheduled for Monday, March 5, 2018 beginning at 6:00pm at 8334 Sandreed Circle. The next regular meeting is scheduled for March 15, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: March 15, 2018
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

March 15, 2018

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

ATTENDEES

Directors present: Bill Thomas, Linda Dillon and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart. Public Present: Mr. Kevin McBrien, Arapahoe County Water and Wastewater Authority.

Upon motion duly made, seconded and upon vote unanimously carried, the Board excused Director Perez and Director Kasaris.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made, seconded and unanimously carried, the agenda was adopted.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the meetings held February 15 and March 5, 2018, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated March 13, 2018, approval of checks numbered 20097 through 20247 listed on the check register with the autopayment to Xcel Energy for \$100.50, and disclosure of potential conflicts of interest. Upon review, legal counsel provided some additional language to the February 15, 2018 minutes.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Consent Agenda was approved with the minutes to reflect the changes provided by legal counsel.

DIRECTOR ITEMS

Director Wasiecko asked staff about the ability to submit a new legislative Bill during the current session to address the trash service issue. At this time, any new Bill introduced would need a sponsor. Director Wasiecko asked that staff and legal counsel coordinate a submittal for the 2019 legislative session.

PUBLIC COMMENT

Mr. Kevin McBrien from Arapahoe County Water and Wastewater Authority was present in support of the JWPP Renovation Project and to address any questions or concerns from the Board related to ACWWA.

RESOLUTION REGARDING USE OF DISTRICT MEETING HOUSE

Carolyn Steffl revised the previous draft presented to the Board to include the meeting house capacity and a charge due the District for staff or contractor to be present at meetings if Board members are not available to attend.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the Resolution subject to staff confirming building capacity.

CONSIDER APPROVAL OF THE DESIGN-BUILD AGREEMENT FOR JWPP RENOVATION

Carolyn Steffl informed the Board that there are still revisions being made to the agreement. She and staff addressed Board concerns and questions.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the agreement in substantially the form presented with minor revisions by Manager and Legal Counsel.

Randy Warren received a letter, as requested from ACWWA, regarding their commitment to participate in the cost of the preliminary design and development of the Guaranteed Maximum Price for the JWPP project. Carolyn has reviewed the document and confirmed the District's requirements and staff's signature on behalf of the District.

JWPP UPDATE

Luis Tovar provided an update to the Board regarding staff working to extend the Colorado Water Conservation Board and US Bureau of Reclamation grant agreements. Carolyn Steffl suggested the Board provide a motion and direction to staff.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved staff drafting and entering into amendments to grant agreements with the CWCB and USBR regarding timeline extensions.

MANAGERS REPORT

Luis Tovar reviewed items in the Manager's Report related to the Snowberry water line Change Order, the sanitary sewer repair needed in Jordan Road, the pilot study for iron and manganese, and a corrosion study to look at the water quality of the District's 3 possible sources. Luis also discussed that as a result of the addition of WISE Water as a water supply, the District is required to sample for lead and copper twice this year with twice the number of samples compared to last year. The Crown Point irrigation project is underway and staff and contractors are having difficulty locating the existing line on the east side of Parker Rd.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Water Line Replacement** – CO #1 for additional erosion control and slurry cleanup for **\$13,300**. Baird Ground Solutions will provide landscaping restoration on the Water Line Replacement for **\$7,990**.
2. **Sanitary Sewer Repairs & Assessment** – Mulhern MRE will provide design and services during construction related to repairs in Jordan Road for an amount not-to-exceed **\$9,000**. Mulhern will

also complete the review of the video and provide recommendation of further system repairs for an amount not-to-exceed \$7,500

3. **Corrosion Study** – CH2 will study the District water quality incorporating the 3 potential sources for \$20,000.
4. **Lead and Copper Sampling** – Continuation of the \$20 per household for providing assistance with sample collection.
5. **Well DD7 Rehab** – Applied Ingenuity provided a proposal for Phase I of the rehabilitation process for \$27,214.
6. **JWPP Matters** – Mulhern MRE will continue working with CH2, ACWWA, the USBR and CWCBC on JWPP due diligence for a not-to-exceed fee of \$30,000.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the action items 1, 2, 3, 5 & 6 listed in an amount not to exceed \$115,004.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved Item 4, distributing water billing credits to properties participating in the water sample collection.

REPORTS

Hughes & Stuart – Melanie Goetz updated the Board on the Garden in a Box program. Currently there has only been one sale.

Financial Report – Randy Warren reviewed the District's financial position.

Operations Report – Randy Warren reviewed the operations report.

Legal Report – Carolyn Steffl reviewed the legal report. The Director Election will be cancelled as there were no more candidates than seats. She discussed the recent change in legislation related to changes in the election years, moving to odd numbered years. She also informed the Board of changes related to the UNCC requirements bringing burden to the Special Districts.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for April 19, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date:

4/19/2018

READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

April 19, 2018

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

ATTENDEES

Directors present: Bill Thomas, Linda Dillon and Steve Wasiecko.
Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

Public Present: James Horine, Resident of 8865 Cottonwood Way, John Dougherty, Resident of 8881 Cottonwood Way; Sara McKinney and Paul Hughey with Ent Bank.

Upon motion duly made, seconded and upon vote, the Board unanimously excused Director Perez and Director Kasaris.

THE AGENDA

The Board considered the proposed agenda. Director Wasiecko recommended that the agenda be amended to move the public comment section before the consent agenda. Upon motion duly made, seconded and unanimously carried, the agenda was amended as proposed.

PUBLIC COMMENT

Mr. James Horine asked the Board to explain what the District plans are related to trash service. Director Wasiecko informed Mr. Horine of the District efforts in the past and a proposed plan for next year's legislative session. Mr. John Dougherty asked about the District efforts and processes to obtain a service provider. Director Wasiecko reviewed the requirements for a Title 32 Special District to contract for trash collection and disposal services. Mr. Horine requested that a district map, transparency notice and public disclosure notice be posted on the website. Melanie Hughes informed Mr. Horine that the District map as well as the transparency notice is posted and staff will post the public disclosure document.

