

RECORD OF PROCEEDINGS

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

January 19, 2017

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

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

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held December 15, 2016, approval of checks numbered 19357 through 19411 listed on the check register provided in the Board packet, authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated January 13, 2017 and ratification of Director payments made on December 22, 2016. A grammatical error was addressed in the minutes. Upon motion duly made by Director Thomas, seconded by Director Romani and upon vote, unanimously carried, the Consent Agenda was approved with the correction made to the minutes.

DIRECTOR ITEMS There were no Director's items.

PUBLIC COMMENT There was no public present.

JWPP UPDATE Randy Warren provided an update on the JWPP. The ACWWA Board approved participation in the 60% design of the BTS of \$88,000. ACWWA also approved participation in the modification of the JWPP and construction of the BTS for \$1.5MM. District and ACWWA staff met to discuss an amendment to the JWPP Operations Agreement.

Luis Tovar discussed the additional costs for the BTS proposed by CH2, an almost 20% increase. These costs result from the findings of Phase III of the BTS. CH2 proposes some mechanical revisions inside the building as well as within the BTS to recirculate the water during periods of inactivity. Staff will work with CH2 to reduce costs.

MANAGER'S REPORT

Randy Warren and Luis Tovar reviewed the items in the Manager's Report including the water main line replacement, the Ice Scouring Project, District development, the Highlands booster pump station and the WISE Local Connection.

ACTION ITEMS

Randy reviewed the Action Items listed below:

1. **Water Main Replacement** – Mulhern MRE proposes to design, permit and bid the replacement of the line that failed in November 2016. **\$21,000**
2. **WISE Local Connection** – The District would use the WISE metering vault for piping of a chemical feed for additional chlorine. The WISE Authority requested in exchange, the District provide a blow off to drain the pipeline. **\$12,900**
3. **WISE Local Connection - SCADA System** –
 - a. Browns Hill will provide the SCADA connection on the District side to allow operators to adjust for system management when WISE water is flowing. The cost of this connection is **\$19,848**.
 - b. The second component of the SCADA system is the connection to WISE water flow into the Cottonwood system. AmWest will provide these services at a cost of **\$66,783**.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously approved the above expenditures in the amount of \$120,531.

REPORTS

Hughes & Stuart – Melanie Goetz reviewed public relations and social media activity with the Board. There were some negative comments on water quality and costs on social media that the Board feels need to be addressed. The comments were from residents of another water district. Following board discussion, Melanie and staff was directed to provide a response.

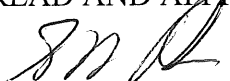
Legal Report – Carolyn Steffl discussed the status on several contracts for the District, including the CWCB, development easements, the cost share for the Highlands development and the amendment to the JWPP Operations agreement. Water court cases continue to move forward with the augmentation plan.

Randy addressed the possibility that some water providers would not be able to take the WISE water that they were subscribed to for this year. The District could offer to purchase their WISE water at a lesser cost during the high use months.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 7:50pm. The next regular meeting is scheduled for February 16, 2017 beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: 2/16/2017

READ AND APPROVED BY THE BOARD:



~~Adam Perez, Secretary~~ Stephen Wasiecko
Vice President

RECORD OF PROCEEDINGS

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

February 16, 2017

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

ATTENDEES Directors present: Bill Thomas, Alyssa Kasaris, Susan Romani and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Brian Wilkerson, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart. Upon motion duly made, and seconded, the Board unanimously excused Director Perez.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

THE AGENDA The Board considered the proposed agenda. Randy Warren added a discussion of the financial reports provided in the packet, and approval of the Highlands Booster Pump station contractor, the drain line at the Highlands Booster Pump station and ratification of the CH2 contract of 60% design of the JWPP and BTS. Upon motion duly made by Director Thomas, seconded by Director Romani and upon vote, the Board unanimously approved the revision to the agenda.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held January 19, 2017, approval of checks numbered 19452 through 19491 listed on the check register provided in the Board packet, and authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated February 10, 2017. Upon motion duly made by Director Thomas, seconded by Director Romani and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS Director Kasaris reported to the Board on a positive encounter/discussion with a Cottonwood Customer regarding the activities and responsibilities of the District.

PUBLIC COMMENT There was no public present.

CONSIDER CONTRACT REVISION TO CWCBLAN Randy Warren reviewed the request from the Colorado Water Conservation Board to approve an amendment to the Loan Agreement related to the WISE Project. Actual construction costs for the ECCV Pipeline have been evaluated and were below the amount of the original loan therefore reducing the total loan for the participants. Upon motion

duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Amendment for Board signature.

CONSIDER SEWER EASEMENT WITH ACWWA

Carolyn Steffl discussed the easement request to the District by a developer to the south of the Joint Water Purification Plant. The easement agreements provide ACWWA ability to install a sewer line to service the development through both the JWPP land jointly owned by Cottonwood and ACWWA and the adjacent land owned by Cottonwood. The developer would then convey the easement to ACWWA for maintenance and ownership of the line. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the easement agreements in substantially the form presented with finalization of language by legal staff.

MANAGER'S REPORT

Luis Tovar reviewed the items in the Manager's Report and addressed questions from the Board. The Board discussed the annual lead and copper testing. Board asked staff to research how a homeowner can test their own water if not on the annual list.

ACTION ITEMS

Randy reviewed the Action Items listed below:

- A. Well D-2 Rehabilitation** – The District has received 3 proposals for work related to Phase I of the well rehab. Applied Ingenuity was the lowest bid at \$57,410.
- B. Sewer Video & Jetting** – Dale's Environmental Services has provided pricing for video and jetting of the sewer system on the west side of Cherry Creek at a cost of \$0.80 per linear foot. This amounts to approximately \$50,400 for 63,000 feet of pipeline.
- C. Well House Piping Modifications** – Each well house requires modifications to the piping layout to accommodate for a chemical feed for the sequestering agent. Excel Pump has provided a cost of \$16,225 to complete these modifications.
- D. Well House Static Mixers** – As part of the sequestering agent addition to each well house, static mixers are necessary to provide the chemical reaction required to improve water quality. The cost to equip each well house is \$17,450.
- E. Water Quality Specialist** – CH2M recommends amending the scope of work under the current contract with the District to include a water distribution specialist to audit the water system operations. The current contract has funding available to incorporate the change in scope therefore no additional funds are needed at this time.
- F. Well House Metering** – In an effort to provide accuracy of the well house meters, staff recommends upgrading and replacing the current meters due

to the age. The cost provided by Browns Hill for 5 meters including installation is \$16,991.

