

RECORD OF PROCEEDINGS

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

February 16, 2021

at 6:30 p.m. at

This meeting was offered at <https://zoom.us>

Meeting ID: 858 0271 8077 Meeting Passcode: 609759 Phone (346) 248-7799

**ATTENDEES**

Directors present: Bill Thomas and Linda Dillon. Steve Wasiecko and Josh Stewart attended via electronic device;

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

Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C. attended via electronic device.

**THE AGENDA**

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

**PUBLIC COMMENT**

There was no public present.

**CONSENT AGENDA**

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held January 19, 2021; approval of checks numbered 21640 through 21674 listed on the revised check register provided at the meeting, ratification of auto-payments to Xcel Energy and Century Link, authorization of February disconnects, and disclosure of potential conflicts of interest.

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

**DIRECTOR ITEMS**

Director Dillon requested that staff reach out to representatives for Garden in a Box. The Board discussed presenting the program to Cottonwood residents in the same manner as last year.

**PUBLIC HEARING ON PROPOSED AMENDMENT TO RULES AND REGULATIONS**

At 6:40pm, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously opened a public hearing for discussion on the proposed amendment to the District rules and regulations.

There was no public present. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously closed the public hearing.

## **RESOLUTION AMENDING DISTRICT'S RULES AND REGULATIONS**

Luis and Carolyn discussed the proposed amendment about the water conservation policies and practices. This amendment would clarify that the Board has the ability to adopt rules and conservation orders to minimize water waste and encourage sustainable and efficient use of water resources, even when the District is not faced with an immediate shortage of its water supply.

## **RESOLUTION IN SUPPORT OF WATERSMART GRANT APPLICATION**

Luis reviewed the requirements of the grant application for the United States Bureau of Reclamation WaterSMART Grant: Small-Scale Water Efficiency Projects. The guidelines of the grant limit the amount of the project to \$200,000 or less. Staff has provided a Phase II of the Advanced Metering Infrastructure Project for replacement and upgrades of the commercial meters and upgrade of the newer residential meters. The Resolution commits the District to funding of the project and authorizes the General Manager to complete necessary documents and agreement to complete the process.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Resolution in Support of the WaterSMART Grant Application.

## **MANAGER'S REPORT**

Luis updated the Board on the JWPP. Jacobs discontinued the pilot study on sulfides and phosphorous treatment. Staff has attended work sessions with ACWWA and Jacob's staff to review options for the BTS. The result of the work sessions provided three options for treatment of the brine with the phosphorous and sulfide levels. One option was to continue to send the brine to the ACWWA wastewater treatment plant. The Board discussed the capacity of the plant and the potential need for expansion and the use of the BTS. The BTS will be needed for selenium treatment prior to discharge to ACWWA.

Luis provided a presentation regarding development of the Cherry Creek Project water source as a storage and drought supply. Luis discussed the District demands and current supplies (water rights available) and outlined the infrastructure needed to move the water and make it available for the District.

## **ACTION ITEMS**

The Board considered the following action items for approval:

1. **ASR Wells:** Applied Ingenuity proposal to install ASR valves, inspections, cleaning and tests for **\$75,200**
2. **WISE Water:** Hazen & Sawyer proposal for water chemistry analysis of WISE water prior to injection for **\$20,000**
3. **ASR Project Management:** Mulhern requests additional funds for continued project management for **\$7,100**
4. **USBR Grant Application:** Mulhern proposes to complete the grant application, submit paperwork, and follow up with the USBR for **\$5,500**

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the above action items for a total amount of **\$107,800.00**.

**REPORTS**

*Dashboard – Toby noted that January was a dry month. Overall use was down with Commercial use seeing the most decline. This corresponds to the revenues expected for the month.*

*Legal Report – Carolyn provided a legal report for the Board packet and addressed legal questions in executive session.*

**EXECUTIVE SESSION**

At 8:22pm, upon motion duly made, seconded and upon vote the Board moved into an executive session pursuant to C.R.S. 24-6-402(4)(b) for a conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions relating to the JWPP Renovation Project.

At 9:01pm upon motion duly made, seconded and upon vote, the board moved out of executive session.

Following Board discussion, direction was provided to staff to continue negotiations and discussions with ACWWA and legal counsel on remedies for the JWPP Renovation Project.

**ADJOURNMENT**

Upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for March 16, 2021 beginning at 6:30 p.m. to be held at the District Management Office at 188 Inverness Drive West, Suite 150, Englewood, CO and via Zoom meeting.

**READ AND APPROVED BY THE BOARD:**

Date: April 20, 2021

William C Thomas, assy