

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
THE CHERRY CREEK VILLAGE WATER DISTRICT AND
THE BOARD OF DIRECTORS OF ITS WATER UTILITY ENTERPRISE
HELD
MAY 14, 2019**

A Regular meeting of the Board of Directors of the Cherry Creek Village Water District and the Board of Directors of its Water Utility Enterprise (referred to hereafter as "Board") was held on Tuesday, May 14, 2019 at 8:45 a.m., at the offices of Community Resource Services, 7995 E. Prentice Avenue, Suite 103E, Greenwood Village, Colorado. This meeting was open to the public.

ATTENDANCE

The regular meeting of the Board was called and held, as shown, in accordance with Colorado law. The following Directors were present:

John Forney
Lou Schroeder
Phil Viseur
Dale Heider

Also present were:

Eric Montag, Resident of the District
Tim Flynn, Esq., Collins Cockrel & Cole P.C.
Greg Sekera, Kennedy/Jenks
Cathy Noon, Community Resource Services of Colorado, LLC

**CALL TO ORDER /
PLEDGE OF ALLEGIANCE**

Director Forney called the meeting to order at 8:57 a.m. and the pledge of allegiance was conducted.

**QUORUM /
QUALIFICATIONS/
DISCLOSURE MATTERS**

It was noted that a quorum was present. All of the Directors are qualified and there are no conflicts of interest disclosures required.

**ADMINISTRATIVE
MATTERS**

Agenda: Upon review and discussion of the Agenda and a motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the agenda as presented.

Minutes: The Minutes of the April 9, 2019 Regular Board meeting were presented to the Board. Following review and discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the minutes were approved as presented.

RECORD OF PROCEEDINGS

PUBLIC COMMENT

None.

FINANCIAL MATTERS

Review and Approve Payment of Claims: Ms. Noon reviewed the May 14, 2019 claims represented by check numbers 1193 - 1197 totaling \$12,756.03 and claim Auto-Payments to Denver Water totaling \$24,301.09 and Auto-payments totaling \$277.05 to three Directors reflecting grand total claims of \$37,334.17. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved the May 14, 2019 claims as presented.

Review Cash Position and Fund Allocation: Ms. Noon reviewed the Cash Position with the Board for the period April 30, 2019, adjusted as of May 8, 2019 as well as the Fund Allocation report. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the Cash Position and Fund Allocation as presented.

Financial Statements: Ms. Noon reviewed the Financial Statements for the period ending April 30, 2019. After review, upon motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the Financial Statements as presented. It was noted that the CD at Solera Bank would mature on June 12, 2019. Ms. Noon will bring current CD rates/term to the next meeting for Board discussion and direction.

DIRECTORS ITEMS

There were none.

MANAGEMENT ITEMS

Review Consumption Report: The Board reviewed the Consumption Report and noted that usage was typical for non-irrigation season.

Weber / 4288 S. Alton St. Claim for Driveway Damage: Ms. Noon and Mr. Flynn updated the Board regarding the status of Ms. Weber's claim. Following correspondence with the Colorado Special Districts Property and Liability Pool, a new adjustor with Tristar has been assigned to the claim. Mr. Flynn also sent Ms. Weber a letter from the District acknowledging the claim and current status. Ms. Noon and Mr. Flynn will continue to monitor the issue.

Administer Oath of Office – Eric Montag: President Forney administered the Oath of Office to Eric Montag who is now a

RECORD OF PROCEEDINGS

member of the Board filling Mr. Ryan's term until the May 2020 election.

MAINTENANCE AND OPERATIONAL MATTERS

Engineering Report: Mr. Sekera reviewed his engineering report with the Board, which is made a part of these Minutes.

LEGAL

Update on CRS Contract Review: This item was tabled until the next meeting.

OCCT/Denver Water Phosphate Matter: The Stakeholder engagement process regarding Denver Water and the Colorado Department of Public Health and Environment optimum corrosion control treatment matter is wrapping up with input from the Environmental Protection Agency. The exact path forward regarding how Denver Water will implement an optimum corrosion control treatment process is not certain. Denver Water is currently proceeding along a two-prong approach. First, they are proceeding to implement the CDPHE Order requiring orthophosphate addition to the treatment process, but at the same time they are preparing a lead and copper rule variance request with both the Colorado Department of Health and Environment and the Environmental Protection Agency. The variance request includes accelerated lead service line replacement, the delivery of water treatment kits to those homes that currently have lead service lines that will not be replaced immediately, as well as PH adjustment to control lead and copper corrosion.

Another Stakeholder meeting is scheduled for June 5, 2019 at 2:00 p.m. at the Colorado Department of Public Health and Environment main campus.

Open Meetings Laws: Mr. Flynn reported that there was a recent case involving the Board of County Commissioners of Boulder County, Colorado and the Colorado Open Meetings law and the Colorado Public Records statute. The case, which is a Court of Appeals case, seems to limit the work product exception to materials prepared only for elected officials and not staff. Mr. Flynn noted this case reiterates the importance of avoiding public meetings that are inadvertently held by email communications involving 3 or more Board members. He will continue to monitor the case as it proceeds possibly to the Colorado Supreme Court.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board, upon a motion made, seconded and upon vote, unanimously carried, the meeting was adjourned at 9:59 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cathy Noon". The signature is written in black ink and is positioned above a horizontal line.

