

RECORD OF PROCEEDINGS

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

January 18, 2022

at 6:00 p.m. at 8334 Sandreed Circle, Parker, CO 80134

This meeting was available to the public at <https://zoom.us>

Meeting ID: 873 7869 6530 Meeting Passcode: 943608 Phone (346) 248-7799

**ATTENDEES**

Directors present: Bill Thomas, Linda Dillon, and Judy Lavell attended in person. Director Josh Stewart attended via electronic device.

Upon motion duly made, seconded and upon vote, Director Prasad was excused.

Others present: Toby Austin, and Kelly Conover, Mulhern MRE, Inc; attended in person. Luis Tovar, Mulhern MRE, Inc and Carolyn Steffl, Dietze and Davis, P.C. attended in via electronic device.

Public Present: Mr. Ron Hilton from 15878 Red Bud Drive attended via electronic device.

**THE AGENDA**

The Board considered the proposed agenda. Staff noted an error in the listing of the Executive Session. The Executive Session should read: "Pursuant to Sec. 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 agreements with CH2M regarding the JWPP Renovation project and operation of the JWPP water plant."

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the agenda was unanimously adopted with the correction.

**PUBLIC COMMENT**

Mr. Ron Hilton stated he was listening in as a participant in the Advisory Committee and was available to discuss their recommendation.

**CONSENT AGENDA**

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

- Approval of the minutes from the regular meeting held December 10, 2021;
- Authorization of disconnect list dated January 13, 2022;
- Approval of checks numbered 22043 through 22080 listed on the revised check register provided at the meeting;
- Ratification of auto-payments to Xcel Energy, Century Link, Xpress Bill Pay, Denver Agency and wire transfers to Colorado Water Conservation Board for bond payments;
- Disclosure of potential conflicts of interest; and
- Ratification of Director payments on December 15, 2021.

Staff reviewed large item expenditures detailed on the check register. Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board approved the consent agenda.

## **DIRECTOR ITEMS**

Director Dillon reminded the Board and staff of the upcoming Garden In A Box program with Resource Central. Staff will provide notification in the upcoming newsletter in the bill. As done in previous years, the District will provide a rebate following proof of purchase on the customer's water bill. There was discussion of increasing the rebate amount to \$50 and possibly capping the amount of funds set aside for the program.

Director Dillon also discussed starting up the water conservation workshop since restrictions are being relaxed. Staff discussed a regional messaging effort and possibly working with other water providers in hosting a workshop. There was no Board action at this time.

## **PUBLIC HEARING ON 2022 TAP FEE RATES**

At 6:56 pm, upon motion duly made, seconded and upon vote, the Board unanimously opened a public hearing on the proposed 2022 Tap Fee Rates. Toby Austin provided a memo discussing the pricing considerations for tap fees and a comparison of surrounding water providers. Staff recommends a 3% increase in water and wastewater tap fees. There was no public comments. Upon motion duly made, seconded and upon vote, the Board unanimously closed the public hearing.

## **CONSIDER RESOLUTION ADOPTING 2022 TAP FEE RATES**

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the 2022 Tap Fee Rates. Staff was directed to update the Exhibit A to the Rules and Regulations that outlines the specific tap fees.

## **CONSIDER 2022 ELECTION RESOLUTION**

Carolyn Steffl provided a memo to the Board regarding the election requirements. The May 3, 2022 ballot will include three, 3-year terms and one, 1-year term. The Resolution details appointment of a designated election official, the ability to hold a mail ballot election or cancel the election if there no more candidates than positions. Carolyn addressed Board questions.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the 2022 Election Resolution provided.

## **CONSIDER APPROVAL OF THE CHERRY CREEK PROJECT WATER AUTHORITY WALKER RESERVOIR PROJECT PARTICIPATION AGREEMENT**

Luis Tovar discussed the status of the Agreement. Currently it is under review by the participants' legal counsels. The construction project is moving forward.

## **MANAGER'S REPORT**

Luis reviewed items on the Manager's Report dated January 18, 2022. Luis provided an update on the JWPP. Legal staff directed that further discussion on the JWPP be under executive session. Luis discussed Phase II of the Meter Upgrade Project. Contractors have bid costs to provide services for Phase II of the Project. Badger Meter provided the lowest bid for meters, endpoints, and cellular support and Keystone Utilities provided the low bid for installation of the

outdoor meters 1 ½” to 2” in size. Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board authorized staff and legal counsel to complete the USBR grant for funding of the AMI System, Meter Replacement Project, Phase 2.

Toby Austin and Luis Tovar drafted a memo regarding the Citizen Advisory Committee’s recommendation. The committee’s preferred option was Scenario D which was a good blend of both rate increases and property tax funding. The costs associated with the District’s infrastructure is somewhat more balanced between existing and future residents. The Board concurred with the committee’s recommendation.

Staff was directed to set up weekly open houses for public discussion of infrastructure needs and the selected funding Scenario D.

#### **ACTION ITEMS**

The Board considered the below action items for approval:

1. JWPP Microfiltraion Membrane Replacement – H2S, District shared cost with ACWWA for \$147,126
2. AMI System – Meter Replacement, Phase 2
  - a. Badger Meter – meters and endpoints for \$168,282
  - b. Keystone Utilities – meter and endpoint installation for \$8,676.80
  - c. Mulhern MRE – Project Management for \$4,750.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the action items listed above.