Ms. Sara McKinney and Mr. Paul Hughey with Ent Credit Union addressed the Board regarding their development of Crown Point Lot 4. The District engineer has asked for an additional 10' easement from the water line located within the existing easement that abuts their property. This additional 10' would require substantial costs on their part to revise construction drawings and resubmit plans to the Town and further delay the project. Both parties are willing to find an agreeable resolution. Ms. McKinney suggested one resolution would be to provide indemnification to the District if repairs/maintenance need to occur.

The Board directed staff to work with Ent Bank and legal counsel to prepare an indemnification agreement as proposed.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held March 15, 2018, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated April 16, 2018, approval of checks numbered 20248 through 20291 listed on the check register, auto-payment of Xcel Energy in the amount of \$79.42 and ratification of disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no Director items.

CONSIDER RESOLUTION REGARDING DISTRICT BANKING

Randy Warren reviewed the Resolution regarding the District opening a new bank account with Colorado State Bank and Trust to conduct regular business.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Resolution to open a bank account with Colorado State Bank and Trust and approving signatories.

JWPP UPDATE

Luis Tovar updated the Board on the work that CH2 is completing related to the Phase 1 requirements.

Randy Warren informed the Board of the recent ACWWA Board meeting regarding the hiring of Carollo Engineers to research 3 alternatives detailed in the memo provided.

MANAGERS REPORT

Luis Tovar reviewed the items in the Manager's Report regarding the sewer repair in Jordan Road, the Crown Point Irrigation well pumps and line connection. There was only one bid received for work related to the well pump and equipment. Luis will contact other contractors for pricing and bids to have a fair comparison.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Jordan Road Sewer Repairs** – Repair of sagging sewer line located under Jordan Road. C&L Water Solutions - \$68,950
2. **Crown Point Irrigation Line** – Line Connection – Connect existing irrigation line under Parker Road. C&L Water Solutions – not to exceed \$25,000

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the expenditures as listed.

REPORTS

Hughes & Stuart – Melanie Goetz informed the Board that there have been 13 purchases of the Garden in a Box program.

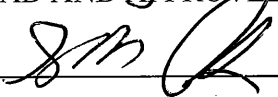
Financial Report – Randy Warren reviewed the preliminary financial statements for January/ February/ March. Staff has a draft of the 2017 audit and will present it for Board consideration at the next meeting.

Operations Report – Randy Warren reviewed the operations report.

Legal Report – Carolyn Steffl informed the board that the water court augmentation plan case is getting settled with some of the opposers, and her office is working on the Design/Build Agreement for the JWPP.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for May 17, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: May 17, 2018
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

May 17, 2018

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

ATTENDEES Directors present: Alyssa Kasaris, Bill Thomas, Linda Dillon and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

Public Present: Tom and Elizabeth Wood, representing Arapahoe County Water and Wastewater Authority.

**ELECTED DIRECTORS'
OATHS OF OFFICE**

Director Wasiecko administered the Oath of Office to Directors Alyssa Kasaris and Linda Dillon.

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

PUBLIC COMMENT

Mr. Tom Wood introduced himself. He is a Board member of the Arapahoe County Water and Wastewater Authority. His wife, Elizabeth Wood also attended the meeting.

Mr. Kyle Logan of Logan Associates was present to discuss the 2017 Financial Audit.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held April 19, 2018, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated May 14, 2018, approval of checks numbered 20431 through 20474 listed on the check register, disclosure of potential conflicts of interest and ratification of Director payments made April 20, 2018.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Consent Agenda was approved.

CONSIDER 2017 FINANCIAL AUDIT

Mr. Kyle Logan provided printed copies of the 2017 Financial Audit for Board review and discussion. Mr. Logan addressed Board questions. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously accepted the 2017 Financial Audit Report.

DIRECTOR ITEMS

Staff provided a review of the District procedures on filling a Director vacancy. A notice will be published on the District website and listed on the June 2018 water bills for distribution.

ELECTION OF OFFICERS

Upon motion duly made by Director Wasiecko nominating the following positions filled:

Linda Dillon	Treasurer
William Thomas	Secretary
Stephen Wasiecko	Vice President
Alyssa Kasaris	President

Director Thomas seconded the motion and upon vote, the Board unanimously approved the positions.

ADOPTION OF INDEMNIFICATION RESOLUTION

Carolyn Steffl reviewed the resolution provided in the Board packet. As a governmental entity, this resolution affirms that the District will defend and indemnify the Directors against liability for acts or omissions occurring during the performance of their duties.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the Resolution providing for the Indemnification of Directors of the District.

CONSIDER IGA WITH THE TOWN OF PARKER

Luis Tovar reviewed the purpose of the Agreement with the Board, to allow the District and the Town to waive requirements of an engineering fee deposit related to development reviews. Carolyn Steffl informed the Board that the parameters are limiting; however, she is in agreement with the District's execution.

JWPP UPDATE

Luis Tovar updated the Board on the work that CH2 is completing toward reaching the completion of Phase 1 of the JWPP Renovation Project.

At the ACWWA board meeting there was a water taste test presented at the JWPP. There were 4 samples of water from different sources and treatment standards. The first 2 samples were from the JWPP with MF with and without a softening agent. The last 2 samples were the ECCV RO Blend water and the WISE supply. The differences noted were related to hardness and taste with the ECCV and WISE supply being top rated.

Mr. Wood commented that this test is a result of their consultant, Carrollo, looking into treatment options on behalf of ACWWA.

MANAGERS REPORT

Luis Tovar and Randy Warren presented a District map highlighting the District Boundary and the current development.

