

# RECORD OF PROCEEDINGS

---

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF  
THE CRESTVIEW WATER AND SANITATION DISTRICT  
ADAMS COUNTY, COLORADO  
**AUGUST 10, 2022**

The regular 5:30 PM meeting of the Board of Directors of the Crestview Water and Sanitation District was held August 10, 2022, in-person and on Zoom. The meeting was presided over by Board President, Mike Doak. Board Secretary, Danny Sweeney was present to record the minutes.

**Members present:**

Mike Doak	President
Danny Sweeney	Secretary/Treasurer
Tom Ryszkowski	Director
Victor Sanchez	Director

**Also, present:**

Kathy Laurienti	Metro Representative
Allison Ulmer	Attorney
Mitch Terry	District Manager

**Members absent:**

Jill Martin	Vice-President
-------------	----------------

**THE PLEDGE OF ALLEGIANCE WAS RECITED**

**PUBLIC COMMENTS-**

No one from the public joined the meeting.

**ELECTION OF OFFICERS OF THE BOARD**

Director Sweeney made a motion to retain officers of the Board as seated.

**RES # 15 - 22** – WHEREAS the Rules and Regulations of the Crestview Water & Sanitation District requires elections of officers of the Board on an annual basis each May, and

WHEREAS a motion has been made by Director Sweeney and seconded by Director Doak to retain the current officers of the Board for 2022-23 as elected in May of 2021 with Director Mike Doak as President, Director Jill Martin as Vice President and Director Danny Sweeney as Secretary/Treasurer, and

NOW, THEREFORE BE IT RESOLVED That Director Mike Doak is now duly re-elected as President of the Board of Directors, Director Jill Martin is now duly re-elected as Vice President of the Board of Directors and Director Danny Sweeney is now duly re-elected as Secretary/Treasurer of the Board of Directors until the next election in May 2023.

Director Doak seconded the motion.

AYES: Directors Doak, Sweeney, Ryszkowski and Sanchez

NAYS: None.

The resolution was unanimously adopted

**METRO REPORT – KATHY LAURIENTI**

- PFAS or better known as “forever chemicals” from firefighting foam, non-stick cooking pans, Gortex clothing, cleaning products, paints, food packaging and more. These products release these forever chemicals called Pre and Perfluoroalkyl Substances that are getting into the wastewater. These chemicals can be released into the waterways of the U. S. which can be ingested by humans if the water percolates into aquifers that humans drink from.

Metro has been testing for these chemicals since 2019 as a precaution and without requirement from CDPHE.

These chemicals are in the biosolids and liquids that are created as part of the sewage treatment process that enter the environment.

As time goes by, there will be testing and treatment requirements by the US EPA and the Colorado Department of Public Health and Environment (CDPHA) that will cause increased costs that will eventually be passed on to Metro's connectors.

#### **MINUTES FOR APPROVAL, JULY 13, 2022**

Director Doak asked if there were any corrections, deletions or additions to the Minutes for the July 13, 2022, meeting of the Board.

There being no corrections, deletions or additions, the Minutes for the July 13, 2022, meeting of the Board were accepted as presented.

#### **DISTRICT MANAGER'S REPORT**

##### **AUGUST BIRTHDAYS-**

Happy August birthday to Justin Montanez, Jose Jacobo and Rick Flynt in maintenance and Bob Russell in Billing.

**ELECTION OF OFFICERS OF THE BOARD-** Each May, the Board of Directors are supposed to hold an election of officers by majority vote. This date was overlooked this year. The following are the offices of the Board of Directors.

- 1) President, who shall preside at all meetings of the Board of Directors.
- 2) Vice President, who shall serve as President in the absence of the President.
- 3) Secretary/Treasurer who shall keep the seal of the District and signify his approval of all contracts and documents by signing same and affixing the official seal, who shall maintain accurate minutes of the Board meetings, and shall preside at Board meetings in the absences of the President and Vice-President.

A resolution template has been provided to assist in the election or re-election process.

**2023 BUDGET COMMITTEE MEETING-**The budget committee meeting is scheduled for September 28<sup>th</sup>. Reservations have been made for the meeting to be held at Los Amigos Kitchen at 7260 Pecos Street. The reservation is from 5:30 to 9:00 with dinner first and the meeting to be held at 7:00 PM. Charlie Poysti, Poysti and Associates, LLC will be coming to Crestview on August 11<sup>th</sup> to begin the preparations for the 2023 Budget.

*Mr. Terry stated that Crestview may need to increase rates for 2023 due to higher sewer treatment costs from Metro, more higher cost water being purchased from Denver Water in 2023 and employee wages and benefits.*

*Director Doak voiced his concern about the 22% increase from Metro over the 2022 treatment costs and instructed Mr. Terry to research the cause of the increase from Metro.*

##### **SDA ANNUAL CONFERENCE-**

The Special Districts Association of Colorado's annual conference will be held Tuesday, September 13<sup>th</sup> through Thursday, September 15<sup>th</sup> in Keystone, Colorado. Directors Sweeney, Ryszkowski and Sanchez and I are attending the conference. I have registered Directors Sweeney, Ryszkowski and Sanchez along with myself for the conference and have also made the Keystone Lodge accommodations.