- G. Highlands Booster Pump Station** – IREA has provided a cost of \$43,255 to supply the electrical connection for the Booster Pump Station.
- H. Lead and Copper Testing** – Previously the Board approved a credit of \$20 on a customer account to encourage participation in the sampling required by the State.
- I. CWCB Loan Contract Amendment** – The CWCB Loan related to the ECCV Pipeline costs has been reduced due to a change in the contribution in costs by the participants.
- J. Highlands Booster Pump Station – Contractor Selection** – The District received bids for the project on February 14th. Burns and MacDonald have reviewed them and recommend Glacier Construction as the General Contractor. Their costs are listed at \$706,400.
- K. JWPP 60% Design Drawings** – The Board was previously polled via email on approval of CH2 completing the 60% Design Drawings for modifications to the JWPP and BTS. The cost of service is \$176,522. Please ratify this expenditure.
- L. Sewer Line Connection – American West** - The District wants to complete the portion of sewer main line that would run through the Highlands Booster Pump Station tract prior to construction. American West has provided a cost to complete the work for \$17,286.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the above expenditures in the amount of \$925,417.

REPORTS

Hughes & Stuart – Melanie Goetz reviewed public relations with the Board. She provided a handout showing her posts on NextDoor Cottonwood and the website regarding hot water heater maintenance.

Legal Report – Carolyn Steffl discussed that staff and counsel are working with ACWWA on an amendment to the JWPP Operation Agreement from 2014. Carolyn recommended the Board enter into an executive session as stated in the agenda for further discussion.

Financial Report – Randy Warren reviewed the financial statements provided in the Board packet.


EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Romani, and upon vote, the Board unanimously moved into executive session at 7:20pm pursuant to C.R.S. 24-6-402(4)(e) on determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators on matters related to the First Amendment to the JWPP Operations Agreement. The session was recorded.

The Board exited the executive session at 7:57pm. The Board provided direction to staff and legal counsel to continue negotiations with ACWWA as discussed in session.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 7:58pm. The next regular meeting is scheduled for March 16, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: 4/20/2017
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

March 16, 2017

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

ATTENDEES Directors present: Bill Thomas, Alyssa Kasaris, and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart. Upon motion duly made, and seconded, the Board unanimously excused Directors Perez and Romani.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held February 16, 2017, approval of checks numbered 19518 through 19555 listed on the check register provided in the Board packet, auto-payment to Excel Energy in the amount of \$93.76, authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated March 10, 2017, ratification of the corrected check register from February 16, 2017 for checks numbered 19467 through 19500 and 19507 through 19515, and ratification of Director payments on February 22, 2017. Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS There were no Director's items.

PUBLIC COMMENT There was no public present.

CONSIDER FIRST AMENDMENT TO THE JWPP OPERATION AGREEMENT Pat Mulhern provided an update to the Board on staff negotiations with ACWWA and a FINAL draft was included for Board review. The Arapahoe County Water and Wastewater Public Improvement District ("PID") has been asked to review and provide input on the amendment at their meeting on Monday. Carolyn Steffl reviewed major points of the amendment. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Amendment in substantially the form presented at the meeting with

finalization of language acceptable to legal counsel pending PID comments.

**CONSIDER EASEMENT AGREEMENT FOR THE
HIGHLANDS BOOSTER PUMP STATION**

Randy Warren reviewed the easement with Parkwood East, LLC as landowners of Lot 1. This easement would provide the District the authority to sign contracts to begin construction of the Booster Pump Station. The process for the re-plat through the Town of Parker will take approximately 30-60 days and the District would like to move forward with the contractor on site. Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously approved the easement.

**CONSIDER EASEMENT WITH
STRATUS CROWN POINT FOR POTABLE LOOP**

Luis Tovar reviewed the easement with the Board. This easement is needed for the potable loop design proposed by staff to service the Crown Point area.

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

**CONSIDER HYDRANT EASEMENT
AGREEMENT FOR RAISIN' CANE'S**

Luis Tovar reviewed the easement required for conveyance of the hydrant to the District for exercising and maintenance. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the easement

**CONSIDER RESOLUTION TO APPROVE AMENDMENT TO BYLAWS
ESTABLISHING STANDARDS OF CONDUCT FOR PERSONS ENGAGED IN THE
SELECTION, AWARD AND ADMINISTRATION OF CONTRACTS SUPPORTED BY
FEDERAL AWARD**

Carolyn Steffl reviewed the provision of the USBR Grant Agreement that requires the Board to pass a resolution establishing standards of conduct for selection of contractor and administration of the contract. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Resolution.

MANAGER'S REPORT

Luis Tovar reviewed the items in the Manager's Report and addressed questions from the Board. The Board considered the request of Mr. Jacobs on Yellow Rose Way for reimbursement of services to repair a water line break in his home. The Board would like staff to follow up with Mr. Jacobs and the plumber who performed the work to discuss the effects of previous line maintenance, the District's maximum system pressure and the multiple phone calls not being returned. Staff will provide a response letter to that effect.

ACTION ITEMS

Luis Tovar reviewed the action items listed for approval as detailed below:

- A. Test Monitoring Well for DD-3 – HRS will provide an alluvium analysis and test pit to relocated well DD-3 for irrigation to Crown Point for \$4,800
- B. WISE Local Connection – Mulhern provided construction services to bid each component of the connection for cost efficiency. The initial budget was exceeded due to the time required to evaluate and separate both the SCADA and electrical component of the project. Mulhern requests an additional \$5,000 to cover staff time.
- C. Ice Piggng Project Management – Staff spent significant time planning and providing on-site engineering with the contractor to ensure the project success. Mulhern would like to request additional funds in the amount of \$16,000 for staff time and material spent in excess of the initial contract and for review and assessment of the draft report from the contractor.
- D. Highlands Booster Pump Station – Mulhern will provide construction oversight services during construction to include plan and site approval assistance, oversight of contractors, and engineering and administrative support not to exceed \$40,000.
- E. Water Quality Investigation – Mulhern proposes to work with CH2 in support of the water quality improvements in the District on a time and material basis not to exceed \$20,000
- F. WISE Water Dechloramination – Purchase of equipment for project success; 3 chlorine analyzers - \$35,271, chemical feed pump - \$2,500, 2- ¾” taps in manholes for the analyzers - \$16,000
- G. Water Line Repair – Eyebright Court had a water line break in the landscaping bed. The lowest bid to repair was from Levi Construction for \$9,500.
- H. Hydrant Repair – Ratification of costs from C&L Water Solutions to repair a hydrant for \$2,210

Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the above expenditures in the amount of \$151,281. A proposal from Inverness Properties related to the well house modifications for chemical storage was not provided prior to the meeting and will be reviewed at the April meeting for consideration.

REPORTS

Hughes & Stuart – Melanie Goetz reviewed public relations with the Board. She provided a handout on frequently asked questions related to copper and lead that she would like to post on the website.