Luis Tovar reviewed the items in the Manager's Report regarding the contractors request for shared costs for the Snowberry Waterline

Replacement project, the Crown Point Irrigation well, and the sewer repair in Jordan Road.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Snowberry Water Line Replacement** – Change Order request from contractor for ½ costs pipeline materials related to collapsed bore at **\$9,956**.
2. **Crown Point Irrigation** – Well Pump Equipment – Layne Christensen provided the lowest bid for equipment at well DD3 at **\$62,240**.
3. **Crown Point Irrigation** – Well Head Power Supply – Cross Diamond electric will hook up the electrical service for **\$24,000**.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board approved the expenditures as listed in the amount of **\$96,196.00**.

REPORTS

Hughes & Stuart – Melanie Goetz informed the Board that there have been a total of 17 purchases of the Garden in a Box program. Director Dillon reported that she purchased a Garden and planted it this past weekend and it was a relatively easy process.

Financial Report – Randy Warren reviewed the first quarter financial statements.

Operations Report – Randy Warren reviewed the operations report.

Legal Report – Carolyn Steffl reviewed the Conflict of Interest disclosure form, requesting any Board member with changes to update their form. She also provided progress of the augmentation plan.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for June 21, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: June 21, 2018
READ AND APPROVED BY THE BOARD:

William C Thomas

RECORD OF PROCEEDINGS

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

June 21, 2018

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

ATTENDEES

Directors present: Alyssa Kasaris, Bill Thomas, Linda Dillon and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

THE AGENDA

The Board considered the proposed agenda. Mr. Luis Tovar requested the Board consider an action item regarding the Lease of Well DD-1 to ACWWA to be listed under Exhibit C. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was amended as requested.

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 regular meeting held May 17, 2018, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated June 18, 2018, approval of checks numbered 20475 through 20507 listed on the check register, and disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Director Wasiecko circulated an email to staff from a resident with interest in the trash issue and legislation. Carolyn Steffl provided a memo attached to her legal report regarding the matter. Carolyn reviewed her memo that detailed the legal and administrative process to allow the addition of trash collection services to the District.

JWPP UPDATE

Luis Tovar updated the Board on the Guaranteed Maximum Price for the BTS construction provided to staff and ACWWA. The total cost provided was \$9.6 Million with an operating cost of \$3.18 per 1,000 gallons of water treated/delivered.

Staff has been meeting with ACWWA to review the cost and brainstorm possible further cost savings. A meeting is scheduled for next week where Cottonwood is asking ACWWA to provide their decision on participation in the BTS.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. The sewer assessment report was provided for review. Overall, the west side of the District looks good and is functioning well with a need for a few repairs shown in the report. Carolyn drafted a Lease Agreement with ACWWA for Well DD1. The Cherry Creek Project Water Authority sold a portion of their land assets (Vessel Property) with proceeds intended to be used for expansion of the Walker Reservoir. The Crown Point Irrigation project is slowly going through approval with the Town of Parker. They have further requirements related to the Preble's Mouse habitat delineation. The District consultant is working on a memo to the Fish and Wildlife Division for approval.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. Xcel Pumps – Well House DD3 – Removal and installation of valves/piping/fittings/equipment to integrate the well into the non-potable irrigation system. Costs not to exceed \$5,600.
2. Applied Ingenuity – Well D4A – Replacement costs of well equipment to maximize production at 400gpm. Costs not to exceed \$59,988.
3. Well DD-7 Rehabilitation – Replacement costs of well equipment, costs not to exceed \$11,300.
4. Well DD1 Lease Agreement – ACWWA requested renewal of the lease for use during their peak demand for a 90 day period.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the expenditures as listed.

REPORTS

Hughes & Stuart – Melanie reported that almost ½ of the coupons have been used for the program. The District will also participate in the fall plantings with sales beginning in late July at no extra cost to the District.

Development Update – Staff provided a map to illustrate the recent development throughout the District. The south side of Cottonwood Drive is requesting a Will Serve Letter for another 250 single family homes estimated to break ground in 2021.

Operations Report – Randy Warren reviewed the operations report. The District has seen an increase in use with the irrigation season beginning, though, the recent rain has also decreased demand this past week.

Legal Report – Carolyn Steffl reviewed their work on the Augmentation Plan. There have been some settlements with large opposers.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for July 19, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: July 19, 2018
READ AND APPROVED BY THE BOARD:

William C. Norman

RECORD OF PROCEEDINGS

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

July 19, 2018

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

ATTENDEES

Directors present: Alyssa Kasaris, Bill Thomas, Linda Dillon and Steve Wasiecko. Others present: Pat Mulhern, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

**Public Present: Kevin Clark, resident at 16449 Azalea Avenue;
George Prine, resident at 16239 Lanceleaf Point.**

THE AGENDA

The Board considered the proposed agenda. Director Kasaris requested that the Board amend the agenda to include a discussion of the vacant board position under the Public Comment Section with Mr. Clark and Mr. Prine. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was amended as requested.

PUBLIC COMMENT

Mr. George Prine addressed the Board regarding the vacant board position and his interest and qualifications. The Board was provided the application completed by Mr. Prine for their review.

Mr. Kevin Clark addressed the Board regarding the vacant board position and his interest and qualifications. The Board was provided the application completed by Mr. Clark for their review.

The Board reviewed their positions and the duties of the Board as representatives of the District. Following discussion, the Board directed staff to schedule informal interviews with each interested candidate.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held June 21, 2018, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated July 17, 2018, approval of checks numbered 20508 through 20543 listed on the check register, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no Director items for discussion.

CONSIDER WATER CONSERVATION ORDER ADOPTING WATER RESTRICTIONS

The Board was provided a Water Conservation Order regarding implementation of water restrictions for all Cottonwood customers beginning July 19 through October 15, 2018. The District is experiencing a significant increase in use due to the hot, dry weather. Following discussion, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the Water Conservation Order to Adopt Water Restrictions.

