

RECORD OF PROCEEDINGS

A virtual meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on May 11, 2020 at the Woodmoor Water and Sanitation District No. 1 office.

- PRESENT: Director Bush
Director Hanson
Director Wyss
Director Roddam
Director Clewe

- Manager: Jessie J. Shaffer
Operations: Gary Potter

- Attorney: Erin Smith

- Secretary: Marsha Howland

- Visitors: James Howald - Our Community News
Richard Hood – JVA Consulting Engineers
Josh McGibbon – JVA Consulting Engineers

- I. **Call to Order:** Director Bush called the meeting to order at 1:00 p.m.

- II. **Reading of the Minutes:** Copies of the March 9, 2020 meeting minutes of the Woodmoor Water and Sanitation District were provided to each Director. It was moved, duly seconded, and unanimously passed that the meeting minutes be approved.

- III. **New Business:**
 - A. Oaths for New/Re-Elected Directors – Completed May 8, 2020 & May 9, 2020: Director Bush stated that all the elected Directors completed their Oaths to Office and the paperwork was delivered to the Secretary of State. All the Directors agreed.

B. Election of Board Officers: Director Bush stated that the Offices of President, Treasurer, and Secretary need to be filled. Director Bush asked for nominations for President. Director Roddam nominated Director Bush for President. Director Wyss seconded the nomination. All the Directors voted to approve the nomination. Director Bush accepted the Office as President. President Bush nominated Director Wyss for Treasurer. Director Roddam seconded the nomination. All the Directors voted to approve the nomination. Director Wyss accepted the Office of Treasurer. President Bush nominated Director Clewe as Secretary. Director Roddam seconded the nomination. All the Directors voted to approve the nomination. Director Clewe accepted the Office of Secretary. President Bush stated that Director Hanson will continue to be the Joint Use Committee representative for the District.

C. Consider Authorizing Banking Signatures for Newly Seated Directors and Removing Director Taylor:

Motion: Upon motion by Director Roddam, and seconded by Director Wyss, the Board unanimously voted to remove Director Taylor from the signatory cards and to add Director Clewe to the signatory card for the District account at Community Banks of Colorado. All the Directors approved this action.

D. CWPT & TENORM Improvements Recommendations, Updates, and Memos – JVA (Josh McGibbon/Richard Hood): Shaffer reported that McGibbon and Hood have a presentation for the Board regarding the improvements at the Central Water Treatment Plant (CWTP). Hood stated that he would like to discuss the TENORM regulations that came out last week in regards to receiving the final approval for Well 21 from CDPHE (Colorado Department of Public Health and Environment), as well as the residual solids from SWTP and CWTP. Hood reported that he would also like to discuss the preliminary design for CWTP. Hood stated that when they performed the initial water test for Well 21 it exceeded the limit for combined radium. Hood stated that since that initial test, JVA has been working with CDPHE along with District staff to solve this issue. Hood stated that the District can request a demonstration-scale evaluation to collect the data that CDPHE needs to approve Well 21. Hood reported that they could turn on Well 21 and pump it to CWTP for summer water use. This would allow the District to collect the data CDPHE needs. McGibbon reported that the water would be treated at CWTP which will lower the radium levels and bring the well into compliance with CDPHE. Hood reviewed the improvements to CWTP. Hood stated that the main goal of the improvements is for CWTP to start treating surface water. Hood stated that the preliminary design focus on pre-treatment, convert Trident treatment units, and improve chemical systems. Hood summarized three alternative plans for the improvements. The first being a below-grade tank and building addition. The second plan includes a building and tank at Deer Creek, and the third design is an above-grade tank adjacent to CWTP. Hood reported that JVA recommends alternative plan two. Hood stated that this plan is a gravity flow design with lower capital and operational cost. Director Roddam stated that the alternative two design looks to have a building partially on school property. Roddam asked about safety issues being that close to the school and also if the District would have to purchase an easement to use that property. McGibbon stated that the chemicals would be under lock and key and would not be considered a hazard being on school property. Hood stated that they have not discussed the cost of the easement at this time. Shaffer reported that he has reached out to the School District and they have expressed

their willingness to work with us. President Bush asked how much of the school property would be needed for the project. Hood stated that at this time he did not have an exact answer, but he will after the site survey. Smith stated that she would recommend that the District look into purchasing the property. Director Hanson asked if high levels of radium will be going to the wastewater plant. McGibbon stated that with the new TENORM regulations the levels will not be high. The Board discussed the testing process at the wastewater plant. Shaffer asked the Board if they were in agreement to move forward with option two. Director Wyss asked Shaffer if he agreed with JVA's recommendation, and Shaffer stated that he did. President Bush summarized that the treatment for the radium is related to but not the driving force to the improvement at CWTP. Bush stated that the improvements to CWTP are to be able to treat surface water and the radium removal is a beneficial factor in the improvement. President Bush directed Shaffer to move forward on the alternative option two to include negotiations with District 38 to purchase the property needed for the improvement. All the Board Members agreed with the direction given to Shaffer.