#### **REPORTS**

Dashboard – Toby Austin discussed the Water Dashboard. There was no Board action.

Financial Report – Toby Austin presented the financials for the District and reviewed the new format. There was no Board action.

Legal Report –

#### **EXECUTIVE SESSION**

The Board moved into an executive session pursuant to C.R.S Section 24-6-402(4)(b) and (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 agreements with CH2M regarding the JWPP Renovation project and operation of the JWPP water treatment plant.

This meeting was recorded.

The Board moved out of executive session and provided staff direction to continue negotiations as discussed and engage with a third party legal firm for an arbitration risk assessment.

**ADJOURNMENT** Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next meeting is scheduled for Tuesday, February 15, 2022, to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: February 15, 2022  
Hollman C. Thomas, secy.

RECORD OF PROCEEDINGS

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

February 15, 2022

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

This meeting was available to the public at <https://zoom.us>

Meeting ID: 873 7869 6530 Meeting Passcode: 943608 Phone (346) 248-7799

**ATTENDEES**

Directors present: Bill Thomas, Linda Dillon, and Judy Lavell attended in person.

Others present: Luis Tovar, Toby Austin, and Kelly Conover, Mulhern MRE, Inc; attended in person. Carolyn Steffl, Dietze and Davis, P.C. attended via electronic device.

Public Present: Mr. Ron Hilton from 15878 Red Bud Drive attended in person.

**THE AGENDA**

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

**PUBLIC COMMENT**

There was no public comment. Mr. Hilton was attending to observe.

**CONSENT AGENDA**

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

- Approval of the minutes from the regular meeting held January 18, 2022;
- Authorization of disconnect list dated February 11, 2022;
- Approval of checks numbered 22081 through 22111 listed on the revised check register provided at the meeting;
- Ratification of auto-payments to Xcel Energy, Century Link, Xpress Bill Pay, and wire transfers to US Bank NA for bond payments and;
- Disclosure of potential conflicts of interest.

Staff reviewed large item expenditures detailed on the check register. Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board approved the consent agenda.

**DIRECTOR ITEMS**

The Board discussed the recent resignations of Director Prasad and Director Stewart. The Board discussed with legal counsel how to fill the vacant seats through appointment and the upcoming election.

Staff will publish the two new vacancies on the website. Mr. Ron Hilton expressed his interest in joining the Board. Staff will provide the necessary paperwork and self-nomination form for the upcoming election.

**CONSIDER RESOLUTION TO REFER BALLOT ISSUE TO THE ELIGIBLE ELECTORS REGARDING AUTHORIZATION OF DEBT AND TAXES**

Luis Tovar reviewed the Resolution that included the proposed ballot question. Upon review, the Board suggested a grammatical correction. Legal counsel agreed with the Board's suggestion and staff was directed to make the change.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the Resolution with the noted changes by the Board.

**MANAGER'S REPORT**

Luis reviewed items on the Manager's Report dated February 15, 2022. Luis provided an update on the JWPP. Legal staff directed that further discussion on the JWPP be under executive session. Luis discussed Phase II of the Meter Upgrade Project, progress of the Walker Reservoir Project, and current in-door water allocations. A new website and water bill format was presented to the Board for discussion and input. Overall the Board liked the new format, however the font is small. The Board was asked to review at their leisure and provide comments via email.

**REPORTS**

Dashboard – Toby Austin discussed the Water Dashboard. There was no Board action.

Financial Report – Toby Austin presented the financials for the District and reviewed the new format. There was no Board action.

Legal Report – Carolyn Steffl discussed her legal report and was available to answer questions.

**EXECUTIVE SESSION**

The Board moved into an 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 agreements with CH2M regarding the JWPP Renovation project and operation of the JWPP water treatment plant.

This session was recorded.

The Board moved out of executive session at 9:08 p.m. and provided staff direction to continue negotiations as discussed.

**EXECUTIVE SESSION**

The Board moved into an 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 District's membership in the Cherry Creek Project Water Authority

This session was recorded.

The Board moved out of executive session at 9:56 p.m. The Board provided staff with direction to continue negotiations as discussed.

**ADJOURNMENT** Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next meeting is scheduled for Tuesday, March 15, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: March 8, 2022  
William C. Thomas, Secy

RECORD OF PROCEEDINGS

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

March 8, 2022

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

This meeting was available to the public at <https://zoom.us>

Meeting ID: 873 7869 6530 Meeting Passcode: 943608 Phone (346) 248-7799

**ATTENDEES**

Directors present: Bill Thomas, Linda Dillon, and Judy Lavell attended in person.

Others present: Luis Tovar, and Kelly Conover, Mulhern MRE, Inc; attended in person. Toby Austin, Mulhern MRE attended via electronic device.

Carolyn Steffl, Dietze and Davis, P.C. attended in person.

Public Present: Mr. Ron Hilton from 15878 Red Bud Drive attended in person.

**THE AGENDA**

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

**PUBLIC COMMENT**

There was no public comment.

**CONSENT AGENDA**

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

- Approval of the minutes from the regular meeting held February 15, 2022;
- Authorization of disconnect list dated March 4, 2022;
- Approval of checks numbered 22113 through 22143 listed on the revised check register provided at the meeting;
- Ratification of auto-payments to Xcel Energy;
- Disclosure of potential conflicts of interest and;
- Ratification of Director payments made February 22, 2022

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

**DIRECTOR ITEMS**

Mr. Ronald Hilton was present for consideration of the vacant Board position.