##### **SEWER CONNECTION LATE FEE ASSESSED-**

It was brought to my attention on July 25<sup>th</sup> that our office missed reporting sewer taps that were sold in the 2<sup>nd</sup> quarter of 2022 to Metro Water Recovery. Metro's Rules and Regulations require the assessment of a late fee for any payments not received on time. The late fee was assessed on \$56,520 of tap fees for a total of \$185.82. Once the error was discovered, payment was remitted to Metro on July 26<sup>th</sup>.

FAMLI-

The Colorado Family and Medical Leave Insurance program, FAMLI, is moving forward as we speak. FAMLI requires all employers with at least one employee to participate with the exception of Local Governments. The FAMLI program provides Colorado workers 12-16 weeks of paid leave to:

- Manage their own serious health condition
- Care for a family member with a serious health condition
- Care for a new child (within the first year of birth, or foster placement, or adoption)
- Make arrangements for military deployments
- Address immediate safety needs and impact of domestic violence/sexual assault.

Local Governments have the option of opting out of the program if the governing body votes to opt out. If Crestview decides to participate, the estimated cost to the District would be approximately \$8,240 in 2023.

FAMLI requires employers to contribute .45% of the employee's gross earnings and the employee to contribute .45% of their gross earnings to the program for a total of .9%.

If Crestview participates in the FAMLI program, no vote is necessary but the District must still register in the FAMLI system in the fall of 2022.

If the District chooses to opt out, there must be a vote from the Board of Directors to do so. The vote to opt out can be held any time prior to January 1, 2023.

*Director Sanchez stated that it should be up to the employees along with the Board.*

*Director Sanchez asked if the employee could opt in if they desire to.*

*Mr. Terry verified that they can.*

*Director Sanchez asked, "If we opt in, how long will we have to wait to opt out if we choose to?"*

*Mr. Terry stated three years and if we opt out, Crestview's Board would need to visit it again in eight years.*

*Ms. Ulmer stated that Crestview does need to give notice to the employees prior to the Board voting on FAMLI, have a public hearing on whether to opt in or opt out then provide notice of the decision to the employees within 30 days of the decision.*

*Directors Doak and Sanchez agree that it is a good benefit for employees if they need it.*

*Director Doak stated that it is similar to unemployment insurance in that the employee would have to apply for the FAMLI paid time off through the state.*

*Mr. Terry agreed with Director Doak and also stated that by having the state administer the disbursements, it leaves Crestview management out of the decision-making process.*

*Ms. Ulmer offered that there is one quirk about the FAMLI program in that if the District opts out and the employee opts in, the amount of benefits the employee is eligible for is the same.*

*Ms. Ulmer also stated that if an employee takes FAMLI leave, their job is not protected as it is with FMLA.*

*Director Sanchez asked, if an employee takes FAMLI leave, can they also take FMLA leave?*

*Ms. Ulmer stated that the employee can take both concurrently.*

Mr. Terry will provide a notice to the employees informing them of the FAMLI program and that they can attend the August 24<sup>th</sup> meeting of the Board of Directors to give their feedback.

AIR CONDITIONING UNIT AT OFFICE-

The Crestview area had a power brownout on Tuesday, July 19<sup>th</sup> that knocked out power to about ½ of the District’s office. When the power came back on three hours later, the air conditioning unit that cools the west side of the building was no longer working.

The brownout blew the fuse at the compressor unit. The fuse was replaced by Landgraf Plumbing which when turned on tripped the breaker in the basement. The breaker was checked and found it to be good. Power was restored to the compressor. The compressor wasn’t operating properly after restart and shortly afterward, the compressor ruptured.

Landgraf looked at the unit and determined that it needed to be replaced since the unit was so old it used freon. Landgraf provided a quote of \$5,940 to replace the unit. I contacted Crestview’s insurance broker on July 27<sup>th</sup> and filed a claim for the replacement.

MAIN OFFICE SAFETY CONCERNS-

In the past, I have asked the Board if we could close the office to the public. I understand that it is a public building and access is expected but recently, there have been several instances of concern for the safety of the office staff. These types of activities are becoming more common and the staff is starting to get concerned for their safety and have asked me to ask the Board to reconsider closing the office to walk in service to keep them safe.

During the June 8<sup>th</sup> meeting of the Board, the Board suggested getting proposals from various glass companies to have bulletproof glass installed in the front entry of the office to allow walk-in service yet still allow for the safety of the office staff. To date, I have received three proposals.

The proposals came in as:

Provider	
EAP Glass	\$18,823
Patriot Glass	\$14,900
Alpine Glass	No proposal given

I have signed the proposal from Patriot Glass to perform the installation of ArmorResist AR211000 glass. Patriot Glass will also be installing a battery powered 2-way bullet resistant talk through speaker and tinting the front door and side glass to help reduce the greenhouse effect within the box.