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

EXECUTIVE SESSION

There was no executive session needed.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 7:40pm. The next regular meeting is scheduled for April 20, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: 4/20/2017
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

April 20, 2017

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

ATTENDEES Directors present: Bill Thomas, Adam Perez, and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern, and Kelly Conover, Mulhern MRE, Inc.; Alison Gorsevski, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart. Upon motion duly made, and seconded, the Board unanimously excused Director Kasaris.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held March 16, 2017, approval of checks numbered 19556 through 19602 listed on the check register provided in the Board packet, authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated April 17, 2017. Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS Director Wasiecko discussed the trash collection issue suggesting a legislative appeal to have a Water and Sanitation District be able to provide the trash services if approved by voters. Pat Mulhern suggested bringing the suggestion to the Special District Association to see if they are able to help. The Board also asked staff to look into the required process of converting to a Metropolitan District to provide the trash service in addition to water and sanitation services.

PUBLIC COMMENT
There was no public present.

CONSIDER SECOND AMENDMENT TO THE CHAMBERS PIPELINE LEASE AGREEMENT

Luis Tovar reviewed the amendment to the Chambers Pipeline Lease with ACWWA. The Amendment would extend the current lease that expires on October 22, 2017 through May 1, 2019.

Pat Mulhern reviewed a meeting with staff and ACWWA. ACWWA and Cottonwood discussed the potential of shared use of the line for effluent supply. ACWWA is completing a water supply plan that could include use of the line.

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

JWPP RECONVERSION PROJECT UPDATE

Pat Mulhern updated the Board on the recent bid process and result. CH2M was the only proposal provided on April 11, 2017. Staff has reviewed the proposal and recently met with the project team and ACWWA staff to understand the proposal. As part of the construction they need to develop operating costs which involves observation of the current plant and a 10 year capital plan. They propose to take the design to an 80% level to knock out some of their contingency to better price the project. The cost of bidding separate bid packages for all the different services totaled \$332,000. Staff is concerned about spending the funds until they are able to provide a Guaranteed Maximum Price (GMP). If the GMP is larger than expected, the project overall could not be feasible. Currently, costs estimated are well above the originally thought. CH2M would like to provide some value engineering. In the current approvals, there is \$30,000 remaining on the contract and CH2M suggested they use that \$30,000 as an internal engineering evaluation to trim costs where possible to bring costs more in line with the initial estimate before the May 18th meeting. The contract award would be delayed until the May meeting.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the change in the scope of work to reallocate previously appropriated funds to cover value engineering.

CH2M also proposed testing the RO membranes that have been in storage to confirm viability of the units for a cost of \$30,000 in order to know a capital cost upfront if these are in need of replacement, which costs about \$750,000.

Upon further Board discussion, upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board approved spending up to \$30,000 in testing of the RO membranes for performance standards.

Pat discussed the negotiations of the Design Build Agreement and the Independent Contractor Operation Agreement. There were changes proposed by CH2M and a meeting is scheduled for next week to discuss with legal staff between the District and CH2M.

CONSIDER CORRECTIVE QUITCLALIM DEED WITH C&J LAND INVESTMENTS

Allison Gorsevski and Randy Warren reviewed the need for the Corrective Quit Claim; there was a grammatical error that was noted and requires a correction.

Upon motion duly made by Director Thomas, seconded by Director Perez, and upon vote, the Board unanimously approved the Corrective Quit Claim Deed.

CONSIDER AFFIDAVIT AND QUITCLAIM DEED WITH C&J LAND INVESTMENTS

Allison Gorsevski recommended that this item be delayed for consideration until legal counsel is able to confirm any District interest in the land in question.

MANAGER'S REPORT

Luis Tovar reviewed the April Manager's Report with the Board. Luis noticed a possible red-tailed hawk nesting in a tree on the BTS property. If in fact this bird is nesting, it may delay construction due to the constraints of the NEPA requirements. Staff has asked ERO to verify they are in fact nesting and provide constraints.

Luis discussed his interaction with Mr. Jake Jacobs regarding his request for reimbursement of service repairs that he relates to the valve exercising related to the preparation of Ice Pigging. Luis also spoke with the plumber who noted that he needed to go into the wall to find a legitimate piece of piping to replace the damaged valve. Following Board discussion, Director Wasiecko recommended that staff prepare a check in the amount of \$200 accompanied by a letter stating the District's position; that they are willing to cover a portion of the costs of the replacement but cannot be held liable for equipment that doesn't meet standards.

Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, unanimously approved. Staff will draft a letter and provide a \$200 check from the District as discussed.

ACTION ITEMS

- A. WISE Local Connection – Am West** Change order – cost to upgrade a flange fitting to accommodate the pressure rating at the tie-in to the WISE pipeline for **\$4,401**.
- B. WISE Water Dechloramination** – A completed bid was received by Edge Contracting at **\$1,050** above estimated cost approved at the previous meeting (\$16,000).
- C. WISE Water Dechloramination** – Inverness Properties cost for modifications to each well house for installation and storage of the chemicals needed for **\$3,780**.
- D. District House Entrance** – Additional landscape rock along the District House entrance drive to improve appearance for **\$2,931** by Baird Grounds Maintenance.
- E. Well D-2 Landscaping** – landscape improvements at Well D-11 for **\$2,340** by Baird Ground Maintenance.

Upon motion duly made by Director Thomas, seconded by Director Perez, and upon vote, the Board unanimously approved the above expenditures in the amount of **\$14,502** action items A-E.

REPORTS

Hughes & Stuart – Melanie Goetz reviewed public relations with the Board and provided a draft of the Consumer Confidence Report for distribution. Staff directed management to handle the legal posting for the open board position as appropriate for Director Romani's seat. The Board would like a Resolution of the Board at the May meeting in recognition of Director Romani's service to the District.

Legal Report – Allison Gorsevski reviewed the legal report and discussed reaching a stipulation in the Parker Water case.

Financial Report – Randy Warren reviewed the financial statements provided in the Board packet. There was no Board discussion.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 8:05pm. The next regular meeting is scheduled for May 18, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: May 18, 2017
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

May 18, 2017

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

ATTENDEES Directors present: Bill Thomas, Alyssa Kasaris, and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern, and Kelly Conover, Mulhern MRE, Inc.; Melanie Goetz, Hughes & Stuart.; and Dan Conway with THK. Upon motion duly made by Director Wasiecko, and seconded by Director Thomas, the Board unanimously excused Director Perez.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

THE AGENDA The Board considered the proposed agenda. The Board considered moving the executive session to follow Item XIII for legal consultation via phone. Upon motion duly made by Director Perez, seconded by Director Thomas and upon vote, the Board unanimously approved the amended agenda.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held April 20, 2017, approval of checks numbered 19603 through 19646 listed on the check register provided in the Board packet, authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated May 15, 2017 and ratification of Director payments on April 28, 2017. Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS Director Thomas asked about what happened to the underground basins from the abandoned wastewater treatment plant. Luis Tovar had a contractor look at recycling the steel from the basin containers and this effort would not be cost effective for them. Luis said he would revisit alternatives.