Staff was directed to provide the water restrictions to ALL customers via email, website, and monthly billing insert. There was Board discussion and suggested changes to the details in the Conservation Order regarding watering time restrictions and listing some best practices for people to be aware of.

Carolyn Steffl reviewed the District Rules and Regulations regarding water conservation and the required notification to customers. The District is required to provide public notice and hold a public hearing within 2 weeks of the adoption to allow public comment. Following Board discussion, upon motion by Director Wasiecko to amend the Water Conservation Order to change the watering time restrictions to 9am to 6pm and change the date of effectiveness to August 2nd to provide the 2 week notification prior to the next regular board meeting, seconded by Director Thomas and upon vote, the Board unanimously amended the Order.

Following further discussion, Director Thomas proposed a motion to provide a variance to the District Rules and Regulations to efficiently use public funds to mail a postcard separately in order to meet District deadlines for notification. The motion was duly seconded by Director Dillon and upon vote, the motion carried.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. The Jordan Road sewer repair has been delayed to accommodate the Crown Point irrigation line connection following the approval from the Town of Parker. Luis also reviewed the Lead and Copper sampling results.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. JWPP Reconversion – CH2M requests approval to order the design of 2 new RO skids due to the lead time required on the item. Costs not to exceed \$10,000
2. Water Tank Repairs – Bates Engineering has provided a proposal for repairs of the concrete box and access hatch at the water tank. Costs not to exceed \$27,200.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board approved item #2. Staff recommended that consideration of item #1 be delayed following the executive session discussion.

REPORTS

Hughes & Stuart – Melanie Goetz reviewed the Board's discussion on how to circulate the Conservation Order to all the Cottonwood Customers.

Development Update – A map was provided for the Board with no changes from last month.

Dashboard Report – The Dashboard was provided for review. There were no Board questions.

Legal Report – Carolyn Steffl contacted the SDA regarding trash services and the next legislative session. She will attend the SDA legislative committee meeting and provided a draft letter to the SDA committee with the legal report. There is no formal position from the SDA but it was recommended to have a democratic sponsor in addition to Kim Ransom's support for the bill.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board moved into an executive session pursuant to C.R.S. 24-6-402 (4)(b) & (e) for the purposes of conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators related to the proposed reconversion for the JWPP and contracts and negotiations with ACWWA related thereto.

The session was recorded.

The Board moved out of executive session at 9:18pm and provided the following direction to staff;

1. Staff is to look into drafting a question for the November ballot related to General Obligation Bond
2. Staff is to deliver a letter signed by the Board President responding to the funding offer from ACWWA
3. Legal counsel is to work with ACWWA legal counsel to draft the second amendment to the IGA with ACWWA and to produce a loan agreement

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved action item #1 listed above for design costs of 2 new RO Skids not to exceed \$10,000.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for August 17, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: August 16, 2018
READ AND APPROVED BY THE BOARD:

William C Thomas, Secretary

RECORD OF PROCEEDINGS

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

August 8, 2018

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

ATTENDEES

Directors present: Alyssa Kasaris, Bill Thomas, Linda Dillon and Steve Wasiecko. Others present: Randy Warren, Pat Mulhern, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; John Peckler and Carolyn Steffl (via phone conference), Moses, Wittemyer, Harrison, and Woodruff, P.C.

THE AGENDA

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

PUBLIC COMMENT

There was no public present.

CONSIDER APPROVAL OF SECOND AMENDMENT TO IGA FOR OPERATIONS, MAINTENANCE AND RESOTRATION OF JWPP WITH ACWWA

Randy Warren and Pat Mulhern reviewed the agreement with the Board. The ACWWA Board approved the draft subject to final revisions made by their legal counsel. ACWWA will not require a loan agreement for project funding.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Second Amendment to the IGA subject to management and legal counsel final revisions.

CONSIDER APPROVAL OF GMP AND FIRST AMENDEMENT TO DESIGN BUILD AGREEMENT FOR JWPP RENOVATION PROJECT WITH CH2

Pat Mulhern reviewed the amendment with the Board. The Amendment provided revised dates to milestones; start-up is scheduled for May 20, 2019 with final project acceptance on August 13, 2019. The Guaranteed Maximum Price is \$10,019,696 which includes the preconstruction services. There is also a project contingency that will be used as an incentive to the contractor if unused.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Guaranteed Maximum Price and the First Amendment to the

Design Build Agreement subject to management and legal counsel final revisions.

CONSIDER APPROVAL OF INDEPENDENT CONTRACTOR AGREEMENT FOR OPERATIONS AND MAINTENANCE OF JWPP WITH CH2 ENGINEERS

Pat Mulhern reviewed the agreement with the Board. CH2 will provide operations for the JWPP for 3 years along with the 3 month start-up period. The agreement details requirements of operation of the JWPP.

Following Board discussion and upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the Agreement subject to minor revisions by management and legal staff.

Randy Warren provided the Board with the District's financial position related to funding the JWPP renovation. Staff asked that further detail be provided at the regular meeting scheduled for Thursday, August 16th.

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for August 16, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: August 16, 2018
READ AND APPROVED BY THE BOARD:

William C. Thomas, Secretary

Director Payments
3 mtg - July 19
Aug 8
Aug 16

COTTONWOOD WATER & SANITATION DISTRICT
188 INVERNESS DRIVE WEST, SUITE 150
ENGLEWOOD, COLORADO 80112
Phone: (303) 649-9857

NOTICE OF REGULAR MEETING

NOTICE IS HEREBY GIVEN that a regular meeting of the Board of Directors of the **COTTONWOOD WATER AND SANITATION DISTRICT**, Douglas County, Colorado has been scheduled for **Thursday, August 16, 2018**, beginning at the hour of **6:30 pm** at 8334 Sandreed Circle Parker, CO 80134 for the purpose of addressing those matters in the agenda set out below and conducting such other business as may properly come before the Board.

This meeting is open to the public.

