



Authority Board Chair: Lora Thomas
Authority Board Vice-Chair: Laura Cavey
TAC Chair: David Van Dellen
TAC Vice-Chair: Weston Martin

BOARD MINUTES

Chatfield Watershed Authority Board Meeting, April 19, 2021

3:00 p. m. – 5:00 p. m.

Virtual

Board of Directors:

Director Lesley Dahlkemper (Chair) – Jefferson County
Director Lora Thomas (Vice-Chair) – Douglas County
Director Barbara Biggs – Water and Sanitation Districts
Director Alison Witheridge – Other Districts
Director Laura Cavey – Town of Castle Rock
Desiree LaFleur – Alt. Town of Castle Rock

Pat O’Connell (Jefferson County)
Ryan Adrian (Douglas County)
Diane Kielty (Colorado Watershed Assembly)
David Van Dellen (Town of Castle Rock)
Alan Leak (RESPEC)
Sarah Klahn, (Somach Simmons Dunn)
Joni Nuttle (CDPHE)
Matt Collitt (Louviers WSD)
Ted Snailum (TWS Financial)
Dan McCarl (SSD)

Others Present:

Jim Walker (Pine Canyon WSD)
Bill Ruzzo (CRMC)
Mark Marlowe (Town of Castle Rock)

3:00 p.m. CWA Board Call to Order

A regular meeting of the Chatfield Watershed Authority was called to order at 3:02 p.m. by Director Thomas. A quorum was declared established. There were no disclosures.

Board Action Items (3:05 – 3:50 p.m.)

A. Approval of Agenda

It was moved to approve the agenda as presented by Director Dahlkemper and seconded by Director Biggs; motion carried unanimously.

B. Approval of January 25, 2021 Board Meeting Minutes

It was moved to approve the January 25, 2021 Board meeting minutes as presented by Director Biggs and seconded by Director Dahlkemper; motion carried unanimously.

C. Approval or Ratification of Invoices for Payment - The table summarizes the invoices included in the Board packet that were approved by the Manager and/or TAC. Board ratification is required at quarterly Board meetings.

- Presenting 14 invoices to be ratified for a total of \$29,168.50.

Invoices < \$5,000 and within Budget and Scope (Manager's Approval)	
3970.02-RESPEC_Chatfield-Pine Canyon_INV-30JAN21	\$200.00
Somach Invoice_Jan 2021_3009762	\$157.50
RESPEC_Invoice January_3867-Chatfield-INV-30JAN21	\$4,732.50
TWS_January 2021_Inv_19998_from_TWS_FINANCIAL_INC._21304	\$1,000.00
Somach Simmons and Dunn_Invoice 3009925_through February 2021	\$3,814.50
RESPEC Invoice__Pine Canyon_February 2021_3970.02-Chatfield-INV-28FEB21	\$600.00
TWS_February 2021_Inv_20206_from_TWS_FINANCIAL_INC._10708	\$1,000.00
Castle Rock Water - Spring Up The Creek 2021	\$250.00
Somach Simms & Dunn Invoice #3010176_General	\$2,593.50
Somach Simms & Dunn Invoice #3010177_WQCD-WQCC	\$1,590.50
Somach Simms & Dunn Invoice #3010178_Pine Canyon Application Review	\$1,980.00
Somach Simms & Dunn Invoice #3010179_Reg. 73 Triennial Review	\$1,417.50
TWS_Inv March_20308_from_TWS_FINANCIAL_INC._5056	\$1,000.00
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
RESPEC_Invoice_February 2021_3867-Chatfield-INV-28FEB21%	\$8,832.50
Invoices > \$15,000 and/or any Amount not within Budget or Scope (Board Approval)	
*Also requires post-payment Board ratification at next quarterly Board Meeting	

It was moved to ratify the financial expenditures by Director Biggs and seconded by Director Dahlkemper: motion carried unanimously.