**CONSIDER RESOLUTION TO AMEND BYLAWS**

Carolyn Steffl reviewed the proposed changes to the District Bylaws. The proposed changes include options for posting Board vacancies, reducing the number of days for vacancy postings and the formation of an interview committee for candidates.



Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the Resolution to Amend Bylaws.

**INTERVIEW CANDIDATE(S) VACANCY ON THE BOARD OF DIRECTORS**

Mr. Ron Hilton introduced himself. He is a resident of the District in the Dove Village/Cottonwood Highlands Community. He addressed Board questions regarding his background and interest in joining the Board.

**CONSIDER APPOINTMENT OF CANDIDATE(S) TO FILL VACANCY**

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously appointed Mr. Ron Hilton to the vacant Board position.

**OFFICER OF THE DISTRICT TO ADMINISTER THE OATH OF OFFICE**

Director Thomas administered the oath of office to Mr. Hilton. The signed oath was emailed to the Douglas County Clerk for filing allowing Mr. Hilton the ability to participate in the meeting from this point forward.

**MANAGER'S REPORT**

Luis reviewed items on the Manager's Report dated March 8, 2022. Luis provided an update on the meter replacement project. He discussed the amount of meters that have not been replaced throughout the District. His suggestion is to impose a fee equal to the amount of \$150 to offset costs to replace the meter if Keystone's contract expires prior to their replacement. Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved imposing a fee in 2 installments of \$75 added to the respective water bill.

Luis discussed Phase II of the Meter Upgrade Project. He proposed that Inverness Water would provide installation services for end-points within the Cottonwood Highlands development for a reduced fee.

Luis discussed the staff efforts towards scheduling and holding information open houses for the ballot election. There was discussion on reaching out to residents and customers, getting feedback on the issue for the blue book.

**ACTION ITEMS**

Following Board discussion, the Board considered the action item below;

1. **AMI System – Meter Replacement, Phase 2** (Commercial and new development) Inverness Water operators will install endpoints at 377 properties for \$40 per install for a total expense of **\$15,080**.

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

**REPORTS**

Dashboard – Toby Austin discussed the Water Dashboard. There was no Board action. Luis noted the lack of monthly precipitation.

Financial Report – Toby Austin presented the financials for the District and reviewed the new format. This continues to be a work in progress. There was no Board action.

Legal Report – Carolyn Steffl discussed her legal report and was available to answer questions.

**EXECUTIVE SESSION**

The Board moved into an 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 agreements with CH2M regarding the JWPP Renovation project and operation of the JWPP water treatment plant.

This session was recorded.

The Board moved out of executive session at 9:10 p.m. and provided staff direction to continue negotiations as discussed.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next meeting is scheduled for Tuesday, April 19, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: April 19, 2022

William C. Thurman, any.

RECORD OF PROCEEDINGS

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

April 19, 2022

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

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

Others present: Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc; attended in person. Carolyn Steffl, Dietze and Davis, P.C. attended in person.

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

**PUBLIC COMMENT** There was no public comment.

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

- Approval of the minutes from the meeting held March 8, 2022;
- Authorization of disconnect list dated April 15, 2022;
- Approval of checks numbered 22145 through 22188 listed on the check register;
- Ratification of auto-payments to Xcel Energy, Century Link, Xpress Bill Pay and Payroll Specialist and;
- Disclosure of potential conflicts of interest.

Toby Austin detailed a few of the larger payable items on the check register.

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.

**DIRECTOR ITEMS** Director Dillon asked for an update on the Information Open Houses. Luis Tovar informed the Board in the last few sessions, there were several people attending and asking staff questions. A very positive response.

**CONSIDER 2nd AMENDMENT TO OPERATION AGREEMENT FOR THE JWPP** Luis Tovar discussed the proposed changes to the Operations Agreement with increases to the Base Fee and Variable Fee for May 2022 through May 2023.

Luis addressed Board questions. Following discussion, upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board unanimously approved the 2<sup>nd</sup> Amendment to the Operations Agreement for the JWPP.

## **CONSIDER PROJECT PARTICIPATION AGREEMENT FOR WALKER RESERVOIR**

Luis discussed the construction process and progress for Walker Reservoir and the related infrastructure. Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Hilton and upon vote, the Board unanimously approved the Participation Agreement.

## **MANAGER'S REPORT**

Luis reviewed items on the Manager's Report dated April 19, 2022. Luis discussed his efforts to secure federal funding through grant applications with the Offices of Hickenlooper and Bennet, Arapahoe County and the CO Water Power Development Authority.

Luis provided a presentation regarding indoor/outdoor allocations for the Board to consider further discussion regarding the 2023 rate schedule.

## **ACTION ITEMS**

Luis reviewed the action items for consideration. Following Board discussion, the Board considered the action items below;

1. **Valve Replacement Project** - Mulhern MRE provided project management, coordination and oversight of the contractor during the project. Mulhern requests consideration of staff time and materials in the amount of **\$6,100**.
2. **Water Quality Evaluation/Sampling 2022-2023** – GEI Consultants have provided a proposal for continued monitoring and sampling of the baseline water quality in the Cottonwood Creek Basin. Their proposed costs are **\$68,200 with the District's share \$24,962**.
3. **Election Coordination** – Mulhern MRE being the office of the designated election official, will provide project management and coordination of the election efforts. Costs will be on Time and Materials not to exceed **\$15,000**

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

## **REPORTS**

Dashboard – Toby Austin discussed the Water Dashboard. There was no Board action. The percentage of renewable supply continues to be a large portion of the District water source.