Secretary for the Meeting

May 8, 2019

Memorandum

To: Cathy Noon, District Manager

From: Greg S. Sekera, P.E.

Subject: Engineering Report for Board of Directors Meeting on May 14, 2019
Cherry Creek Village Water District
KJ Job No. 1946003*GENW

Briefly presented below are the items that we have been involved in during the past month.

1. System Maintenance – We coordinated the following maintenance items during the past month:
 - Master Meters – The most recent meter readings indicated that the Yosemite meter delivered 23% of the flow and the Dayton meter delivered 77%. Total water supplied to the District was 3.5 MG for the April period (1.2 MG less than the prior period).
 - PRVs – There are currently no issues or concerns with the PRVs.
 - Meter Transponders – There were no new issues with transponders in April. I have a tentative meeting with National Meter relative to another District regarding Badger Meter's cell technology. Assisting with identifying irrigation meters and backflow devices along Dayton Street.
 - Customer Complaints and Investigations – The following are investigations performed at the request of customers this past month.
 - a. No issues this past month.
 - Fire Hydrant and Valve Maintenance – C&L will start the annual fire hydrant inspections and maintenance and repairs that we identified from last year and included in the 2019 budget. C&L will begin work in early June. The work includes replacement of three (3) fire hydrants in the Village area.
 - Fire Hydrant Meter – The following fire hydrant permits were issued:
 - a. There were no permits issued in April.
 - Water Line Breaks – A water line leak was reported by a resident on S. Akron Street. Following investigation by me and C&L it was confirmed that the service line and tap for the home at the end of the cul-de-sac (4286 S. Akron St.) was leaking and needed to be excavated and repaired. C&L performed the repair on May 7. The work was in the street pavement and the City will require additional pavement restoration due the age of the street. I will further update the Board at the meeting.
 - Facility Locates – Reviewed several locate requests.
 - Maintenance Tracking – A copy of the maintenance tracking/schedule is attached.

2019 Water System Maintenance Tracking
 Cherry Creek Village Water District

ITEM	DESCRIPTION	NO. OF UNITS	FREQUENCY	SCHEDULED DATE	019 BUDGET AMOUNT	ACTUAL COST
Routine Maintenance (by C&L Water Solutions)						
1	Inspect/Operate Valves	145	Once Every 2 Years	March-20		\$0
2	Inspect/Operate Fire Hydrants	73	Once/Year	March-19	\$4,015	\$0
3	Inspect/Operate/Flow Test PRVs	2	Two Times/Year	May/Nov	\$2,400	\$0
4	Flush Dead End Cul-de-sacs (Blow-Offs)	11	Once/Year	March-19	\$660	\$0
	Subtotal				\$7,075	\$0
	Contingency @	10%			\$1,000	\$0
	Total Routine Maintenance				\$8,000	\$0
System Repairs and Replacements (by C&L, others)						
5	Replace Dayton PRV (6" PRV valve only)	1		2019	\$10,000	\$0
6	Raise Valve Boxes from Under Asphalt	8		May-19	\$5,200	\$0
7	Clean Valve Boxes (vacuum and operate valve)	20		May-19	\$1,500	\$0
8	Replace Valve/B.O. (in asphalt)	2		May-19	\$20,000	\$0
9	Misc. Valve Repairs (replace valve boxes)	12		May-19	\$7,200	\$0
10	Fire Hydrant Repairs	13		May-19	\$7,150	\$0
11	Fire Hydrant Replacement	4		May-19	\$40,000	\$0
12	Fire Hydrant Painting	23		May-19	\$1,495	\$0
13	Emergency Repairs (water line breaks)	1			\$30,000	\$0
	Subtotal				\$122,545	\$0
	Contingency @	15%			\$18,000	\$0
	Total System Repairs and Replacements				\$141,000	\$0
Contractor Services (by C&L Water Solutions)						
14	Operator in Responsible Charge	12			\$1,200	\$0
15	Customer Service/Response (Investigations, Emergencies)	12			\$2,400	\$537
16	Master Meter Reads (once per month)	12		Monthly	\$2,700	\$936
17	Service Shut-offs (estimated)	16			\$2,400	\$326
18	Meter Transponder Repairs (Labor and Equip.)	16			\$8,000	\$1,314
19	Utility Locates (field)	24			\$3,600	\$1,418
	Subtotal				\$20,300	\$4,530
	Contingency @	20%			\$4,000	\$888
	Total Contractor Services				\$24,000	\$5,418
	Total Repairs and Maintenance				\$173,000	\$5,418
WL Replacement Capital Projects						
20	No Projects Anticipated in 2019				\$0	\$0
	Total Capital Projects Budget				\$0	\$0

NOTES:

- Actual Cost column is summation of C&L Invoices received and approved in current year. Costs do not include material and equipment costs paid to others by District for repairs.