Director Kasaris commented that the Next Door Cottonwood blog had some comments on the trash program. She would like a general response prepared because the water district was implicated as not having gone through with the program. Director Wasiecko asked that the response be generic without pointing fingers to the metro district. Pat suggested that legislative action/involvement could be brought up to the SDA.

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARING AND RESOLUTION ON HIGHLANDS AT KINGS POINT INCLUSION

Upon motion duly made by Director Kasaris, seconded by Director Wasiecko, and upon vote, the Board opened a Public Hearing on the Inclusion Petition for the Highlands at Kings Point.

Dan Conway from THK Associates, Inc addressed the Board as the engineer representing the Highlands at Kings Point project. He reviewed his efforts with the Town of Parker regarding annexation of the property. He provided an updated Land Survey Plat showing a total area of 19.08 acres requesting service.

Pat Mulhern reviewed the history on the property with the Board. This is a small segment of land that is not serviced by any district. As an included property, the owner needs to bring a water supply or pay a fee to service the property with renewable water. Pat suggested that the staff and Board look closely at the water source and supply needed to service the property as proposed for a commercial development.

Upon motion duly made by Director Wasiecko to accept the Petition for Inclusion of the Highlands at King Point subject to a final inclusion agreement, seconded by Director Thomas and upon vote, the Board unanimously approved the petition for inclusion subject to final acceptance of the water source and supply and completing an agreement to legal counsel's satisfaction.

Dan Conway asked about timing of the completion of the agreement as related to the Town of Parker's "hearing" that is scheduled for the end of May or beginning of June. He also asked about discussions of the possible water source. Luis Tovar will meet with Mr. Conway or his representative to review the water supply.

PUBLIC HEARING AND RESOLUTION ON COMMERCIAL SINGLE USE WATER RATES

Upon motion duly made by Director Kasaris, seconded by Director Thomas, and upon vote, the Board opened a Public Hearing on the establishment of a Commercial Single Use Rate. There being no public present, the public hearing was closed.

Randy Warren discussed the analysis performed on water uses and rates related to cooling tower and the construction water users. The water for these uses does not allow the District to re-use the water as allowed per the augmentation plan. This would reduce their overall sewer charge. The proposed rate for commercial single use water \$6.90 per 1,000 gallons.

Upon motion duly made by Director Thomas, seconded by Director Kasaris and upon vote, the Board unanimously approved the Resolution on the Commercial Single Use Water Rates to be effective June 1, 2017.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas seconded by Director Kasaris, and upon vote, the Board unanimously moved into an executive session pursuant to C.R.S. 24-6-402(4)(b) for a conference with the District attorney for the purposes of receiving legal advice on specific legal questions related to the Crown Point insurance claim. The session was not recorded.

At 7:55pm the executive session was closed. Director Kasaris noted that the Board has been informed of the situation and no decisions have been made.

CONSIDER THIRD AMENDMENT TO THE SEWER SERVICE AGREEMENT WITH ACWWA

Randy Warren reviewed the amendment to the Sewer Service Agreement with ACWWA to increase the treatment capacity from 945,000 gallons per day to 1,000,000 gallons per day. They give the District the ability to service the Kings Point South property and other incremental service like the Kings Point within the District. The ACWWA Board approved the amendment at their last meeting.

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

CONSIDERATION OF UTILITY EASEMENT WITH PARKWOOD EAST LLC

The District is requesting an easement from the property owners of Tract 1 in the Cottonwood Highlands, to allow the contractor to access the site to build the Booster Pump Station prior to the dedication through the replat that is with the Town of Parker. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Easement Agreement.

CONSIDERATION OF A QUIT CLAIM DEED IN COTTONWOOD HIGHLANDS

The Quit Claim Deed is needed to clean up the land title work for the Booster Station property. This Deed relates to a previous deed signed in 1993 for the Rapid Infiltration Basin (RIB). Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Quit Claim was unanimously approved by the Board.

CONSIDERATION OF VACATION AND DEDICATION OF EASEMENT FOR COMPARK FILING 7

The Mainstreet property required a water service line loop. The original easement needs to be updated since construction on the property has shifted. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board approved a Resolution for Vacation of Easement and Dedication of New Easements once a new exhibit is provided and approved by legal counsel. The Board also authorized the District manager to sign the documents once completed.

JWPP RECONVERSION UPDATE

Pat Mulhern summarized staff's meeting with ACWWA and CH2M. We are pursuing ways to reduce the costs of the project. There is a meeting on Monday, May 22 to revisit their efforts on value engineering.

RESOLUTION IN RECOGNITION OF SUSAN ROMANI'S SERVICE

Director Thomas read the Resolution provided to the Board. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Resolution in Recognition of Susan Romani's Service.

DISCUSSION OF DESIGNATION OF CHERRY CREEK PROJECT WATER AUTHORITY REPRESENTATION

Pat Mulhern reviewed the progress of the project. The Board discussed the meeting date and time. The meeting is held quarterly, the 3rd Wednesday. Director Wasiecko suggested that staff be appointed as an alternative representative if a Board member is unable to fill the position.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved appointment of the District Manager or their designated representative to attend and participate in the Authority on Cottonwood's behalf.

MANAGER'S REPORT

Luis Tovar reviewed the manager's report and addressed Board questions. He also reviewed the findings of the recent sanitary sewer survey. The inspector found a possible violation related to backflow reports and a gasket on the water storage tank. A full report by the Health Department is expected in the coming weeks for review and action by the District.

ACTION ITEMS

Luis Tovar reviewed the action item listed below for consideration:

- A. Highlands Booster Pump Station – Excel Energy will provide a gas line connection as an emergency back up to the generator for a cost of \$20,203.68.**

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

REPORTS

Hughes & Stuart – Melanie Goetz reviewed public relations with the Board and proposed a project called Garden in a Box for Board consideration.

Legal Report – Tim Beaton was available by phone. There was no discussion of items related to the legal report.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 8:35pm. The next regular meeting is scheduled for June 15, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134.

Date: June 15, 2017

READ AND APPROVED BY THE BOARD:

Alyssa Kasaris

RECORD OF PROCEEDINGS

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

June 5, 2017 SPECIAL MEETING
at 6:00 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES Directors present: Bill Thomas, Alyssa Kasaris, Adam Perez and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern, and Kelly Conover, Mulhern MRE, Inc.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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


PUBLIC COMMENT There was no public present.

EXECUTIVE SESSION Upon motion duly made by Director Thomas seconded by Director Perez, and upon vote, the Board unanimously moved into an executive session at 6:10pm, pursuant to C.R.S. 24-6-402(4)(e) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to the JWPP Renovation Project. The session was recorded.