AWWA CONFERENCE, TORONTO, CANADA 2023-The American Water Works Association (AWWA) is holding its 2023 Annual conference (ACE23) in Toronto, Canada on June 11<sup>th</sup> through June 14<sup>th</sup> next year. I have recently been asked if Crestview has had directors attend the AWWA conferences in the past and if there is a possibility of having some directors attend in the future. Since the Board authorizes all spending, it is entirely up to the Board to make the determination to send any directors and/or the District Manager to any trainings and/or conferences. Many districts do send directors and managers to these events.

*Director Sanchez asked, is there really any benefit going to the AWWA conference vs. the SDA conference?*

*Mr. Terry responded with, for directors, the SDA conference is a far better conference to attend due to the Board specific breakouts (TABOR, Board room etiquette, legislative information...) whereas the AWWA conference is specifically aimed at water distribution and treatment processes. Since Crestview does not have a treatment plant, there isn’t much the Board can bring back to the District.*

*The Directors have decided to not attend the AWWA conference in 2023.*

2022 WATER MAIN REPLACEMENT PROJECT-

The pipeline crew has replaced the water main in Larsh Drive from 68<sup>th</sup> avenue north to 72<sup>nd</sup> avenue. Jordan Drive is being replaced from Fern Drive east to Samuel Drive as the second half of the project. This project will have approximately 4,800 linear feet of water main replacements. Larry Hopper is currently purchasing as much pipe and fittings as are available for the next project. Once this project is completed, the pipeline crew will be installing additional fire hydrants in the neighborhood southeast of 80<sup>th</sup> avenue and Federal Blvd. This neighborhood is under protected regarding the number of available fire hydrants.

MIDTOWN AT CLEAR CREEK-

Crestview staff met with the engineer and Building Account Manager for Midtown on Thursday, July 28<sup>th</sup> to review their Filing 12 plans. Midtown is anticipating 107 units to be constructed in 2023.

**CLEAR CREEK VILLAGE-**

The developer, Crestview staff and representatives of Denver Water met on January 27<sup>th</sup> to discuss the horizontal location of the proposed twelve-inch water main and new master meter to be constructed in Lowell Blvd. from 58<sup>th</sup> avenue north to 62<sup>nd</sup> avenue. This project is moving forward and may create the need for the Board to adopt a resolution in the future to allow for specific reimbursements to the developer as other developments are built in the west pressure zone. State statute dictates that reimbursement agreements or resolutions can be set for a maximum of 15 years however, past reimbursement resolutions from Crestview's Board have been ten years with the possibility of an additional 5 years afterward if the Board allows it. The west pressure zone is bordered by Tennyson Street on the west, the railroad tracks traveling southeast from Lowell Blvd. to 64<sup>th</sup> avenue and the south boundary of the District.

Denver Water July purchase  
74,532,000 gallons  
Average since 2006 is 81,000,000 gallons

**ATTORNEY'S REPORT – ALLISON ULMER**

Ms. Ulmer stated that she and Mr. Terry finalized the template agreement to provide security to the District during the two-year warranty period after water and sewer mains are installed. It is a plug & play agreement that can be made specific per project by dropping in the names of the builder.

Crestview also received a petition for exclusion from 7010 Lowell Blvd. to exclude from Crestview, disconnect the water service and reconnect it to the City of Westminster's water main. Crestview doesn't provide sewer to the property.

The August 24<sup>th</sup> Agenda for the Board of Directors meeting will have a public hearing for the exclusion of the property from Crestview.

**BILLS -**

Director Doak made a motion to adopt the following resolution:

**RES # 16 - 22 – BE IT RESOLVED THAT** Bills be paid.

Director Sanchez seconded the motion.  
AYES: Directors Doak, Sweeney, Ryszkowski and Sanchez  
NAYS: None.  
The resolution was unanimously adopted

**OFFICE DATA -**

The July Office Data was accepted as presented

**FINANCIAL REPORT –**

The July Financial Report was accepted as presented

**TAP REPORT -**

The Tap Report was accepted as presented.

**NEW BUSINESS** – Mr. Terry stated that Adams County, Crestview Water, North Pecos Water & Sanitation District and North Lincoln Water District met on August 10<sup>th</sup> to discuss the Pecos Street reconstruction project that will be from 52<sup>nd</sup> avenue north to Cargill Drive.

Adams County stated during the meeting that they have reevaluated the design for the stabilization technique of the road so as to not excavate 4 ½ feet down over the existing water mains in Pecos Street. Their intention is to dig down no more than 24 inches then mix cement in with the existing subgrade materials to solidify the subgrade.

Adams County then stated that they would be asking for partial reimbursement for the cost of the redesign of the project and the supposed higher cost of modifying the subgrade.

The Board objected to the proposal of a reimbursement due to the redesign is needed since the original design contractor didn't recognize the potential harm to the existing water mains below the street surface.

*Director Doak stated that the new method should be cheaper since the contractor won't need to remove near the amount of soil from the project then haul in new backfill material.*

There being no further business, the meeting was adjourned at 6:45 PM.

Respectfully submitted,

---

Danny Sweeney, Secretary/Treasurer