

RECORD OF PROCEEDINGS

CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

June 27, 2024

The regular meeting of the Board of Directors of the Cherry Creek Valley Water and Sanitation District was held at the District Office, 2325 S. Wabash Street, Arapahoe County, Colorado, at 6:00 pm on June 27, 2024.

PRESENT

Mark Lampert – Chairman

Brad Rastall – Vice Chairman

Ken Jensen – Secretary/Treasurer

Frederick Norman – Asst Secretary/Treasurer

Candace Merrell – Director

Lisa Glenn – District Manager

John Engel – Assistant Manager

Darryl Farrington – Semple, Farrington, Everall & Case PC

Matt Poznanovic – Hayes Poznanovic Korver LLC

Chairman Lampert called the regular meeting to order at 6:04 pm.

The Board unanimously approved the agenda.

The Board unanimously voted to enter executive session pursuant to CRS 24-6-402(4)(b) to discuss specific legal issues with the District's water attorney Matt Poznanovic and general counsel Darryl Farrington, concerning the District's water agreement with Cherry Creek Country Club. The Board entered into executive session at 6:06 pm. This executive session is not required to be recorded, and the recorder was turned off.

Chairman Lampert declared the Board out of executive session at 7:28 pm. No decisions were made in executive session.

The Board unanimously voted to enter a second executive session pursuant to CRS 24-6-402(4)(b) to discuss legal issues with general counsel Darryl Farrington pertaining to differential billing rates for non-potable water usage by different customers. The Board entered into this executive session at 7:28 pm. This executive session is not required to be recorded, and the recorder was turned off.

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MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT ON June 27, 2024; CONTINUED

Chairman Lampert declared the Board out of the second executive session at 7:44 pm. No decisions were made in executive session.

The Board thanked Mr. Farrington and Mr. Poznanovic and they left the meeting at 7:44 pm.

The Board unanimously approved the May 2024 Financial Report and the May 2024 Payment of Bills in the consent agenda. Chairman Lampert pulled the May 23, 2024 minutes to correct the date on page three to February 1, 2025 from February 1, 2024, the date Nazar Market must be connected to a grease trap or they will be fined.

Chairman Lampert opened and closed the meeting for public comment at 7:47 pm since there were no members of the public present.

Mr. Hein's engineering report was read by Chairman Lampert:

Developer Projects

- Arcadia Development: Construction of water and sewer mains is ongoing. Assistant Manager Engel added that the second stretch of water main is being disinfected and pressure tested. The sewer main upsizing in Clinton is complete. The church demolition started two days ago.

Capital Improvement Projects

- Evans Court Waterline Replacement: Merrick waiting on Denver Water comments.
- Valentia Water Meter Vault: Update from Mr. Hein today that Denver Water approved the plans.
- Valentia Sewer CIPP: Awaiting manhole modification work by second contractor before manholes are lined.
- Dayton St Sewer Mississippi to Iowa: The survey is complete. Merrick will prepare base sheets, construction drawings, and design.

Mrs. Glenn presented the Manager's report:

- 2023 Backflow Program – The notice of violation the District received from CDPHE was mailed to all customers today, emailed to paperless customers, posted on the District's website, and uploaded to the CDPHE portal. The District only received 86% passed tests for 2023 instead of the 90% required by CDPHE. Corrective action is being taken for 2023 and a plan to ensure compliance going forward is included in the notice. A new employee has been hired to concentrate

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mainly on the backflow program.

- Merrick Invoices - The District received invoices from Merrick from January through May 2024 with rate increases for 2024.
- 10-year Main Replacement Program – This plan will be developed in the near future and will be removed from the agenda until work begins on the plan.
- Commercial Sewer Tap Fees – Waiting on an analysis from Merrick on what sewer tap fees should be for commercial customers based on water tap size instead of using fixture units for the calculation.
- Construction Projects Worksheet – Mrs. Glenn updated this spreadsheet for the Board. Updates were also presented during the engineering report. Lead times on the meter reading system upgrade is unknown and may be longer than expected. The 1.5 inch meters shipped from the supplier, but the .75 inch meters are expected to have an undetermined longer lead time.
- ZamZam Grease Trap – The fine from April 2024 was paid and a new fine was imposed for May 2024 since they have not connected the grease trap to their internal plumbing.
- Employees – Patricia VanCleave was hired as the Backflow Specialist and started June 6, 2024. Chuck Jones was hired as the second Utility Technician and started June 17, 2024. Elizabeth Marsh was promoted to Office Manager effective June 1, 2024. All employees are doing well.
- Organization Chart – A current organization chart was presented to the Board. A backup accounting/office person may be hired next year.
- Fox Crossing Property – A parcel in Huntington Estates known as Fox Crossing is owned by the District. Arapahoe County included this parcel in a proposed plan to direct bike traffic from Parker Rd to go through the neighborhood through this parcel over a new bridge to the High Line Canal trail. The County did not make the District aware of this plan. It appears that most Huntington residents do not like the plan since it would increase bike traffic through their neighborhood. Board members commented that no one would ride their bikes on Parker Rd because cars travel at very high speeds and there are many accidents on this stretch of Parker Rd. Residents are encouraged to provide comments to the County by July 14, 2024.
 - Previous Manager Warford allowed residents of Huntington to beautify the Fox Crossing parcel with plants and a walking path. A license agreement was drawn up between the District and Huntington HOA, but a signed copy cannot be located. The draft copy is available, and the HOA is amenable to signing a new license agreement. The Board gave their approval of the draft agreement presented.
- District Properties – Secretary/Treasurer Jensen requested a listing of all

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- properties owned by the District, which are shown in the manager's report.
- 2673 S Lima St – Xcel Energy is interested in purchasing the property. Approval has been received for the purchase and they are going through their due diligence for funding approval, phase 1 ESA, and title review.
- Old Office Building – Mr. Farrington is reviewing the appraisal engagement letter. Once signed, the appraisal will take five weeks. There is a party interested in purchasing the building and parcel. The water mains entering and exiting the pump house are a dead end and in different pressure zones. Those mains will need to be disconnected from the building upon a sale. The xeriscape demonstration that was planned for this building could be done at the current office building in the nonfunctional grass areas.
- Budget Amendments – The 2023 and 2024 budget must be amended to remove contributed lines from revenue. If contributed lines are shown on the budget, the capital outlay must also be shown. Contributed lines are a non-cash item and Manager Glenn would like to remove them from the budget. The auditor is okay with either presentation. A budget amendment hearing will be held at the next meeting with notice posted in the paper. The auditor will present the 2023 draft audited financial statements after the budget is amended.
- SDA Conference – Manager Glenn, Assistant Manager Engel, and all five Board members will attend the SDA Conference in September. Instead of holding a Board meeting in the evening and missing planned activities, a Board meeting will be held during the day to discuss the District's SWOT analysis.
- Residential Non-potable Water Rate – The Board unanimously set the residential non-potable water rate for the Hood Property accounts on S Uinta Wy at \$1.00/thousand gallons. The rate will be reviewed every year with all other rates.

There being no further business, the Board unanimously voted to adjourn at 8:41 pm.

READ AND APPROVED _____ DATED _____