IN WITNESS WHEREOF, this NOTICE is given pursuant to statute this 10th day of August, 2018.

COTTONWOOD WATER AND SANITATION DISTRICT

By: /s/Alyssa Kasaris

President to the District

AGENDA

- I. **CALL TO ORDER** *U P*
- II. **ADOPTION OF THE AGENDA** *BT/LD*
- III. **PUBLIC COMMENT**
- IV. **PUBLIC HEARING ON WATER CONSERVATION STAGE 2 RESTRICTIONS** *U³⁴ P BT/LD*
- V. **CONSENT AGENDA – Exhibit A** *BT LD*
 - A. Approval of Minutes – July 19 and August 8, 2018 meetings
 - B. Authorization of Disconnects
 - C. Approval of Payables
 - D. Disclosure of Potential Conflicts of Interest
- VI. **DIRECTOR'S ITEMS**
- VII. **MANAGER'S REPORT – Exhibit B**
- VIII. **ACTION ITEMS – Exhibit C** *→ BT/LD*
- IX. **REPORTS – Exhibit D**
 - A. Hughes & Stuart
 - B. Development Update
 - C. Dashboard
 - D. Financials
 - E. Legal Report
- X. **ADJOURNMENT** - Next meeting scheduled for ~~August~~ *8/10* **16, 2018** at 8334 Sandreed Circle, Parker, CO 80134 beginning at 6:30pm. *BT/LD*
Sept 19 20

Action Items

August 16, 2018

1. **JWPP – BTS re-start** – Mulhern MRE requests a final adjustment to the original contract amount for an additional \$12,000 for work completed related to start up and contract negotiations.
2. **JWPP – Construction management** - Mulhern MRE will manage and administer the construction of the BTS as the owner's representative. Mulhern proposes a monthly cost of \$12,000 (\$144,000 August 2018-August 2019) ~~approved thru Dec 2018 - 2019 pending budgeting~~
3. **Crown Point Irrigation - Well Head Power Supply** – Change Order for an electrical bore due to the realignment of the line around the Conservation Zone. Costs to be provided at the meeting. \$3,700
4. **SCADA – Remote Terminal Unit** – Browns Hill will purchase, install and program the RTU needed to operate the new pumps for the irrigation well at a cost of \$18,580.
5. **ASR Due Diligence** – Eurofins proposal for additional sampling requirement from the EPA, not to exceed \$3,500.00

Re budget

12,000
2 3,700
144,000
18,580
3,500

\$181,780

Cottonwood Water - Action Items

Date	Project	Contractor	Description	Amount Approved
JWPP				
Aug-18	JWPP Reconversion	MMRE	MMRE project management	\$ 12,000
Aug-18	JWPP Reconversion	MMRE	MMRE Construction management	\$ 144,000
Jul-18	JWPP Reconversion	CH2M	Manufacturing of 2 new RO skids	\$ 10,000
Mar-18	JWPP Reconversion	MMRE	MMRE project management	\$30,000
Mar-18	JWPP Reconversion	CH2M	80% construction drawings and GMP (split costs w/ACWWA)	\$187,500
Jan-18	MicroFiltration Cleaning Study	CH2M	MF autopsy; in plant water quality analysis and continued due diligence	\$71,956

OPERATIONS

Aug-18	Crown Point Irrigation - Well Head Power Supply	Cross Diamond Electric	Change order for electrical bore related to realignment	3700
Aug-18	Crown Point Irrigation - SCADA	Browns Hill	Remote Terminal Unit purchase, install, programming	\$ 18,580
Aug-18	ASR Due Diligence	Eurofins Lab	Lab sampling costs for additional requirements of EPA	\$ 3,500
Jul-18	Water Tank Repairs	Bates Engineering	Repair/Replacement of concrete box and access h	\$ 27,200
Jun-18	Well House DD-3 Piping	Xcel Pumps	equipment removal/installation at well house for non-potable line use	\$5,600
Jun-18	Well D4A Upgrade	Applied Ingenuity	replacement equipment	\$59,988
Jun-18	Well DD-7 Rehab	TBD	replacement equipment	
May-18	Snowberry Water Line Replacement	L&M Underground	Change Order for 1/2 costs of pipeline materials after failed bore	\$ 9,956
May-18	Crown Point Irrigation	Layne Christensen	Well pump & VFD equipment for Well DD3	\$ 62,240
May-18	Crown Point Irrigation	Cross Diamond Electric	Extending the power and communication lines from well DD-3 house to new well head	\$ 24,000
Apr-18	Jordan Road Sewer Repairs	C&L	Repair of sagging sewer line under Jordan Rd	\$ 68,950
Apr-18	Crown Point Irrigation	TBD	Well Pump & VFD equipment for Well DD3	TBD
Apr-18	Crown Point Irrigation Line	C&L	Line connection to nonpotable system in Crown Point	Time & Materials
Mar-18	Snowberry Water Line Replacement	L&M Underground	Change order #1 for additional erosion control efforts	\$13,300
Mar-18	Snowberry Water Line Replacement	Baird Ground Solutions	re-seed and landscape restoration	\$7,990
Mar-18	Sanitary Sewer Video/Jetting	MMRE	Provide review and assessment of video and recommend repair estimates	\$7,500
Mar-18	Jordan Road Sanitary Sewer Repairs	MMRE	Design and construction oversight for repairs to sewer line under Jordan Rd	\$9,000
Mar-18	Corrosion Study	Jacobs (CH2M)	Study to see corrosion potential with 3 combined water sources	\$20,000
Mar-18	Lead/Copper Sampling- Round 1	CWSD Customers	Lead/Copper Sampling incentive at \$20 per home participation (75 homes)	\$1,500
Mar-18	Well Cleaning - Well DD7	Applied Ingenuity	Well DD7 supplies the Metro Park irrigation water. Costs for well rehabilitation, Phase I	\$27,214
Mar-18	Crown Point Irrigation Line	C&L Water Solutions	Construction Services for connection of Crown Point non-potable supply	\$162,323