Financial Report – Toby Austin presented the financials for the District. There was no Board action.

Legal Report – Carolyn Steffl discussed her legal items under executive session.

## **EXECUTIVE SESSION**

The Board moved into an executive session at 8:27pm 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 agreements with CH2M and ACWWA regarding the JWPP Renovation Project and operation of the JWPP water treatment plant.

This session was recorded.

The Board moved out of executive session at 9:33 p.m. and provided staff direction to continue negotiations as discussed.

**ADJOURNMENT** Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next meeting is scheduled for Tuesday, May 17, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: May 17, 2022  
Walter C. Thomas, Secy.

RECORD OF PROCEEDINGS

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

May 17, 2022

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

**ATTENDEES**

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

Others present: Luis Tovar and Kelly Conover, Mulhern MRE, Inc; attended in person. Carolyn Steffl, Dietze and Davis, P.C. attended in person.

**THE AGENDA**

The Board considered the proposed agenda. There were no changes. Upon motion duly made by Director Thomas, seconded by Director Lavell 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 April 19, 2022;
- Authorization of disconnect list dated May 13, 2022;
- Approval of checks numbered 22189 through 22220 listed on the check register;
- Ratification of auto-payments to Xcel Energy, Century Link and Xpress Bill Pay and;
- Disclosure of potential conflicts of interest.

Director Dillon asked about follow up with the homeowner with \$1,000 balance. Staff will contact them in the morning.

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

**DIRECTOR ITEMS**

Director Dillon asked about an outdoor conservation program for rebates. Luis Tovar discussed getting a process in place for each user type to qualify for rebates. Director Dillon suggested we could plan for community involvement and work through processes and requirements to implement the program for 2023 irrigation season.

**CONSIDER 5<sup>th</sup> AMENDMENT TO CHAMBERS PIPELINE LEASE**

Luis Tovar discussed renewing the lease for one more year, May 2023. Terms and conditions remain the same, requiring 6 months' advance notice of termination.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board unanimously approved the lease renewal for one year, until May 2023.

#### MANAGER'S REPORT

Luis reviewed items on the Manager's Report dated May 17, 2022. The JWPP Operation Agreement expires December 31, 2022. Staff will be meeting with ACWWA representatives on options to renew for 5 years.

Luis informed the Board that the WISE water delivery schedule this year will remain the same as last year, extending the 'ramp-up' period.

Luis discussed publication of a Request For Proposal for garbage services. The services will be voluntary. New customers will be included in services upon account start up.

#### REPORTS

**Dashboard** – Luis reviewed the dashboard.

**Financial Report** – Luis reviewed the Capital Improvement Project fund and the revenue through April is ahead of projections.

**Legal Report** – Carolyn Steffl discussed the election results for the Bond Question and the Director Election. Carolyn discussed the conflict of interest memo she provided in the board packet. She recommended that the Board review their conflicts on file for any changes. She is available to answer questions.

#### EXECUTIVE SESSION

The Board moved into an executive session at 7:56 pm 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 agreements with CH2M and ACWWA regarding the JWPP Renovation Project and operation of the JWPP water treatment plant.

This session was recorded.

The Board moved out of executive session at 9:33 p.m. and provided staff direction to continue negotiations as discussed.

#### ADJOURNMENT

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next meeting is scheduled for Tuesday, June 21, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: June 21, 2022  
William C Thomas, secy

RECORD OF PROCEEDINGS

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

June 21, 2022

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

**ATTENDEES**

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

Others present: Luis Tovar, Kelly Conover, Lucas Stafford, and Steve Wasiecko Mulhern MRE, Inc; attended in person.

Carolyn Steffl, Dietze and Davis, P.C. attended via zoom.

**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 May 17, 2022;
- Authorization of disconnect list dated June 17, 2022;
- Approval of checks numbered 22221 through 22252 listed on the check register;
- Ratification of auto-payments to Xcel Energy, Century Link and Xpress Bill Pay and;
- Disclosure of potential conflicts of interest.

Luis Tovar noted the request for payment to the Cherry Creek Project Water Authority Walker Reservoir, which has been approved by the Board at a prior meeting.

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.

**DIRECTOR ITEMS**

Luis Tovar discussed hosting open houses for general District information on the last Friday morning of the month beginning July 29th. There was also discussion regarding the water conservation program with outdoor rebates.

**MANAGER'S REPORT**

Luis reviewed items on the Manager's Report dated June 21, 2022. The JWPP Operation Agreement expires December 31, 2022. Mediation is scheduled for December 12<sup>th</sup> and 13<sup>th</sup>.

The re-rating of the Lone Tree Creek Water Reuse Facility is moving forward in the Department of Health. This re-rating is being spearheaded by ACWWA's consultant, Carollo. The plant's capacity is being appraised by a representative



of the secondary owner of the plant, Inverness Water and Sanitation District. This appraisal will help Inverness price their excess treatment capacity, about 0.5MGD.

Luis discussed the WISE water schedule for 2022-2023 water year, the water conservation measures for the potential drought, the sanitary sewer survey by the CDPHE, federal funding due-diligence, and water supply needs vs. demand projections.

