

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

WIDEFIELD WATER AND SANITATION DISTRICT

Held: Tuesday, September 20, 2022, at 12:00 p.m. at 8495
Fontaine Blvd., Colorado Springs, Colorado 80925.

Attendance

Directors in Attendance Were:

Mark Watson, President
Frank Watson, Secretary/Treasurer
Mark Dunsmoor, Vice President
Dan Ittner, Assistant Secretary
Jim Mesite, Jr., Director

Directors Absent (excused):

None.

Also in Attendance:

Lucas Hale, District Manager
Kelly Smith, Director of Administrative Services
Rob Bannister, District Engineer
Steve Wilson, District Special Projects Coordinator
Joe Norris, Cockrel Ela Glesne Greher & Ruhland, General Counsel
Member of the Public: Jean Smith

Call to Order

President Watson noted that a quorum of the Board was present and that the Directors had confirmed their continuing qualification to serve, and therefore called the regular meeting of the Board of Directors of the Widefield Water and Sanitation District to order at 12:02 p.m.

Notice

Notice of the meeting was properly posted as required by law. The notice also included the agenda items. Certification of such posting is attached hereto.

Disclosure Matters

President Mark Watson reported that conflict of interest statements had been received from all directors and previously filed with the Secretary of State at least 72 hours in advance of the meeting. Copies of the statements are on file with and available from the Colorado Secretary of State.

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Approval of Minutes

The Board reviewed the Minutes of the August 16, 2022 regular meeting. Upon motion duly made, seconded and unanimously carried, the Minutes of such meeting were approved as presented.

Executive Session

Upon motion duly made, seconded and unanimously carried, the Board entered into Executive Session at 12:04 p.m. pursuant to § 24-6-402(4)(f), C.R.S., for the Board to discuss personnel matters regarding the District Manager's annual review and contract review. At 12:46 p.m., the Board came out of executive session. No action was taken by the Board during executive session.

District Manager's Annual Review and Contract

Upon motion duly made by Director Frank Watson, seconded by Director Mesite, and unanimously carried, the Board approved renewal of the District Manager's contract upon the terms and conditions as set forth in the District Manager contract presented by the Board.

Financial Matters

- Monthly Financials:

Mr. Hale reported that wastewater revenues increased in July due to payments made by Fountain to catch-up on two-months of past-due payments. Increase in expense for the District's water rights engineer and water attorney due to many ongoing water cases, particularly with Triview and FMIC. Maintenance and repairs decreased. Work was completed in June on two wells. Annual licenses for the District's wastewater permit was paid to the State. Sludge hauling expense increased due to more homes coming online and more operations at the plant. 26 water and 16 sewer taps, and 16 water resource acquisition fees were collected in the month.

Question from Director Mesite: Is the decrease in taps and home building due to supply chain issues?

Mr. Hale: Probably more tied to mortgage rates increasing.

Mr. Dunsmoor: He had a conversation with a homebuilder recently who is hearing that contracts have slowed down significantly.

Question from Director Ittner: What is the increase in workers' compensation due to?

Mr. Hale: Due to the District being a full staff. They were down 5-employees at one point.

Following discussion and upon motion duly made and seconded, and unanimously carried, the Board approved the monthly financials.

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Manager's Report

Mr. Hale reported to the Board that they have changed resin at the Fontaine treatment plant which will be covered under the old ESA. The quick install of generators is now complete at multiple wells. The work to repair the broken pipe in front of the school is now complete.

Question from Director Mesite: If thousands of gallons of water were lost in this leak, can the contractor be charged for that water?

Mr. Hale: This was discussed. But the contractor would have ^{charged} ~~changed~~ that back to the school district and they determined it would be best to be a good neighbor to the school.

Mr. Hale reported that a heavy rain event cause surcharging in the wastewater collection lines. They identified areas where plugging was not properly completed by contractors and have repaired. The District is working on a long-term extension of the FVA agreement with the other FVA entities. There is a smaller development proposal for a property near Carriage Meadows. They are working on a service plan for this property. The District is monitoring potential movement from CDPHE regarding testing biosolids for PFAS. The District may be exempt, but this could change in the future.

- Upper West to
East Transmission
Main

The District previously approved the CMAR contract with Pate Construction for this project. Design phase is now complete and Pate has provided a guaranteed maximum price and is ready to start ordering materials. Mr. Hale described the GMP proposal as presented to the Board. Following discussion and upon motion duly made and seconded, and unanimously carried, the Board approved GMP proposal as presented.

- Environmental
Services Agreement

Mr. Hale discussed the options presented by the Air Force for renewal of the existing ESA. There was disagreement about the new health advisory levels adopted by the EPA in 2021; however, operations and the treatment plan with lead-lag vessels will not impact water quality. The Air Force was ultimately unwilling to move from their position that the 2021 standards cannot be included in the ESA. Mr. Norris added that the District has still reserved its right to contest this issue, but can sign this extension to meet the Air Force's budgetary deadline for the extension. Following discussion and upon motion duly made by Director Mesite, and seconded by Director Ittner, and unanimously carried, the Board approved and ratified the two-year Environmental Services Agreement renewal.

- FVA Reverse
Flow Agreement

Mr. Hale reported that the FVA board approved this agreement at its board meeting last week. Colorado Springs can shut-off the reverse flow, but it does provide water during the planned FVA shut-down for capital

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improvements. Following discussion and upon motion duly made by Director Ittner and seconded by Director Frank Watson, and unanimously carried, the Board approved the temporary Reverse Flow Agreement as presented.

- Discussion of
Generator
Procurement

Mr. Hale then discussed the proposal for a procurement contract for the upcoming generator project. Right now, the generators are seeing a 52 to 53 week lead time. The design is nearly complete and getting the procurement started earlier will be important. Mr. Norris described this alternative approach and how it is different from a traditional construction bid process. The generator purchase will be bid under a procurement contract that is then assigned to the contractor at a later date. The general contractor contract will be selected under a separate second RFP. This process is becoming more prevalent with materials shortages and long-lead time items.

Mr. Hale reported that the District was awarded federal grant money for its Booster Pump Station 2 project. The District will be receiving \$1.5 million towards this project.

Engineer's Report

Mr. Bannister reported that the trails at Aspen Ridge pump station project is under way. The Booster Pump Station 2 project will be pouring concrete next week. The Upper West to East project that the Board just approved the GMP for is planned to start in October.

Attorney's Report

None.

Public Comment

None.

Other Business

Director Mesite reported that there were 6 applications for the Citizens Advisory Council vacancy. They have met with and selected an individual to recommend for appointment.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 1:40 p.m.


Secretary