Feb-18	Analyzers	Hach Services	Bi-annual maintenace services	\$14,282
Feb-18	Well Cleaning	TBD	Well D3 motor replacement	\$43,700
Feb-18	Well Cleaning		Wells DD4 and DD1 supply the JWPP. This cost will pull the well equipment, video inspect, and clean the screens.	\$18,230
Jan-18	Well D4A	Applied Ingenuity	Phase I of well rehabilitation	\$43,170
Jan-18	Well D3		Emergency Repair	\$6,670
Jan-18	Iron & Manganese Pilot Study	Bai Engineers	Pilot testing of 2 filtration systems to remove iron and manganese	\$45,600
Jan-18	Crown Point Secondary Line	Town Of Parker	Security Deposit	\$8,020

DISTRICT MANAGEMENT & Special Services

Feb-18	Crown Point Potable Loop - Construction Services	Mulhern MRE	Mulhern will provide construction contractor oversight during project in the interest of the District	\$5,000
Dec-17	2018 District Management	Mulhern MRE	2018 District Management/Accounting and Customer Service	\$255,000
Dec-17	2018 District Development Review and Oversight	Mulhern MRE	Mulhern MRE will review and oversee the new development in the best interest of the District	\$35,000
Dec-17	2018 Landscaping	Baird Ground Maintenance	District facilities will be maintained in the same scope and cost as 2017 to include costs for moving vacant lot per occurrence	\$925/month \$585/mow
Dec-17	2017-2018 Snow Removal	Baird Ground Maintenance	District facilities will be maintained in the same scope and cost as 2017	Time and Materials
Dec-17	2018 District Water and Wastewater Operations	Inverness Water and Sanitation District	IWSD proposes to provide the same scope of services for 2018 with an increase in costs of 8%	\$160,000
Dec-17	2018 Emergency Water Utility Services	C&L Water Solutions	Emergency repair services on a time and materials basis	Time & Materials

RECORD OF PROCEEDINGS

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

September 20, 2018

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

ATTENDEES

Directors present: Alyssa Kasaris, Bill Thomas, and Steve Wasiecko.
Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

Upon motion duly made, seconded and upon vote, the Board unanimously excused Director Dillon.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, unanimously carried, the agenda was 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 regular meeting held August 16, 2018; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated September 17, 2018, approval of check number 20296 from the Wells Fargo account to close the account, checks 20584 through 20628 from Colorado State Bank listed on the check register, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no director's items.

BOARD MEMBER APPOINTMENT

Director Kasaris initiated discussion regarding the candidate interviews. Director Wasiecko and staff also attended both interviews. Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously appointed Mr. Nathan Bandaries to the vacant position. Staff was asked to contact both candidates and send a formal letter to Mr. Bandaries.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. Luis updated the Board on the progress with the BTS. Currently CH2 and District staff are working through the permitting process with SEMSWA. The CDPHE has approved in-plant modifications and dewatering. GEI has provided a

proposal to continue monitoring the selenium in the creek. It was also recommended by Dave Akers and Gabe Racz, District Water Quality Consultants, to include chlorides, sulfates and hardness in the testing to establish a baseline as there is a chance the CDPHE may change these limits in the near future. Luis proposed that the costs be shared with ACWWA according to the operating shares and requested approval contingent upon ACWWA participation.

Luis informed the Board that the contractor for the Jordan Road sewer repairs did not include critical items for the project which then increased the project costs to \$93,000. This project will be rebid for competitive pricing.

The EPA is revising the draft ASR permit for Meridian to remove terms and conditions that pertain to oil and hazardous materials. The second draft does not need to go through the public hearing process again. We are waiting for the EPA to circulate the second draft.

Luis provided some slides for review of the additional WISE supply available through the County Option. Douglas County reserved a portion of WISE water for rural users. About 1,137 acre feet of water is being offered to WISE participants from the County at a cost of \$1,890 acre feet. Luis suggested that the District request 50 acre feet of this supply and reviewed how the District could utilize the supply. Following Board discussion, staff was directed to provide further information as it is available.

ACTION ITEMS

Luis Tovar and Randy Warren reviewed the Action Items below.

1. SEMSWA – JWPP GESC Collateral –refundable, 10% of project costs, \$4,964.80
2. SEMSWA – JWPP GESC Permit fees for \$2,620
3. SEMSWA – JWPP System Dev Fees - \$1,634.14
4. SEMSWA – JWPP Floodplain Permit fees - \$315
5. GEI Consultants – Water Quality Monitoring- \$110,800, cost proposal to share with ACWWA 1/3 to 2/3 according to operating agreement.
6. Crown Point Non-Potable Line Connection – Change Order – C&L provided an itemized cost of removing debris found during the trench work to connect the line in the amount of \$39,602.
7. Crown Point Non-Potable Line – Construction Services – MMRE is requesting additional funds of \$5,000 for unanticipated time spent related to assisting the contractor in locating line.
8. Effluent Line to Chambers – MMRE proposes to update the design plans for the line connection, acquire easements and provide a cost estimate for construction in the amount of \$5,000.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board approved items 1-4 and 6-8.

Upon motion duly made by Director Wasiecko, seconded by Director Kasaris, and upon vote, the Board approved item #5 for GEI contingent upon ACWWA participation in costs.

REPORTS

Hughes & Stuart – Melanie had nothing to report.

Financial Report – Randy reviewed the District's financial position. He requested Board approval on pre-authorization for payment of utility invoices to IREA, Xcel, and Century Link.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the pre-authorization of payment for utility vendors.

Randy provided a letter for review and signature by the Board for closure of the Wells Fargo account. Director Kasaris signed the letter and staff will submit to the bank.

Randy reviewed the payment requirements related to BTS Construction. Payment transfers will be initiated from the separate ColoTrust account by staff following review and approval.