**EXECUTIVE SESSION**

The Board moved into an executive session at 7:02 pm 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 agreements with CH2M and ACWWA regarding the JWPP Renovation Project and operation of the JWPP water treatment plant.

This session was recorded.

The Board moved out of executive session at 7:34pm. and provided staff direction to continue negotiations as discussed.

**ACTION ITEMS**

The Board considered the action items below:

1. **Galloway – Cottonwood Highlands Effluent Line** – Galloway will perform a topographic survey of the line for \$7,600
2. **Contractor TBD – Meeting House Roof Repairs** – Staff received one proposal for roof, gutter, soffit, trim replacement and exterior painting. We are waiting on a second. Approval requested not to exceed \$16,100.

Upon motion, second, and unanimous vote, the action items listed above were approved by the Board.

**REPORTS**

**Dashboard** – Luis reviewed the dashboard.

**Financial Report** – Steve Wasiecko reviewed the financials with the Board.

**Legal Report** – There was no legal report, all legal items were discussed under executive session.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Tuesday, July 19, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: July 19, 2022  
William C. Johnson, Secy.

RECORD OF PROCEEDINGS

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

July 19, 2022

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

**ATTENDEES**

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

Others present: Luis Tovar, Kelly Conover, and Lucas Stafford; Mulhern MRE, Inc; attended in person.

Carolyn Steffl, Dietze and Davis, P.C. attended in person.

**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 June 21, 2022;
- Authorization of disconnect list dated July 15, 2022;
- Approval of checks numbered 22254 through 22285 listed on the check register;
- Disclosure of potential conflicts of interest; and
- Ratification of Director Payments.

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

**DIRECTOR ITEMS**

Director Dillon reminded the Board that Garden in a Box is getting ready to launch their fall selections. She will be loading information to NextDoor and confirmed the \$50 rebate.

Director Dillon also attended the Water Fluency conference and provided some suggestions to add to the website, the 2022 Water Plan and a link to Colorado Water Education Foundation.

**MANAGER'S REPORT**

Luis Tovar reviewed items on the Manager's Report dated July 19, 2022. The JWPP Operation Agreement expires December 31, 2022. Luis discussed the work sessions between ACWWA, Cottonwood and the Jacobs Operations Group. One request was a revised agreement to operate the plant under the current configuration. Further discussion will be held under executive session.

Luis discussed the remaining accounts that have not replaced their meter and endpoint. There is also a supply delay in receiving more meters and endpoints. Staff is currently compiling a list of customers that have called to schedule the changes.

Luis discussed a site tour of Walker Reservoir, the federal funding due diligence and the costs for wastewater treatment through ACWWA.

Luis provided a confidential memo to the board that he suggested discussion at a special work session regarding the Master Plan.

### **EXECUTIVE SESSION**

The Board moved into an executive session at 6:52pm 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 agreements with CH2M and ACWWA regarding the JWPP Renovation Project and operation of the JWPP water treatment plant. This session was recorded.

The Board moved out of executive session at 7:30pm and provided staff direction to continue negotiations as discussed.

### **ACTION ITEMS**

The Board considered the action items below:

1. ASR Phase 2 – Mulhern MRE – Project Management and services during construction. Not to Exceed \$16,200
2. ASR Phase 2 – HRS Consultants – Ground engineering services for evaluation and reporting. Not to Exceed \$19,500
3. Pipeline Connection to Chambers Road – Mulhern MRE – Pipeline Design and bid documents. Not to Exceed \$21,600
4. Federal Funding Due Diligence - Mulhern MRE – Continued support and correspondence with State representatives project funding. Not to Exceed \$10,000

Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the action items listed above in the total amount of \$67,300.00 were approved by the Board.

### **REPORTS**

**Dashboard** – The dashboard was available for discussion. Director Thomas noted that the links provided “In the World of Water News” did not work. Staff will provide active links via email.

**Financial Report** – Lucas Stafford reviewed the financials with the Board.

**Legal Report** – Carolyn Steffl provided a legal report for review and discussion.

### **ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Tuesday, August 16, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: \_\_\_\_\_

\_\_\_\_\_

RECORD OF PROCEEDINGS

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

August 16, 2022

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

**ATTENDEES**

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

Others present: Luis Tovar, Laurie Tatlock, and Lucas Stafford; Mulhern MRE, Inc; attended in person.

Carolyn Steffl, Dietze and Davis, P.C. attended in person.

**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 meeting held July 19, 2022;
- Authorization of disconnect list dated August 12, 2022;
- Approval of checks numbered 22286-22323, listed on the check register; ACH payments to Century Link on 7/31/2022 for \$181.53, and for \$101.38 and ACH payment to Xpress Bill Pay on 8/5/2022 for \$872.03;
- Disclosure of potential conflicts of interest; and
- Ratification of Director Payments.

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

**DIRECTOR ITEMS**

Director Dillon asked if there were any inquiries about the trash service notice in the newsletter and on the bills. Luis advised that we had not had any inquiries.

Director Dillon suggested that we consider having a food truck at the next Open House. Director Thomas suggested expanded advertising including the website and a street sign when the Open House is taking place.

**MANAGER'S REPORT**

Luis Tovar reviewed items on the Manager's Report dated August 16, 2022, including, the JWPP update on the Operation Contract and the Raw Water Feed; an update on the Water Meters Upgrade Phases I and II; the Walker Reservoir Project update; a discussion regarding the WISE desalination plant site search and DIA Denver Water connection; Drought Supply Strategic Planning; an update on the ASR Pilot Study; a Federal Funding update.

