

RECORD OF PROCEEDINGS

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

June 20, 2019

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

**ATTENDEES**

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, and Linda Dillon. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C., Kyle Logan with Logan & Associates.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote the board unanimously excused Director Bandaries.

**THE AGENDA**

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

**PUBLIC COMMENT**

Kyle Logan with Logan & Associates was in attendance to discuss and address any questions related to the 2018 Draft Financial Audit for the District.

**CONSENT AGENDA**

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held May 16, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated June 18, 2019, approval of checks 20924 through 20962 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link, CH2M & wire transfers for consultant payments related to the Bond Refinancing, and disclosure of potential conflicts of interest.

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

**DIRECTOR ITEMS**

Director Wasiecko reminded the Board and staff of the timeline related to the Community Trash initiative. Staff will meet again with Representative Ransom to review the legislative changes.

## **CONSIDER DRAFT 2018 AUDIT**

Mr. Kyle Logan reviewed the 2018 Draft Financial Audit presented in the Board packet. He reviewed the process of auditing the District and noted significant items throughout the document.

Following Board discussion and questions addressed by Mr. Logan, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the 2018 Draft Financial Audit with minor adjustments suggested by staff related to wording or language and specific references.

## **MANAGER'S REPORT**

Luis Tovar addressed the Board and discussed items in the manager's report related to the JWPP and the operations of the BTS. The 3<sup>rd</sup> BTS Cell is not processing well and water flow is nonexistent. The cell components have compacted and do not allow the flow projected. Both Cottonwood and ACWWA staff have met to discuss options and with CH2M consultant Jim Bays to find solutions. CH2 is proposing a design change which could impact the contract. Legal counsel recommended further discussion on the matter occur in executive session.

## **EXECUTIVE SESSION**

Upon motion duly made by Director Thomas, seconded by Director Dillon, the Board unanimously moved into an executive session at 7:12 pm pursuant to CRS 24-6-402(4)(b) & (e) for conferences with the attorney for the District for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and directing negotiators regarding BTS system warranty and proposed modification to BTS design under JWPP Design Build Agreement with CH2M Engineers, Inc. The session was recorded.

The Board moved out of executive session at 7:27 pm. Following open discussion, the Board directed staff to continue meeting with ACWWA and support their needs for timely water delivery related to fixing the 3<sup>rd</sup> BTS cell as discussed in executive session.

## **MANAGERS REPORT (CONT)**

Luis Tovar continued review of the manager's report related to the Jordan Road sewer repair change order with C&L Water solutions. The change in scope of work related to the increased length of pipe laid and the amount of asphalt required by the Town of Parker resulted in the request. Staff is reviewing the itemized invoice.

Luis updated the Board on the recent failure of the Crown Point Booster Pump Station due to a lightning strike. VFDs and pumps among other equipment were lost. Staff is working with consultants to order and replace components as quickly as possible. Staff will also look into the details needed to make an insurance claim for the incident.

Randy Warren reviewed the issue related to the drainage collection system at Snowberry Way owned and operated by the Cottonwood Metro District. Staff explained the findings of the investigation into individual homes sewer connections. One house was found to be connected directly to the drainage system rather than the sewer system. Staff addressed questions and issues raised by the Board. At this time, District staff and the Metro District will have a call with the CDPHE for next steps and requirements to meet health dept standards.

### **ACTION ITEMS**

Luis reviewed the action items list detailed below;

1. **BTS Change Order** – *Outside the GMP* – replacement of Mag meter at the JWPP for Cottonwood's proportionate share; \$6,276
2. **Jordan Road Sewer Repairs** – *Change Order* – related to change in scope and amount/cost of asphalt repairs for \$108,318
3. **Crown Point Booster Station Upgrades** – Browns Hill will provide a design package for upgrades for \$14,500

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

### **REPORTS**

Randy Warren reviewed a memo in the board packet related to tap fee comparisons for 2019 pricing and the District Dashboard.

Legal – Carolyn Steffl reviewed the legal report. There was no board action.

**ADJOURNMENT** Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for July 18, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: July 18, 2019  
READ AND APPROVED BY THE BOARD:

William C Thomas