The preliminary budget for 2019 was provided for review and discussion.

Development Update – Randy reviewed the current development in the District.

Operations Report – Randy provided the report for review.

Legal Report – Carolyn provided an update on the finalization of the JWPP/BTS agreements.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for October 18, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: October 18, 2018
READ AND APPROVED BY THE BOARD:

William C. Thomas

RECORD OF PROCEEDINGS

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

October 18, 2018

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

ATTENDEES

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, Linda Dillon and Nathan Bandaries. Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

THE AGENDA

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

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 regular meeting held September 20, 2018; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated October 12, 2018, approval of checks 20629 through 20669 listed on the check register, ratification of auto-payments to Xcel Energy and Century Link and disclosure of potential conflicts of interest. Director Bandaries' Oath of Office and Conflict of Interest Statement has been filed with the State.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Carolyn Steffl reviewed her progress and her planned next steps for the trash collection legislation with the Board. Director Bandaries offered his assistance with the legislative process.

RESOLUTION AMENDING RULES AND REGULATIONS REGARDING WATER CONSERVATION ORDERS

Carolyn Steffl reviewed proposed changes to the Rules and Regulations regarding streamlining the public notification process of water restrictions. Randy Warren suggested that the District consider adopting a standard

water conservation policy to reflect the 3 day-a-week watering as previously adopted in the conservation order of August 2018. Director Wasiecko suggested that both Carolyn and Randy's recommendations be incorporated into an amendment. He wanted to provide the District the ability to enact restrictions in a timely manner, especially for emergency purposes. The Board discussed additional items to cover in the amendment related to enforcement, fines and allocation restrictions. Carolyn recommended that the Board postpone the adoption of this resolution and she will work with staff to properly incorporate the language to encompass all ideas discussed.

RESOLUTION ADOPTING PERSONAL DATA PROTECTION POLICY

In September of this year, House Bill 1128 became effective which added new requirements for governmental entities to develop a written data protection policy related to personal identifying information of its customers. Legal counsel drafted the Resolution adopting such a policy to protect customer information.

Upon review and following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Resolution Adopting a Personal Data Protection Policy.

DISCUSSION OF AMENDMENT 74

Carolyn Steffl discussed with the Board Amendment 74 that will appear on this year's November ballot. The SDA has an official position in opposition to the Amendment. Carolyn reviewed the proposed changes to the CO Constitution and its effect on special districts.

The Board's options are to support or oppose an amendment through a Resolution passed by the District. Outside of the District, Board members are able to exercise their first amendment right and talk to neighbors on their personal position however no district funds are to be used.

Upon motion duly made by Director Wasiecko, seconded by Director Dillon, and upon vote, the Board unanimously approved adoption of the proposed resolution in opposition to Amendment 74.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. Urban Drainage and Arapahoe County are 2 entities that have not approved permits related to the construction of the BTS.

GEI's proposal was not presented to the ACWWA Board for discussion of their participation in costs. Luis recommended that the Board consider funding 2 months of sample collection until ACWWA approves the cost

sharing. Once approved, the amount for these 2 months of sampling will be included in the cost sharing.

Luis discussed options available to the District for additional supply with the Cherry Creek Project Water Authority. The Pinery would consider participating in a water trade. Luis suggested drafting an agreement with the Pinery after further due diligence to show if CW would need additional WISE water (50 AF).

The EPA has revised the permit to Meridian for ASR, removing the limitation related to oil and hazardous waste. We anticipate that the process will be much easier for individual entities applying for this permit in the future.

ACTION ITEMS

Luis Tovar reviewed the Action Item below.

1. **GEI Consultants** – Proposal for 2 months of continued water quality monitoring for selenium and chlorides for October and November for \$10,000.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously approved the expenditure.

REPORTS

Hughes & Stuart – The Fall Garden in a Box initiative had only a few sales. Melanie suggested that next year the District support ½ of the contract amount. The Board was supportive.

Financial Report – Randy Warren reviewed the District's financial position. The revenue increase seen this month is related to the irrigation season increase in use. The water utilities budget year end projection is high due to report timing and some catch up at the beginning of 2018.

Operations Report – Randy Warren reviewed the report with the Board with a comparison of water revenues in 2017 and 2018.

Legal Report – Carolyn Steffl reported that the 08CW28 augmentation case has been settled and the District was able to avoid lengthy and costly water court proceedings. Carolyn suggested that legal counsel representatives attend a future meeting and provide an overview and explanation of the decree.

ADJOURNMENT

Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for November 15, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: November 15, 2018
READ AND APPROVED BY THE BOARD:

William C. Thomas

RECORD OF PROCEEDINGS

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

November 15, 2018

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

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, Linda Dillon and Nathan Bandaries. Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

Upon motion made by Director Thomas, seconded by Director Dillon and upon vote, the Board excused Director Kasaris.

THE AGENDA

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

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 regular meeting held October 18, 2018; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated November 13, 2018, approval of checks 20670 through 20707 listed on the check register, ratification of auto-payments to Xcel Energy and Century Link, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no Director Items for discussion.

PUBLIC HEARING ON 2019 BUDGET

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously opened a public hearing at 6:35pm for discussion of the 2019 Budget.

There was no public present.

Randy Warren reviewed the proposed budget for 2019 and the staff recommendations. He addressed questions from the Board.

A recommendation from staff was to lower the mill levy for 2019 which would offset an increase in rates. A 5 year projection was also provided for review. Director Wasiecko requested that staff look into the possibility of not reducing the mill levy in subsequent years and use the excess revenue for early debt payoff.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board closed the public hearing at 6:55pm.

CONSIDER RESOLUTION ON ADOPTION OF BUDGET AND APPROPRIATION OF FUNDS

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Resolution to Adopt the 2019 Budget and Appropriation Sums of Money in the form substantially presented authorizing the District Manager to incorporate any revenue changes related to the final assessed value.

