

RECORD OF PROCEEDINGS

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

March 16, 2021

at 6:30 p.m. at

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

Meeting ID: 811 1743 3549 Meeting Passcode: 878895 Phone (346) 248-7799

ATTENDEES

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

Others present: Luis Tovar, Toby Austin, Randy Warren, and Laurie Tatlock, 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. Luis Tovar asked to add an Action Item regarding well D11. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the revised agenda was adopted.

PUBLIC COMMENT

Ron Hilton, Cottonwood resident living at 15878 Red Bud Drive signed into the meeting and expressed water supply concerns and asked about how that related to new development. Director Wasiecko asked that staff contact Mr. Hilton and review with him the water supply planning.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held February 16, 2021; approval of checks numbered 21675 through 21708 listed on the revised check register provided at the meeting, ratification of auto-payments to Baski Inc., Xcel Energy and Century Link, authorization of March disconnects, disclosure of potential conflicts of interest and ratification of Director payments.

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

Upon motion duly made by Director Thomas, seconded by Director Wasiecko, and upon vote, unanimously carried, the Board authorized staff to sign the approved checks.

DIRECTOR ITEMS

Director Dillon continues to reach out to the community for the Garden in a Box program.

Director Wasiecko asked about the availability of state COVID relief funding that might be available for the District.

Director Thomas asked when the Board would have to identify that they would be having an election regarding the trash. July or August is the time that the District would have to commit to a coordinated election. The Board asked staff to explore other options.

JACOBS TOLLING AGREEMENT

Carolyn Steffl discussed with the Board that the agreement is substantially complete and ready for Board approval, subject to minor modifications that staff will review with the Board after acceptance by Jacobs.

Following Board discussion and subject to the stipulations discussed, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Tolling Agreement with Jacobs.

MANAGER'S REPORT

Luis Tovar reviewed with the Board the Manager's Report dated March 16, 2021. This included updates regarding the JWPP, Aquifer Storage and Recovery, and the re-drilling of Well D-1. Staff acknowledged the challenges that a second drilling, wet weather and road construction have combined to make and the frustration expressed by residents.

Director Thomas asked about the Town of Parker's Cottonwood Drive widening project. Specifically, he wanted to understand why the Town was now aware of Cottonwood's water and sewer lines that are affecting the project.

ACTION ITEMS

The Board considered the following action items for approval:

1. **Well D11 Motor Replacement: \$43,931**

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 **\$43,931**.

REPORTS

Water Supply & Demand Statistics – Randy Warren reviewed with the Board the Water Supply & Demand Statistics table showing Water Sales from 2017-2020 and forecasted in 2021 and 2022 as it compares to the Water Supplies over the same period.

ACWWA is working with Cottonwood management staff to define the costs for JWPP discharge treatment and determine the availability of capacity.

Dashboard – Toby Austin reviewed with the Board the District Operating Report for the month ended February 28, 2020.

Financial Report – Toby Austin reviewed with the Board the unaudited 2020 Financial Statements and noted that the auditors have started the 2020 audit.

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

EXECUTIVE SESSION

At 7:36 pm, 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 8:15 pm 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 at the management level with ACWWA and 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 April 20, 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, Sr.