E. Consider Execution of Resolution 20-04 Corporate Authorization: Shaffer reported that he received a request from Integrity Bank and Trust asking the District to update their Corporate Authorization Resolution for their files.

Motion: Upon motion by President Bush, and seconded by Director Hanson, the Board unanimously voted to execute Resolution 20-04. All the Directors approved this action.

F. Consider Execution of Mutual Aid and Assistance Agreement with Colorado's Water/Wastewater Response Network (CoWarn): Shaffer reported that CoWarn was developed mainly to assist with natural disasters. Shaffer stated that when COVID-19 pandemic hit people were looking to CoWarn for assistance. Shaffer stated that his main concern with COVID-19 is that his entire staff will be infected at once and he will not have employees to operate the system. Shaffer stated that if that should happen, he could reach out to CoWarn for assistance in running the operations and for office staff. Shaffer reported that there is no obligation if you are a member of CoWarn to request or provide aid, but the agreement allows us to do both. Shaffer reported that the aid provided is at cost, and it gives us the opportunity to help other water/wastewater departments if they are in need.

Motion: Upon motion by Director Wyss, and seconded by Director Hanson, the Board unanimously voted to execute the agreement with CoWarn, and authorize the Board President or District Manager to sign the agreement. All the Directors approved this action.

G. District Fire & Casualty Insurance – Hail Deductible Buy-Back Endorsement: Shaffer reported that due to the number of hail claims last year; our premium was significantly higher this year. The storm damage deductible is \$50,000 per occurrence. Our insurance broker notified us that if we want to pay a onetime deductible buy- back charge of approximately \$12,000, we would lower our storm damage deductible to \$5,000 per occurrence. This premium is only good through 2020. Shaffer stated that in his opinion, he does not see the value of paying the extra premium. The Board agreed with Shaffer's opinion. Director Wyss suggested that the District shop new insurance coverage for 2021 to compare premiums.

H. Jon Mills Potential Inclusion Request: President Bush reported that Mills owns property just inside and outside the District's boundary lines and is requesting an inclusion agreement with the District for property tax reasons. Shaffer stated that Mills is looking to either include his property outside of the District lines or exclude all of his properties within the District. Shaffer stated that after explaining the procedures for exclusion and inclusion, Mill would like to request inclusion. Shaffer reported that he would need to include a \$5,000 deposit along with his application. Shaffer told Mills to hold off until he could speak to the Board to see if they are agreeable with the inclusion. Shaffer stated that the Board does not hold any obligations to include properties outside the District. The Board directed Shaffer to move forward on the inclusion request for John Mills.

I. COVID-19-Items to consider/Actions to Ratify:

1. Consider Execution of Resolution 20-03 Emergency Resolution Concerning the Coronavirus.
2. Office Availability to the Public.
3. Employee Work Schedule.
4. Employee Covid-19 Rules/Policies Enacted.
5. Disconnects, waiving late fees for April and May, 2020.
6. Financial Impacts/Budgetary Concerns.

Shaffer asked the Board to consider Resolution 20-03 which authorizes the District to hold virtual meetings. Shaffer stated that the District office is still closed to the public at this time. Shaffer stated that with our online billing and payment options available, and with our split working schedule, someone is in the office to answer the phones seven days a week so there is really no reason for the public to enter the building. Shaffer reported that we are not receiving customer complaints about the office being closed. Shaffer stated that he has implemented the policy to stay closed until further notice. Shaffer reported that employees are currently on a four days on – four days off work schedule. Shaffer stated that he has targeted June 4, 2020 to go back on the normal working schedule which is Monday thru Thursday 7:00 a.m. to 5:30 p.m. Shaffer reported that he is waiting for the COVID-19 case numbers in Colorado and El Paso County before he considers the actual date to go back on the normal schedule. Shaffer stated that he has a plan in the works to keep the staff safe and healthy when we do resume the schedule. Shaffer reported that he has implemented some emergency personnel policies dealing with social distancing, and procedures if an employee is sick or showing symptoms of COVID-19. Shaffer asked the Board to formally acknowledge and ratify these temporary policies that he included in their Board packets. Shaffer reported that the District has waived disconnection of services and late fees for non-payment due to COVID-19 for the months of April and May 2020. Shaffer stated that the loss of revenue to the District for waiving late fees is approximately \$3,000 to \$3,500 per month. Shaffer asked the Board for direction if they want to continue waiving late fees and disconnections of service going forward. Shaffer stated that he wanted to update the Board that the District is not seeing any financial and budgetary impacts as a result of the pandemic.

Motion: Upon motion by Director Clewe, and seconded by Director Roddam, the Board unanimously voted to execute Resolution 20-03 Emergency Resolution Concerning the Coronavirus. All Directors agreed to execute Resolution 20-03.