At 7:21pm, the board moved out of executive session. Director Kasaris noted that there were no decisions made during the session. The Board directed that staff meet with ACWWA and discuss the Board's position related to the Project Alternatives proposed for the cost and funding of the JWPP Reconversion. Staff was also directed to meet with CH2M and direct them to provide costs related to developing a Guaranteed Maximum Price.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 7:25pm. The next regular meeting is scheduled for June 15, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: June 15, 2017
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

June 15, 2017

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

ATTENDEES Directors present: Alyssa Kasaris, Bill Thomas, Adam Perez, and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern, and Alex Warren, Mulhern MRE, Inc.; Alison Gorsevski, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

THE AGENDA The Board considered the proposed agenda. A motion was made to amend the agenda to defer items 7 and 8 pending further staff review. Upon motion duly made by Director Perez, seconded by Director Thomas and upon vote, the Board unanimously approved the amended agenda.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held May 18, 2017, checks numbered 19681 through 19715, ratification of electronic payment to Xcel Energy for \$57.76 and authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated June 12, 2017. Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS The District has Board of Director replacement procedures in its bylaws that exceed statutory requirements. Director Thomas suggested that the District review these procedures to insure that the procedures are not an impediment to replacing a director on a timely basis. Alison Gorsevski responded that the board can readily amend the bylaws if needed.

PUBLIC COMMENT
There was no public present.

RECONVERSION PROJECT UPDATE
Pat Mulhern updated the Board concerning recent meetings with CH2M and ACWWA regarding the JWPP reconversion project. Pat briefly reviewed the history of the testing, cost estimates, bids and alternative solution evaluation. CH2M is continuing to model and evaluate alternatives and staff does not have a recommended plan at this time.

Pat suggested that with the prospect of not having the JWPP plant operational by next summer, staff should begin working on alternative

ideas to ensure that the District has adequate water supply for the 2018 irrigation season. Luis Tovar reminded the Board that incremental WISE water may be available. Pat reminded the Board that the District has the ability to establish water rationing policies to control demand.

MANAGER'S REPORT

Luis Tovar reviewed the manager's report and addressed Board questions.

CONTRACT ITEMS

Luis Tovar reviewed the two contract items related to the water tank inspection: Diver cleaning and video – Inland Potable Services - \$4,057 and Tank Structural Evaluation – Bates Engineering - \$2,540.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the above contracts totaling \$6,597.

REPORTS

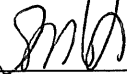
Hughes & Stuart – Nothing to report.

Financial Report – Randy Warren reviewed the financial statements provided in the Board packet and addressed Board questions.

Legal Report – Alison Gorsevski updated the Board on the water court application.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 7:45pm. The next regular meeting is scheduled for July 20th, 2017, beginning at 6:30p.m., to be held at 8334 Sandreed Circle, Parker, CO 80134.

Date: 7/20/17
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

July 20, 2017

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, Pat Mulhern, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Melanie Goetz, Hughes & Stuart. Kyle Logan with Logan and Associates LLC. Public Present Linda Dillon at 17651 Junegrass Place, Parker. Upon motion duly made, seconded and upon vote the Board unanimously excused Director Perez.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held June 15, 2017, checks listed on the check register numbered 19716 to 19774, ratification of electronic payment to Xcel Energy of \$48.86, authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated July 14, 2017 and ratification of Director payments. Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS Director Thomas proposed installation of a short ramp for easy access up the step into the meeting room. Staff will look into pricing and installation.

Director Thomas also informed the Board that he had emailed a proposal to them regarding public use of the meeting house for their review and comments. There was no action necessary.

PUBLIC COMMENT Director Thomas introduced Cottonwood resident, Linda Dillon at 17651 Junegrass Place. Ms. Dillon expressed an interest in the vacant Board position and was present to observe the meeting.

Randy Warren introduced Kyle Logan from Logan and Associates as the auditor for the District's 2016 Financial Statements.

2016 DRAFT AUDIT

Kyle Logan discussed his audit procedure with the Board. The Board was provided an electronic copy of the financial statement and the management letter for review.

Following Board discussion and questions addressed by Mr. Logan and upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously accepted the 2016 Draft Audit as presented.

AMENDMENT TO BYLAWS REGARDING APPOINTMENTS TO FILL VACANCIES ON THE BOARD

Carolyn Steffl provided draft language to amend the Bylaws regarding filling a Board vacancy. Currently the publication requirements listed exceed statutory requirements. Director Wasiecko suggested that we require the listing in the water bills and on the website with no requirement for newspaper publication. The Board would also interview not more than 3 candidates (depending on # of applicants).

The Board asked Carolyn to make appropriate changes for consideration of approval next month.

CONSIDER APPROVAL OF LEASE OF WELL DD-1A

Luis Tovar discussed a proposed lease with ACWWA for use of Well DD-1A for 90 days to meet ACWWA's usage demands, explaining that the District had also leased the well to ACWWA in 2014. Carolyn reviewed the document. If we have a need to use well DD-1A to send water to the JWPP, the District needs to provide 48 hours written notice.

Due to changes since the original lease in 2014, under existing water court decrees and applications of ACWWA and Cottonwood, ACWWA would be required to augment depletions from well DD-1A under the UCCWA regional augmentation plan. Carolyn modified the lease to add the requirement for ACWWA to augment depletions and to file any applications for administrative approvals or SWSPs required for use of the well, due to these changes.

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

CONSIDER WISE EASEMENT AGREEMENT TO SMWA; CONSIDER WISE LICENSE AGREEMENT FROM SMWA; CONSIDER BILL OF SALE FOR CONNECTION TO WISE PIPELINE

Luis Tovar discussed the need of the three agreements listed in order to transfer infrastructure of WISE improvements to the South Metro WISE Authority ("SMWA"), as originally presented for the project.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously approved the WISE Easement Agreement with SMWA, the

WISE License Agreement from SMWA to the District, and the Bill of Sale for Connection to WISE Pipeline, in substantially the form presented.

CONSIDER AMENDMENT TO AGREEMENT FOR USE OF WELL CCC-4

Luis Tovar reviewed the 2009 agreement with ACWWA for ACWWA's use of Well CCC-4. ACWWA is asking for an extension to allow use for another year to meet their current demands. When the District wants to have use of the well, the District is required to pay ACWWA a depreciated value of the well, and provide one year notice.

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

**CONSIDER APPROVAL OF AMENDED AND RESTATED WATER AND SANITATION INFRASTRUCTURE FUNDING AGREEMENT WITH COMPARK LAND CO;
CONSIDER APPROVAL OF INFRASTRUCTURE FUNDING AGREEMENT WITH PARKWOOD EAST AND LENNAR**

Randy Warren reviewed the agreements related to funding the new development area. The proposed cost split with the District and several developers and the proposed reimbursement plan is listed in the agreements.

Upon motion made by Director Thomas, seconded by Director Wasiecko, upon vote, the Board unanimously approved the Amended and Restated Water and Sanitation Infrastructure Funding Agreement with Compark Land Co. and the Infrastructure Funding Agreement with Parkwood East and Lennar subject to verification of the exhibits related to legal descriptions and a final review by legal counsel.

RECONVERSION PROJECT UPDATE

Pat Mulhern discussed the previous authorization for \$30,000 for CH2M to review options related to costs and reconfiguring the treatment process.