Luis provided a confidential memo to the board that he suggested discussion at a special work session regarding the Master Plan.

## EXECUTIVE SESSION

The Board moved into an executive session at 7:50 pm 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 Cottonwood's Sewer Service Agreement with ACWWA and future wastewater treatment, as well as other agreements with ACWWA. This session was recorded.

The Board moved out of executive session at 8:25 pm and provided staff direction to continue negotiations as discussed.

## ACTION ITEMS

The Board considered the action items below:

1. JWPP-Pre-Filtration System Water Quality Evaluation & Report, prepared by Hazen & Sawyer. Not to Exceed \$15,000. Cottonwood's share is \$5,500 and ACWWA's share is \$9,500.

Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board unanimously approve the action item listed above in the total amount of 15,000.

## REPORTS

**Dashboard** – The dashboard was available for discussion. Director Thomas commented on the improvements shown on drought monitor report and the water supply comparison 2021 to 2022.

**Financial Report** – Lucas Stafford reviewed the financials with the Board. Director Dillon noted that she approved the new financial reporting format.

**Legal Report** – Carolyn Steffl provided a legal report for review and discussion. Director Dillon asked about scheduling work sessions this Fall.

## ADJOURNMENT

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Tuesday, September 20, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: \_\_\_\_\_

\_\_\_\_\_

RECORD OF PROCEEDINGS

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

September 20, 2022

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

**ATTENDEES**

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

Others present: Luis Tovar, Laurie Tatlock, and Lucas Stafford; Mulhern MRE, Inc; attended in person. Mr. Kyle Logan from Logan and Associates attended in person. Kelly Conover; Mulhern MRE attended via phone.

Carolyn Steffl, Dietze and Davis, P.C. attended in person.

Public in attendance: Mr. Steven McCulloch from 8884 Lanceleaf Street, Parker

**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**

Mr. McCulloch resides within the Cottonwood Water District at 8884 Lanceleaf Street. He is interested in understanding the District's water supply as he is concerned about reliance on non-renewable groundwater. Linda Dillon explained that the District's water supply was about 70% renewable supply. Luis Tovar advised that he would contact Mr. McCulloch to meet and review his concerns.

**CONSENT AGENDA**

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

- Approval of the minutes from the meeting held August 16, 2022;
- Authorization of disconnect list dated September 16, 2022;
- Approval of checks numbered 22324-22356, listed on the check register;
  - ACH payment to ACWWA on 9/21/2022 for \$173,181.45,
  - ACH payment to Bank of Oklahoma for Bond payment on 9/1/2022 for \$637,782.69,
  - ACH payment to Century Link on 8/31/2022 for \$99.19, and \$183.54,
  - ACH payment to CH2M Hill on 9/21/2022 for \$69,562.92;
  - ACH payment to Xcel Energy on 7/27/2022 for \$115.43, on 8/24/2022 for \$54.66 and on 8/25/2022 for \$62.77 and
  - ACH payment to Xpress Bill Pay on 9/5/2022 for \$791.82; and
- Disclosure of potential conflicts of interest

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

**DIRECTOR ITEMS**

Director Dillon shared with the Board that she had attended the Special District's Association in Keystone last week. She attended a session regarding communication with residents and the organizing and formation of a Citizen's Committee to facilitate such a committee. She said that she would work on the formation of such a committee.

## **CONSIDER ACCEPTANCE OF 2021 FINANCIAL AUDIT**

Mr. Kyle Logan, independent auditor with Logan and Associates, addressed the Board reviewing the 2021 Draft Audit and Management Letter with the Board. Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote the Board unanimously accepted the 2021 Audited Financial Statements for submission to the Office of the State Auditor.

## **DRAFT 2023 BUDGET**

Luis Tovar provided a draft 2023 budget for board review as required by statute prior to October 15<sup>th</sup>. There was no Board action required.

## **PUBLIC HEARING ON AMENDMENT TO DISTRICT RULES AND REGULATION**

Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board convened a public hearing at 7:33 p.m. to review a proposed Resolution to amend the District's Rules and Regulations. Luis Tovar reviewed the language of the Rules Amendment with the Board and Carolyn Steffl suggested some edits to Section 3.5.1 and 3.6.4. Mr. McCulloch, the member of the public that was present, advised that he had no comments. Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board closed the public hearing at 7:48 p.m.

## **CONSIDER RESOLUTION REGARDING AMENDMENTS TO DISTRICT RULES AND REGULATIONS**

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the Resolution to Amend the District's Rules And Regulations subject to revisions to sections 3.5.1 and 3.6.4 as discussed.

## **CONSIDER APPROVAL OF AMENDED AND RESTATED JWPP OPERATION AND MAINTENANCE AGREEMENT**

Staff reviewed with the Board the current draft of the Amended and Restated JWPP Operation and Maintenance Agreement. The Board directed that staff submit District revisions to CH2M Hill and after receiving their comments, schedule a special meeting to approve the final agreement.

## **MANAGER'S REPORT**

Luis Tovar reviewed items on the Manager's Report dated September 20, 2022, including, the JWPP update and Finish Water Quality Future Requirements and PFAS identification and removal requirements; a discussion on Xpress Bill Pay enrollment and brown water notifications.