Motion: Upon motion by Director Hanson, and seconded by Director Wyss, the Board unanimously voted to ratify the emergency personnel policies, employee work schedule, waiving disconnection of service and late fees until further notice. All Directors agreed to formally ratify these policies and actions.

IV. Old Business:

A. Consider Authorizing “Construction Manager at Risk” (aka CMAR) Alternative Project Delivery Method for South Filter Improvements, CWTP Lake Pump Station, and CWTP Surface Water Conversion Projects: Shaffer stated that McGibbon and Hood attended the March 2020 Board Meeting and explained the CMAR procedure. Shaffer recommended CMAR for the SWFP improvement, the CWTP pump station, and the CWTP surface water improvement and asked the Board to consider the CMAR process for these projects. All the Board agreed to move forward with the CMAR process for the above projects.

V. **Financial Report:** Director Wyss stated that he has reviewed the financial statements for March and April 2020 and did not have any changes.

VI. **Public Discussion:** None.

VII. **Joint Use Committee Report:** Director Hanson reported that at the February 2020 meeting they discussed financials, personnel issues, and the results of implementing the phosphorus process at the treatment plant. Hanson stated that they are seeing lower levels of arsenic, iron, and other chemicals in the discharge.

VIII. **Chilcott Ditch Company / The Ranch Report:** None.

IX. **Manager's Report:** Shaffer reviewed the manager's report dated May 11, 2020, a copy of which is attached hereto.

A. Collaborative Organizations / Opportunities:

i. PPRWA: None.

B. Operations

- i. **Water Report:** Shaffer reported that Gillette is resigning at the end of the month and could not attend the Board Meeting today so Gary Potter will give the water report. Potter reported that the unaccounted water for March 2020 was at 13%, and April 2020 was at 11%. Potter reported that the unaccounted percentages are a little high and staff is working to remedy the issue. Potter stated that operations are moving forward as best as they can with the COVID-19 situation.

C. District Construction/Planning Projects:

- i. **Well 21 Site Work:** Shaffer reported that the site work at Well 21 is complete.
- ii. **Well 21 Transmission Pipeline:** Shaffer reported that the contractors are continuing to work on the transmission line, and he estimates that this project should be complete in June 2020. Shaffer stated that if everything goes as scheduled, Well 21 should be online for this year's peak season. Shaffer stated that he is very pleased with the project.

D. WWSD Subdivision/Development Status Update:

- i. **Northshore at Lake Woodmoor:** Shaffer reported that this development is ongoing. Shaffer stated that staff has received and reviewed their design which is at 95%. Shaffer reported that the developers have not given him any information on when they plan to start construction.
- ii. **Southern ½ of the Beach at Woodmoor:** Shaffer stated that contractors are still working on this part of the Beach.

E. Other Topics: None.

X. Special Reports & Subjects:

- A. Attorney's Report: Smith welcomed our newest Director Bill Clewe and offered congratulations to the Directors for the Offices they now hold within the Board.

- B. WIA: President Bush reported that WIA has been apprised that the Walters Open Space Committee should close on the old Walters property around the 1st of June 2020. Bush stated that he thinks Pro-Terra will also close on their property around the same time. Bush reported that at this time, he understands that the Open Space Committee plans on keeping the land they purchased, and also give back the partials of property to the residents who supported them through the process of acquiring the property. Bush also reported that there will be a hearing on or around May 19, 2020 with the El Paso Planning Commission due to there being opposition to the 28 townhouses that are to be built at Northshore. WIA published the hearing date to the residents of Woodmoor.

Note: Director Roddam suggested that the Board send a letter to Director Taylor thanking him for all of his service to the District. The Board agreed and President Bush will write the letter.

XI. Executive Session:

It was moved, duly seconded, and unanimously approved that the Board move into Executive Session pursuant to: C.R.S. Section 24-6-402: (1) Subsection (a) for discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; and (2) Subsection (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; and (3) Subsection (b) for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions; all related to a potential agreements with JUWI, Inc., Geronimo Energy, and the Woodmoor Lakehouse Association and (4) Subsection (f)(I) for matters related to personnel. Session commenced at 2:44 p.m. The Board returned to Regular Session at 3:35 p.m.

Note: Director Roddam left the meeting after the Executive Session.

XII. Consider Executing Letter of Intent with Geronimo Energy, LLC:

Motion: Upon motion by Director Wyss, and seconded by Director Clewe, the Board unanimously voted to execute a Letter Of Intent with Geronimo Energy, LLC. The Board authorized either the Board President or the District Manager to sign the letter. All the Board Members agreed to this action.

XIII. Adjournment: There being no other business before the Board, it was moved and duly seconded that the meeting be adjourned. The motion passed unanimously and the meeting adjourned at 3:37 p.m.

Record of May 11, 2020 Board Meeting

Respectfully Submitted,


William Clewe, Secretary