

RECORD OF PROCEEDINGS

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

June 16, 2020

at 6:30 p.m. at

188 Inverness Drive West, Suite 150,

Englewood, Colorado 80112

This meeting will also be offered via Zoom Meeting

at <https://zoom.us>, (646) 558-8656;

Meeting ID 872-0718-1735 password 443580

**ATTENDEES**

Directors present: Bill Thomas and Linda Dillon; Directors Steve Wasiecko, and Josh Stewart attended via electronic communication devices; Others present: Randy Warren, Toby Austin and Luis Tovar, Mulhern MRE, Inc; Kelly Conover with Mulhern MRE, Inc. attended via electronic communication device; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C. attended via electronic communication device.

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

**THE AGENDA**

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

**ELECTION OF OFFICERS**

Randy Warren reviewed the position description as detailed in the Bylaws and discussed the current slate of Officers. Upon motion duly made by Director Dillon seconded by Director Thomas and upon vote, the Board unanimously approved the below slate:

Steve Wasiecko, President  
Linda Dillon, Vice President  
William Thomas, Secretary  
Nathan Bandaries, Treasurer  
Josh Stewart, Director

**PUBLIC COMMENT**

There was no public present.

**CONSENT AGENDA**

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held May 19,

2020; approval of checks 21340 through 21387 listed on the revised check register provided at the meeting, ratification of auto-payments to Xcel Energy, Century Link, CH2M and CO State Bank for a Bond Interest payment, and disclosure of potential conflicts of interest.

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

#### **DIRECTOR ITEMS**

Director Thomas asked about salvaging items at the wastewater treatment plant location. He asked that staff look into recycling/removing the materials.

#### **PUBLIC HEARING REGARDING WATER CONSERVATION ORDER INCLUDING WATERING RESTRICTIONS**

Upon motion made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board opened a public hearing at 6:48 p.m. for discussion regarding the proposed water conservation order.

There was no public present. The public hearing was closed at 6:49 p.m.

#### **CONSIDER ADOPTION OF WATER CONSERVATION ORDER INCLUDING WATERING RESTRICTIONS**

The Board reviewed the water conservation order. There was a correction noted to the date for sod establishment to be effective June 16, 2020.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, the Board unanimously approved the water conservation restrictions with the above mentioned change. Staff is to distribute the conservation order to District customers.

#### **PUBLIC HEARING REGARDING PROPOSED AMENDMENT TO THE RULES AND REGULATIONS**

Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote the Board unanimously opened a public hearing at 6:54 p.m. regarding a proposed amendment to the rules and regulations.

There was no public present. The public hearing was closed at 6:54 p.m.

#### **CONSIDER ADOPTION OF RESOLUTION AMENDING RULES AND REGULATIONS**

The Board reviewed and discussed the proposed changes to the Rules and Regulations, Section 10.4 Enforcement. This section would be revised to remove the penalties from the body of the Rules and Regulations and insert it in Section 4 under Appendix A to the Rules. The changes also proposed a warning letter to the occupant/owner for the first offense prior

to monetary fines of \$100 for a second violation, \$250 for a third violation and \$500 for subsequent violations at the same premises or by the same user.

The Board discussed fines related to residential versus commercial customers violating the restrictions. Staff has scheduled a public hearing for the July 21<sup>st</sup> meeting and will propose changes to the fee schedule per the discussion.

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

### **MANAGER'S REPORT**

Luis Tovar provided a presentation regarding the JWPP progress. Jacobs has been working on options for treatment/removal of phosphorus and sulfides. Luis addressed Board questions regarding concerns from the neighboring community; liability to the District and fencing the area. Luis expects to have a special meeting in July and August in order to get approval of some of the items related to proposed changes.

Luis provided an update on the well re-drill project. The Town of Parker has provided comments and is asking for a security deposit estimated at \$17,100. Staff is discussing the requirement with the Town.

Upon motion duly made by Director Thomas, seconded by Director Wasiecko and upon vote, the Board unanimously approved the expenditure contingent upon final discussions with the Town, not to exceed \$17,100.

### **REPORTS**

*Dashboard* – Randy reviewed the dashboard report with the Board. There was a large increase in use related to irrigation for May. Randy reviewed the aged accounts receivable chart and memo on service disconnect and late fees. Staff recommends suspending late fees and disconnects one more month. In August, customers can avoid disconnects with approved payment plans to bring their account current within 90 days.

Upon motion duly made, seconded and upon vote, Board voted to waive late fees and service disconnections for July. Service disconnection will commence in August with allowances for payment plans.

*Legal Report* – Counsel and staff reached out to Douglas County proposing to amend the District service plan to allow trash legislation. The County responded that an amendment may not be necessary and that trash service capacity could be provided through an administrative

approval. The County said this may be an administrative change and not labor intensive. The District needs to wait 90 days after the end of the 2020 legislatives to begin the administrative process.

**EXECUTIVE SESSION**

There was no executive session needed.

**ADJOURNMENT** Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for July 21, 2020 beginning at 6:30 p.m. to be held at the District Management Office at 188 Inverness Drive West, Suite 150, Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date: September 15, 2020

William C. Thomas, Sr.