Staff met with CH2M two weeks ago to make sure they had all the information needed from operations. CH2M is expected to provide a report by end of the month.

Staff also attended the ACWWA technical committee meeting and Board meeting to keep them informed. There was no board action

MANAGER'S REPORT

Luis Tovar reviewed the manager's report and addressed Board questions.

Randy Warren provided a monthly operating report for review and discussion.

CONTRACT ITEMS

Luis Tovar reviewed the contract items.

1. **Crown Point Potable Loop** – There was only one bid received for the project from American West for \$89,446. Staff recommends approval of this expenditure.
2. **Snowberry Line Replacement** – 2 Bids were received for the project. Staff requests further time to review and will provide a recommendation at the September meeting.
3. **Well 2 Repairs** – Applied Ingenuity was the lowest bidder for the proposed project of \$63,017. Staff recommends approval of this expenditure.
4. **Ice Pigging in Crown Point** – Suez would complete 12 days of ice pigging in the Crown Point commercial area in October for \$120,000. Staff recommends approval.
5. **SCADA communication system as-builts** – Browns Hill will prepare as-built documents for the district to use to bid an upgrade to the system for \$5,000.

Staff recommended further review of the proposals related to the Snowberry Line Replacement project with a recommendation to the Board at next month's meeting.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously approved items 1, and 3-5 listed above; total amount of expenditures totaling \$277,463.

REPORTS

Hughes & Stuart – Nothing new to report.

Financial Report – There was no financial report due to bi-monthly schedule.

Legal Report – Carolyn Steffl had nothing new to add to her report provided in the Board packet.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 7:45pm. The next regular meeting is scheduled for August 17, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: 8/17/2017
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

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

August 17, 2017

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

ATTENDEES Directors present: Alyssa Kasaris, Bill Thomas, Adam Perez and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Dan Conway; THK Associates.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held July 20, 2017, checks listed on the check register numbered 19775 to 19821, ratification of electronic payment to Xcel Energy of \$40.63, and authorization for staff to implement disconnection procedures on accounts listed on the delinquent list dated August 14, 2017. Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board unanimously approved the Consent Agenda.

DIRECTOR ITEMS Director Thomas reviewed his proposal regarding public use of the District Meeting House with the Board.

Following discussion, the Board asked for further information regarding proposed rules and to continue the discussion at the next meeting.

PUBLIC COMMENT
There was no public comment.

**CONSIDER CCAMP 2.1 PARTICIPATION AGREEMENT
WITH SOUTH METRO WATER SUPPLY AUTHORITY**
At this time, legal counsel recommends that the Board consider this agreement at the next board meeting to allow further review and changes by the South Metro Water Supply Authority attorney.

CONSIDER INCLUSION AGREEMENT REGARDING HIGHLANDS AT KINGS POINT

Randy Warren reviewed the agreement with the Board. The agreement provides an estimated amount of renewable water supply required to service the development and a requirement for payment within 30 days in the amount of 10% of costs for the purchase of renewable water. Pat Mulhern discussed renewable water supply options with the Board.

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

Mr. Conway thanked the Board for their time and consideration and left the meeting.

CONSIDER RESOLUTION ADOPTING AMENDED BY-LAWS

Carolyn Steffl reviewed the amendment language removing the requirement of listing Board vacancies in the paper as it exceeds statutory requirements.

Upon motion made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously accepted the proposed changes to the By-Laws presented.

JWPP RECONVERSION PROJECT UPDATE

Pat Mulhern provided an update to the Board on the meetings and discussions between staff and consultants. CH2M continues to work on cost control proposals. CH2M will also need to provide their guarantee of process and cost per 1,000 gallons. Staff continues to meet with ACWWA and their technical committee to provide updates and open discussions on estimated costs.

There was no Board action needed.

MANAGER'S REPORT

Luis Tovar reviewed the manager's report and addressed Board questions. Luis discussed the staff recommendation to re-bid the water main replacement (snowberry line) project due to the need to revise the scope of work and piping standards to control costs.

The Board agreed with the staff recommendation to re-bid project.

CONTRACT ITEMS

There were no contract items for consideration.

REPORTS

Hughes & Stuart – The website analytics were provided in the Board packet for review.

Financial Report – Randy Warren reviewed the financial report with the Board. There was no Board action necessary.

Legal Report – Carolyn Steffl had no further information to add to her report provided.

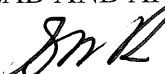
Development Report – Randy Warren reviewed the development report with the Board.

Operating Report – Randy Warren reviewed the operating report with the Board.

Director Wasiecko asked for a status on the vacant Board position. Linda Dillon has indicated that she is interested in the position and will complete the Board application for review.

Director Wasiecko also discussed the provision of trash services by the District and the legal concerns. He has been in discussions with the Special District Association on upcoming legislative issues. The Board agreed to have staff discuss options with SDA to make a legislative pitch.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 8:13pm. The next regular meeting is scheduled for September 21, 2017, beginning at 6:30p.m. to be held at 8334 Sandreed Circle, Parker, CO 80134

Date: 9-21-17
READ AND APPROVED BY THE BOARD:


RECORD OF PROCEEDINGS

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

September 21, 2017

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

ATTENDEES

Directors present: Bill Thomas, Alyssa Kasaris 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: Linda Dillon from 17651 Junegrass Place.

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

**CONFLICT of
INTEREST**

Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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 regular meeting held August 17, 2017, approval of checks numbered 19829 through 19873 listed on the check register, the auto bill payment to Xcel Energy in the amount of \$41.54 on August 23, 2017, ratification of Director payments on August 21, 2017 and authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated September 19, 2017. Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, unanimously carried, the Consent Agenda was approved.

PUBLIC COMMENT

There was no public comments.

DIRECTOR ITEMS

Director Thomas informed the Board that he is working on his proposal for rental of the District Meeting House and would have further information at the October meeting.

Director Wasiecko discussed the conservation rebates available to District customers. He mentioned outdoor irrigation conservation efforts with rain gauges, rotary sprinkler heads etc. The Board asked staff to research options.

CONSIDER BOARD MEMBER APPOINTMENT

Ms. Linda Dillon provided an application for the Director position that was previously provided to the Board.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously appointed Linda Dillon to the vacant Director position on the Board.

BOARD OFFICERS

The Board of Directors currently has the Office of Treasurer vacant. Director Thomas volunteered to assume the duties of Treasurer. Upon motion duly made by Director Wasiecko, seconded by Director Kasaris and upon vote, Director Thomas was unanimously appointed to the position of Treasurer.

CONSIDER REVISED BOOSTER PUMP STATION REIMBURSEMENT AGREEMENTS WITH COMPARK LAND COMPANY

Carolyn Steffl and Randy Warren reviewed the changes to the previously approved agreement that were requested by the Compark Land Company. Compark asked to defer payment of the amount owed toward their proportionate costs of the booster pump station. The amount owed, plus interest, would be paid at the closing of the sale of the last piece of the property or by November 30, 2020 whichever comes first.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously approved the agreement.