## **ACTION ITEMS**

The Board considered the action items below:

1. Mulhern MRE – MMRE will prepare and submit the CWCB Loan Application for funds to support the non-potable/drought supply project, Not To Exceed \$10,000

Upon motion duly made by Director Thomas, seconded by Director Hilton, and upon vote, the Board unanimously approved the action item listed above in the total amount of \$10,000.

**REPORTS**

**Dashboard** – The dashboard was available for discussion. Director Thomas commented on the improvements shown on drought monitor report and the water supply comparison 2021 to 2022.

**Financial Report** – Lucas Stafford reviewed the financials with the Board. . The Board asked that staff revise the reporting to show the percentage of the year as a column for comparative purposes.

**Legal Report** – Carolyn Steffl provided a legal report for review and discussion. Carolyn disclosed that the Cottonwood Metro District recently asked her to provide general counsel to them. She asked the Board to let her know if they had any concerns.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:35pm. The next regular meeting is scheduled for Tuesday, October 18, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: \_\_\_\_\_

\_\_\_\_\_



# RECORD OF PROCEEDINGS

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

October 18, 2022

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

### ATTENDEES

Directors present: Bill Thomas, Linda Dillon, and Judy Lavell attended in person. Ron Hilton attended via electronic device.

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

Carolyn Steffl, Dietze and Davis, P.C. attended in person.

Public in attendance: Mr. Steven McCulloch from 8884 Lanceleaf Street, Parker

### THE AGENDA

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

### PUBLIC COMMENT

Mr. Steve McCulloch expressed an interest in the vacant board position.

### CONSENT AGENDA

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

- Approval of the minutes from the meeting held September 20, 2022;
- Authorization of disconnect list dated October 13, 2022;
- Approval of checks numbered 22361-22402, listed on the check register;
  - ACH payment to Century Link on 10/04/2022 for \$96.29, and \$183.54,
  - ACH payment to Payroll Specialist on 9/23/2022 for \$33.00
  - ACH payment to Xcel Energy on 9/22/2022 for \$54.84 and on 9/26/2022 for \$64.07 and;
  - ACH payment to Xpress Bill Pay on 10/5/2022 for \$874.26; and
- Disclosure of potential conflicts of interest

There was discussion of the account balances on the delinquent list being high. Staff will continue with collection efforts and contacting customers. Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell, and upon vote, the Board unanimously approved the consent agenda.

### DIRECTOR ITEMS

The Board was asked to consider the date for the December meeting. Following Board discussion, the meeting date was set for December 20<sup>th</sup> at 6:00pm.

### CONSIDER BOARD MEMBER APPOINTMENT

Mr. Steven McCulloch previously provided an application for the vacant board position. Following board discussion and upon motion duly made by Director Thomas, seconded by Director Hilton and upon vote, the Board unanimously appointed Mr. Steven McCulloch to the vacant position. Mr. McCulloch accepted the nomination.

Director Thomas administered the Oath of Office. Staff was directed to file the Notice of Appointment and Oath of Office with the Clerk and Recorder.

### **CONSIDER APPROVAL OF AMENDED AND RESTATED JWPP OPERATION AND MAINTENANCE & MANAGEMENT AGREEMENT WITH CH2M HILL**

Carolyn Steffl and Luis Tovar reviewed the changes to the version presented to the board at the last meeting, including the term of the contract and termination fees. The Board reviewed with staff the fixed and variable charges for 2023. Staff is still waiting on final comments from CH2M Hill.

Following board discussion and upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the agreement in substantially for form presented, authorizing the Manager and Legal Counsel to finalize with minor changes related to comments received from CH2M Hill.

### **CONSIDER RESOLUTION CREATING THE TRASH REMOVAL ENTERPRISE FUND**

Carolyn Steffl provided a revised resolution incorporating comments from Director Thomas clarifying recycling as part of services provided. Carolyn discussed the need for a separate fund from the water and sewer enterprise fund and addressed Board questions with clarification that this Resolution does not establish provision of trash services in the District. Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the Resolution Creating the Trash Removal Enterprise Fund of the Cottonwood Water and Sanitation District.

### **DISCUSSION OF PROPOSED RULES ON TRASH COLLECTION**

Carolyn and Luis also discussed some proposed amendments to the District Rules and Regulations regarding trash. The Board discussed and provided comments. Amending the Rules does not establish provision of trash services. Carolyn will provide a revised draft for the next board meeting.

### **MANAGER'S REPORT**

Luis Tovar reviewed items on the Manager's Report dated October 18, 2022, including, the status of the Finish Water Pumps and federal funding efforts. Luis provided a presentation on a proposed agreement with ACWWA regarding Chambers Reservoir and its use for drought supplies. He also provided information and recommendations on the current in-door water allocation policy for their consideration.

Jordan Blue with Mulhern MRE provided a written summary of the Sanitary Sewer Collection System (West) – 2021 Sewer Videos Assessment along with recommendations and a plan for repair and monitoring of the system.

### **REPORTS**

**Dashboard** – The dashboard was available for discussion.

**Financial Report** – Lucas Stafford reviewed the financials with the Board. The Board appreciated the change to the format, showing year to date and projected year end expenditures.

**Legal Report** – Carolyn Steffl provided a legal report for review and discussion. Carolyn will be preparing for the mediation scheduled for December 12 & 13<sup>th</sup>.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:35pm. The next regular meeting is scheduled for Tuesday, November 15, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: \_\_\_\_\_

\_\_\_\_\_

RECORD OF PROCEEDINGS

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

November 1, 2022

at 9:00 a.m. at 8334 Sandreed Circle, Parker, CO 80134

**ATTENDEES**

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

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

Carolyn Steffl, Dietze and Davis, P.C. attended in person.