Staff was directed to file the 2019 Budget with the Division of Local Government.

CONSIDER RESOLUTION ON CERTIFICATION OF MILL LEVY

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the 2019 Resolution Levying General Property Taxes in the form substantially presented authorizing the District Manager to incorporate any changes in the final assessed value.

Staff was directed to file the 2019 Mill Levy Certification with the Board of County Commissioners.

PUBLIC HEARING ON 2019 RATES

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously opened a public hearing at 6:59pm for discussion on the proposed 2019 Rates and Fees.

There was no public present.

Randy Warren reviewed the memo and staff recommendations provided in the Board packet and addressed questions from the Board.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously closed the public hearing at 7:09pm.

CONSIDER RESOLUTION ADOPTING 2019 RATES AND FEES

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the 2019 Rates and Fees; increasing water base, usage and tap fees by 3% and sewer base, usage and tap fees by 2%. Staff was directed to update the 2019 Rate schedule for publication.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. The JWPP is moving ahead. There are some pending permitting costs for the building permit with Arapahoe County listed in the Action Items. The BTS materials have been inspected by Jim Bays this week. The Jordan Road Sewer Repair project is moving along with bids expected in early December.

Luis updated the Board on the Douglas County Option for additional WISE supply. The Pinery, a member of the Cherry Creek Project Water Authority, has agreed to a water trade for Cottonwood's share of CCPWA water. A draft agreement is currently underway. Staff recommends the District pass on the Douglas County option for additional WISE supply.

ACTION ITEMS

Luis Tovar reviewed the Action Item below.

1. Arapahoe County – JWPP Reconversion – Building permit fees, \$7,498.75
2. Arapahoe County – JWPP Reconversion – Open Space Use Tax fee, \$2,000.00.
3. Logan & Associates – District Audit Services 2018 - \$5,800.00
4. C&L Water Solutions – 2019 Emergency Water Utility Services, time and materials.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved.

REPORTS

Hughes & Stuart – Melanie Goetz conveyed to the Board that Director Kasaris requested she spend her December time reviewing utility statements for language related to customer appreciation. The Board was supportive of the idea.

Director Thomas asked about the result of the fall garden in a box program. Melanie reported that there have only been a few more purchases. She suggested that next year, the District could participate again at ½ the amount.

Financial Report – The District’s financials were reviewed during the Budget discussion.

Operations Report – Randy provided the report for review.

Legal Report – Carolyn reported that by the end of 2018, the District is required to file a diligence application on its conditional water rights of exchange. The District is required to show evidence of its diligence.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board approved filing a diligence application by the end of December 2018.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for December 20, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: _____

READ AND APPROVED BY THE BOARD:

RECORD OF PROCEEDINGS

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

December 20, 2018

at 6:00 p.m. at 10110 East Dry Creek Road, Centennial, Colorado

ATTENDEES

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, Linda Dillon and Nathan Bandaries. Others present: Randy Warren, Luis Tovar, Pat Mulhern and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.

THE AGENDA

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

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 regular meeting held November 15, 2018; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated December 17, 2018, approval of checks 20708 through 20746 listed on the check register, ratification of auto-payments to Xcel Energy and Century Link, disclosure of potential conflicts of interest and designation of posting locations and set meeting dates for 2019.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved waiving the disconnect procedures and providing a grace period for December 2018 delinquent accounts.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved as amended above.

DIRECTOR ITEMS

There were no Director Items for discussion.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. The Bid for the sewer line repair work in Jordan Road was received this week with the bid

amounts ranging from \$120,000 – 180,000. C&L Water Solutions was the lowest bid. Staff will complete its due diligence in the coming weeks. At this time, staff requests the Board approve funding for the project with ratification and contractor selection at the January Board meeting.

ACTION ITEMS

Luis Tovar reviewed the Action Items below.

1. Sewer Jetting and Video – DES Environmental proposal to complete jetting/video of east side of Cherry Creek for **\$34,080**.
2. Crown Point Emergency Bypass Pump – Relocation of the pump to an underground, more secure location with manhole access for **\$25,451**.
3. 2019 District Management – Mulhern MRE to provide district management and development review and oversight with a 3% increase in hourly rates for an annual contract amount of **\$164,000**
4. 2019 District Accounting/Billing/Customer Service – Mulhern MRE to provide services for an annual contract amount of **\$132,000**
5. 2019 Landscape Contract – no proposal at this time
6. 2019 Snow Removal Contract – no proposal at this time
7. 2019 District Operations Contract – Inverness Water to provide Water and Wastewater Operation Services with a 3% increase in costs for an annual contract amount of **\$165,000 (\$13,750 monthly)**.
8. Jordan Road Sewer Repair – The lowest bid contract amount for work was **\$119,839**. Staff requests only securing funding at this time.

Following Board discussion and upon motion duly made by Director Wasiecko, seconded by Director Bandaries and upon vote, the Board unanimously approved the above expenditures.

REPORTS

Hughes & Stuart – The report was provided in the Board packet. There was no Board action.

Operations Report – Randy provided the report for review.

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

TRASH SERVICES LEGISLATION DISCUSSION

Carolyn Steffl provided the Board with an update on the legislative changes needed for District trash services. Legislative deadlines are approaching and there are 2 options for the District to pursue;

1. To remove the population limit for all water and sanitation districts and services would not be mandatory, or

2. Require a vote of eligible electors with a mandatory participation requirement.

The Bill would require sponsorship from both parties along with support of the trash collection companies. It was also suggested that the District gauge the interest of other municipalities' support. The District could hire a lobbyist to encourage legislative support. Due to the short timeline, Director Kasaris suggested postponement of legislative action until 2020 to allow staff to further research and prepare for these strategies and the Board agreed.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for January 17, 2019, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: January 17, 2019
READ AND APPROVED BY THE BOARD:

William C. Kumar, Secretary