CONSIDER REVISED BOOSTER PUMP STATION REIMBURSEMENT AGREEMENTS WITH CARLSON ET AL.

Carolyn Steffl and Randy Warren reviewed the revisions to the agreement with Carlson et al. The owners requested that the payment toward their proportionate costs of the booster pump station be delayed on 2 lots that are not being developed. The payment, plus interest, was deferred from 2020 to November 30, 2021.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously approved the agreement.

CONSIDER AMENDED RESOLUTION REGARDING VACATION OF EASEMENT FOR COMPARK VILLAGE

Carolyn Steffl reviewed the need for the developer to amend an easement vacation previously approved by the Board due to the change in the lot and easement size. This easement still provides for the District to maintain their ability to access the water line serving the development.

Following discussion and upon motion duly made by Director Thomas, seconded by Director Kasaris, and upon vote, the Board unanimously approved the Resolution vacating the easement.

CONSIDER RESOLUTION VACATING EASEMENTS IN CHERRYWOOD COMMERCIAL

Upon motion duly made by Director Thomas, seconded by Director Kasaris, and upon vote, the Board unanimously approved the Resolution vacating the easement.

JWPP RECONVERSION PROJECT UPDATE

Luis Tovar updated the Board on the status meeting with CH2M. Staff is waiting on the status of the membrane testing.

Staff recommends a work session prior to the October meeting to discuss options and where the District stands financially. Director Kasaris voiced her concern with the costs of retesting and the increased costs for changes to the proposal and scope of work. She firmly stands by the innovative thinking and the project but questions the costs. The Board agreed to find a time for a work session and requested staff organize prior to the October board meeting.

MANAGERS REPORT

Luis Tovar reviewed the items in the Manager's Report including; the District is one of 2 providers using WISE Water. The lead and copper samplings have been submitted to the lab for testing. Results will be sent from the lab to the CDPHE. Staff is looking at the feasibility of converting the Crown Point irrigation system from the potable system to the non-potable, which would free up that potable supply for residential use. The Booster pump station has been delivered.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **WISE Local Connection** – MMRE requests additional funds to cover staff costs related to completion of the WISE Connection. \$8,500
2. **Snowberry Water Line** – The project was bid on Tuesday. The lowest bid was from L & M Underground for \$235,130. Staff requests Board approval of the expenditure pending a bid tabulation by staff.

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the items listed in the amount of \$243,630.

REPORTS

Legal Report – Carolyn Steffl let the board report stand as presented. She provided a summary of the services that her office provides the District related to water rights and court cases to inform the new board member, Director Dillon.

Hughes & Stuart – Melanie Goetz will bring information to the next Board meeting on the 'Garden in a Box' project and will make changes to the website regarding the water conservation efforts as discussed previously. Melanie will also contact the Xpress Car Wash in Crown Point for interest in a coupon on the website.

Development Report – Randy Warren reviewed the development report.

Operations Report – Randy Warren reviewed the operations report.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for October 19, 2017, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: _____

10/19/2017

READ AND APPROVED BY THE BOARD:

Adam Perez, Secretary

RECORD OF PROCEEDINGS

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

October 12, 2017

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

ATTENDEES

Directors present: Alyssa Kasaris, Linda Dillon, William Thomas, Steve Wasiecko and Adam Perez (via phone). Others present: Randy Warren, Luis Tovar, Pat Mulhern and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C.; Sarah Foster and Jim Bays (via phone) with CH2; Kevin McBrien with ACWWA.

**CONFLICT of
INTEREST**

Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

JWPP PLANNING

Pat Mulhern provided a power point presentation to the Board reviewing the District history in development of the JWPP and the steps taken toward meeting the discharge requirement with a Biological Treatment System. Pat discussed the current status of the plant as being used by ACWWA in microfiltration. The filters, both Reverse Osmosis and Microfiltration have failed testing and are not effective in treatment.


There were 3 options discussed related to costs and plant utilization as detailed in the attached presentation. Board expressed interest in the first option to provide the highest quality of water. Staff was asked to offer the presentation to the ACWWA Board and Committee.

ADJOURNMENT

Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for October 19, 2017, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: 10/19/2017

READ AND APPROVED BY THE BOARD:



Adam Perez, Secretary

RECORD OF PROCEEDINGS

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

November 16, 2017

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

ATTENDEES Directors present: Bill Thomas, Alyssa Kasaris, Linda Dillon, Adam Perez and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C., Toby Austin with Inverness Properties, and Mr. Al Thompson of 8415 Wheatgrass Circle.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

THE AGENDA The Board considered the proposed agenda. In the interest of the public present, the agenda was amended to move items related to the 2018 Budget to follow the public comment section of the agenda. Upon motion duly made, seconded and unanimously carried, the amended agenda was adopted.

CONSENT AGENDA The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the meeting held October 19, 2017, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated November 13, 2017, and approval of checks numbered 19917 through 19957 listed on the check register.

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

PUBLIC COMMENT Mr. Al Thompson of 8415 Wheatgrass Circle was in attendance.

PUBLIC HEARING ON 2018 BUDGET Upon motion duly made, seconded and unanimously carried, the Board opened a public hearing on the 2018 Budget at 6:36pm. Randy Warren reviewed the budget memo provided in the Board packet. Arapahoe County Water and Wastewater Authority passed a 2% increase on sewer charges. The budget assumes a modest increase of 2% on both water and sewer rates in 2018 to be discussed later on in the meeting. Tap fee projections were conservative and Randy discussed a proposed reduction in the mill levy from 19 to 16 which still allows the District to meet bond payments.

Following Board discussion, the Board opened the floor to public comment. There was no public comment. Upon motion duly made by Director Thomas, seconded by Director Perez and upon vote, the Board moved to close the public hearing at 6:47pm.

**CONSIDER RESOLUTION TO ADOPT THE
2018 BUDGET AND APPROPRIATE SUMS OF MONEY**

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Resolution to Adopt the 2018 Budget and Appropriate the Sums of Money.

The Board further authorized staff to file a certified Budget with the appropriate agencies as required by statute.

**CONSIDER RESOLUTION TO ADOPT THE
2018 LEVYING GENERAL PROPERTY TAXES**

Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved the Resolution Levying General Property Taxes for 2018.

The Board further authorized staff to file a certified Mill Levy with the appropriate agencies as required by statute.

DIRECTOR ITEMS

There were no Director's items for discussion.

CONSIDER CCAMP 2.1 PARTICIPATION AGREEMENT

Carolyn Steffl reviewed the agreement and the District's financial commitment in the project. The South Metro Water Supply Authority will manage the project and the consultants and include a fee of 10% on each invoice for the participant's pro rata share for their services. Luis Tovar provided a history of the project. Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously approved the agreement.