**THE AGENDA**

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

**PUBLIC COMMENT**

There was no public present.

**WORK SESSION ON CAPITAL FUNDING OPTIONS**

Luis Tovar provided a presentation on water supply options during drought to evaluate and review with the Board. The District's long term water supply plans that began in 2003 to reduce reliance on deep groundwater supply, are meeting the 75/25 rule (renewable/non-renewable). The District uses water supply from Cherry Creek, has a water reuse program, and participates in the WISE Project. The last part of plan is to pursue and secure local supplies for times of drought.

Luis addressed board questions regarding the reuse supply, the District's ability to meet buildout demands, and the use of water conservation to minimize future supply shortfall.

Luis provided handouts reviewing the different scenario funding options available to the District to pursue long term capital improvement projects, participation in the Cherry Creek Project Water Authority and the Chambers Reservoir. The district is in sound financial position with 2022-year end revenue projected at \$6.2M.

Staff is available to answer questions. There was no Board action taken.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:35pm. The next regular meeting is scheduled for Tuesday, November 15, 2022 to be held at the District Meeting House at 8334 Sandreed Circle, Parker, CO.

READ AND APPROVED BY THE BOARD:

Date: \_\_\_\_\_

\_\_\_\_\_

RECORD OF PROCEEDINGS

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

December 20, 2022

at 6:00 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 phone.

Carolyn Steffl, Dietze and Davis, P.C. attended via phone.

**THE AGENDA**

The Board considered the proposed agenda. There were no changes. Upon motion duly made by Director Thomas, seconded by Director Lavell 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 meetings held November 15 and December 14, 2022;
- Approval of Disconnect List dated December 15, 2022;
- Approval of checks numbered 22436 - 22469, listed on the check register;
  - ACH payment to Century Link on 12/1/2022 for \$74.80 and 12/04/2022 for \$181.50 and \$92.07,
  - ACH payment to Xcel Energy on 11/22/2022 for \$95.87 and on 11/25/2022 for \$88.41 and;
  - ACH payment to Xpress Bill Pay on 12/5/2022 for \$890.94; and
- Disclosure of potential conflicts of interest
- Designation of posting location and set meeting dates for 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 with the exception of the Disconnect List dated December 15, 2022.

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously waived the December disconnect list.

**DIRECTOR ITEMS**

There were no Directors Items.

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

Carolyn Steffl recommended the Board consider this Resolution at a subsequent meeting.

**PUBLIC HEARING REGARDING OPT-OUT OF FAMILI**

Upon motion duly made by Director Thomas at 6:24pm, seconded by Director Dillon and upon vote, the Board unanimously opened a public hearing for

discussion of the District opting out of the FAMLI Program. The floor was open for public comment. There was no public present.

Having no further discussion, upon motion duly made by Director Thomas, seconded by Director Lavell, upon vote, the Board unanimously closed the public hearing.

### **CONSIDER RESOLUTION TO OPT OUT OF THE FAMLI PROGRAM**

Upon motion duly made by Director Thomas, seconded by Director McCulloch, and upon vote, the Board unanimously approved the Resolution to Opt Out of FAMLI Program.

### **MANAGER'S REPORT**

Luis reviewed the Managers Report with the Board addressing the completed JWPP Operations Agreement, the meter replacement project, Chambers Reservoir discussions with ACWWA and reviewed action items detailed for consideration.

### **ACTION ITEMS**

Luis Tovar reviewed the action items below for Board consideration;

1. **Walker Reservoir Project – Phase 2** – District's share of pipeline design and well field development for **\$266,808**
2. **2023 District Operations – Inverness Water** – Daily operation and maintenance services of water and wastewater system billed monthly for \$15,870.
3. **2023 Landscaping Services** – Baird Ground Maintenance monthly costs for services March through October for **\$1,170** and field mowing at \$650 per service.
4. **2022-2023 Snow Removal Services** – Baird Ground Maintenance costs on a time and materials basis
5. **2022 Audit Financial Statements** – Fiscal Focus Partners will provide audit services for **\$7,000**
6. **2023 Emergency Repair** – C&L Water Solutions will provide on-call services for emergency repairs on a time and materials basis.
7. **2023 District Management** - Mulhern MRE will provide general management and oversight of the District billed monthly at **\$14,677.50**
8. **2023 Accounting, Billing and Customer Service** - Mulhern MRE will provide accounting, billing and customer service billed monthly at **\$12,102.50**
9. **2023 JWPP Start Up** - Mulhern MRE provides management and oversight of the JWPP contractor on a time and material basis, not to exceed **\$20,000**

Upon motion duly made by Director Thomas, seconded by Director Lavell and upon vote, the Board unanimously approved the above action items.

### **REPORTS**

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

**Financial Report** – Lucas Stafford reviewed the financials with the Board.

**Legal Report** – Carolyn Steffl provided a legal report for review and discussion with a brief update on the mediation with another session scheduled for January. She provided a memo regarding the 2023 Directors election with Director Thomas and Director McCulloch's seats available for election.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 7:24 p.m. The next regular meeting of the Board is scheduled for Tuesday, January 17, 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: \_\_\_\_\_

\_\_\_\_\_