PRELIMINARY RATE REVIEW

Randy Warren reviewed the memo provided in the board packet regarding 2018 rates. Staff has reviewed the current rates and how they apply to the District customer types; residential, commercial, and multi-family. Staff would like to balance out the cost per 1,000 gallons of water and sewer charged to the customers while keeping the District financially secure. The Board discussed the current rate structure and allocation system. Staff will continue to refine the recommendation for proposal at the January meeting anticipating a public hearing. Staff is recommending a 2% increase in water and sewer service and usage charges and a 2% increase in water and sewer tap fees. There was no Board action at this time.

MANAGERS REPORT

Pat Mulhern discussed with the Board the progress with the Joint Water Purification Plant. He presented to the ACWWA Technical Committee the options presented to the Cottonwood Board at the October special meeting. Director Wasiecko asked about using a phased agreement for

ACWWA to participate. Staff was directed to review the District's financial capabilities and schedule a joint Board meeting of Cottonwood and ACWWA in January. Staff will contact the Board with preliminary information and will assess the need for a special board meeting in December.

Luis Tovar reviewed items in the Manager's Report with the Board. He reviewed the findings of the sewer line videos; discussed the results of the Copper and Lead sampling; the bids received on the Crown Point Irrigation Line Extension; and the successful Crown Point Ice Piggings project.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Weed Mitigation on BTS Property** - Emerald Isle will complete a one-time weed treatment on the property to meet Arapahoe County guidelines for \$4,997. This expense was approved by staff under the Bylaws guidelines for purchases up to \$5,000. Please ratify this expense.
2. **Environmental Services** – ERO Resources will review the impacts to the Preble's Mouse habitat and to wetlands related to the Crown Point Irrigation line project for \$3,500. This expense was approved by staff under the Bylaws guidelines for purchases up to \$5,000. Please ratify this expense.
3. **Snowberry Water Line Security Deposit** - The Town of Parker required the owner of the project to provide the security deposit for work within the Town to ensure completion of the project is to their standards. The deposit amount was \$7,467. This expense was previously approved via email. Please ratify this expense.
4. **JWPP BTS Management** - Mulhern MRE requests additional funds for project management for \$10,000.

REPORTS

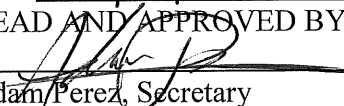
Hughes & Stuart – Melanie Goetz provided website analytics for October. She was not present at the meeting but is available to the Board for any questions. She is currently working with a representative from Garden in a Box for a draft contract with the District. There was no Board action.

Legal Report – Carolyn Steffl provided a legal report in the Board packet and was available to answer any questions from the Board. There was no Board action necessary.

Development Report – A development report was provided in the Board packet. There was no Board action necessary.

Operations Report – An operations report was provided in the Board packet. There was no Board action necessary.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next meeting is scheduled for December 14, 2017, beginning at 6:00p.m. at 8334 Sandreed Circle.

Date: 12/14/2017
READ AND APPROVED BY THE BOARD:

Adam Perez, Secretary

RECORD OF PROCEEDINGS

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

December 14, 2017

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

ATTENDEES Directors present: Bill Thomas, Alyssa Kasaris, Linda Dillon, Adam Perez and Steve Wasiecko. Others present: Randy Warren, Luis Tovar, Pat Mulhern and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C., Toby Austin with RISE Properties.

CONFLICT of INTEREST Upon motion duly made, seconded and unanimously carried, the statements for the Directors filed with the State of Colorado, Division of Local Governments were ratified.

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 November 16, 2017, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated December 12, 2017, approval of checks numbered 19958 through 20001 listed on the check register and the designation of posting locations and set meeting dates for 2018. Following Board discussion, the Board moved to waive disconnect procedures and provide a grace period for December.

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

PUBLIC COMMENT
There was no public present.

DIRECTOR ITEMS
There were no Director's Items for discussion.

JWPP STATUS
Item was discussed under executive session.

MANAGERS REPORT
Luis Tovar reviewed items in the Manager's Report with the Board. He reviewed the Snowberry Water Line Replacement project currently underway. The bore collapsed on the pipeline during installation and the pipe was abandoned. A second bore will be completed and the Contractor requests that the District consider splitting costs for the purchase of additional pipeline to replace the portion abandoned.

Following discussion, the Board requested the cost of replacement and formal request from the contractor for consideration. The Board would also like staff to investigate the cause of the collapse, if possible.

ACTION ITEMS

Luis Tovar reviewed the Action Items.

1. **Snowberry Water Line Replacement** – The contractor asked if the District would consider a cost split of pipeline replacement costs. The estimated cost is approximately \$20,000.
2. **2018 District Management** – Mulhern MRE proposes to provide management, accounting, and billing and customer service for 2018 under the same scope provided in 2017. Requested contract amount - **\$255,000**
3. **2018 District Development Review and Oversight** – Mulhern MRE proposes a renewal of oversight and coordination of the ongoing development as the District representative. Requested contract amount - **\$35,000**
4. **2018 Landscape Contract** – Baird Grounds Maintenance has been providing landscaping services to the District owned properties in 2017. The proposal is to continue those services under the same monthly rate with a periodic mowing of the vacant field on an as needed basis. Requested amount - **\$925/month and \$585/vacant field mowing**
5. **2018 Snow Removal Contract** – Baird Grounds Maintenance has provided snow removal services on a time and materials basis on District owned properties in 2017. He requests a contract renewal for 2018 for the same terms and hourly costs.
6. **2018 District Operations Contract** – Inverness Water and Sanitation District requests a renewal of the operations contract for 2018 with the same scope of services with an increase in the contracted rate. Requested annual amount - **\$160,000**
7. **2018 Emergency Utility Services Contract** – C&L Water Solutions has provided emergency repair services to the District on a time and materials basis. They request a contract renewal for 2018.
8. **Crown Point Non Potable Irrigation Line Extension** – Mulhern MRE proposes to design and bid the project for \$21,000 and complete construction management and observation for \$13,000. Total contract requested - **\$34,000**

Following Board discussion, Item #1 was removed from consideration until a formal request is received as noted above. Upon motion duly made by Director Wasiecko, seconded by Director Thomas and upon vote, the Board unanimously approved contract items #2 – 7 with the addition of #8 not included in the Board packet.

REPORTS

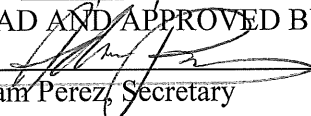
The reports were provided in the Board packet. Staff was available for questions. There was no Board action needed.

EXECUTIVE SESSION

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

Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board moved out of executive session at 6:01pm. The Board instructed staff to proceed with review of a design alternative for the JWPP as discussed.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned at 6:04pm. The next regular meeting is scheduled for January 18, 2018, beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: 1/18/2018
READ AND APPROVED BY THE BOARD:

Adam Perez, Secretary