D. Approval of final Chatfield Watershed Authority 2020 Annual Report and submission to the WQCC

The report was presented. Additionally, a letter from the CWA Board Chair to the Commission stating CWA activities will be included with the report. TAC has reviewed the report and will have another opportunity to review and make any final edits. Requested Board approval of the report with no changes.

Motion to approve the Chatfield Watershed Authority final report and submission to the WQCC made by Director Witheridge and second by Director Biggs; motion approved unanimously.

E. Approval RESPEC Contract Extension Renewal

A fee estimate was provided for June 2021 – May 2022 along with a budget summary. RESPEC made the board aware that the budget per task does not align with the task estimates for the current budget but will not exceed the total in the current budget. The forecast technical budget was presented highlighting anticipated activities with a budget increase taking the RESPEC budget to \$70,000. The strategic initiatives opportunities were minimal this past year. With Covid there were not many projects underway. TAC recommends contract renewal and is pleased with the work being produced. RESPEC has anticipated work to be done to prepare for the Triennial review. They do not anticipate a large role required for technical services. The majority effort will likely come from legal.

Motion made to approve renewal of the RESPEC contract by Director Dahlkemper and second by Director Biggs; motion approved unanimously.

F. Approval Budget Reallocation to support Scope of Work to enter into a contract addendum with Somach Simmons & Dunn for additional services. \$12,000.

Motion made by Director Dahlkemper and second by Director Cavey to approve an amendment to the Somach Simmons & Dunn 2021 contract to increase it by \$12,000.00 in order to conduct a review and recommend revisions to CWA guiding documents. To account for funding this additional service, CWA reallocate \$12,000.00 from the 2021 CWA Budget line item 5004 NPS Projects and Consultants to line item 5005 Legal – Admin.; motion approved unanimously.

Discussion Items (3:50 p.m. – 4:05 p.m.)

A. Triennial Review Update (Alan Leak)

a) Regulation No. 73 Scoping

The Division created a summary of issues highlighting where the Division and stakeholders are not in agreement. The Division agrees that the TMAL reallocations are not ready to be included in the review. A memorandum from the Division to the Commission regarding the scope of the review was submitted asking the Commission to determine the scope of issues to be included in the 2022 Rule Making Hearing by December 2021. The Division's memo scopes out a reasonable process going forward. Director Biggs has offered to attend the meetings when available.

Informational Items (4:05 – 4:55 p.m.)

A. TAC Update to Board (David Van Dellen & Alan Leak)

a) Pine Canyon Water & Sanitation District / JRW Families Application Package (Alan Leak)

Recommendation on Pine Canyon Water & Sanitation District / JRW Families NPS to Point Source Trade Application. After the last board meeting, on January 26th the Division issued a letter to Pine Canyon that a trade was not possible because the project falls within an MS4 area. With this information, TAC denied the Pine Canyon Trade Application. RESPEC drafted a letter with a summary of the actions to date. Pine Canyon asked the Division to put their application on hold while they determine an alternative to advance their application. It is unclear if the Pine Canyon application will need to be revised or resubmitted. How does LAMP relate to the Divisions decision on lysimeters? RESPEC has asked for clarification on this item from the Division.

b) 208 CDPHE Planning Update

The Authority's area is in Region 3 of the 14 regions in Colorado. Only 4 areas in CO have an active planning agency at present. With no planning agency in our area, planning has fallen back on the Division. The Division has called together the stakeholders in the region to map a path forward. There will be another workshop to discuss the need for a 208-planning agency. It would be helpful to have a plan to support the review process. The Board may want to consider the size of our region and how CWA interests would be represented. There may be a desire among management agencies that have regulations to have an internal discussion about this process. The ideal situation would be to have a 208 plan in place. The question becomes who will draft it? The Denver Regional Council of Council of Governments (DRCOG) provided a forum to make technical reviews, coordinate agencies, and create a framework for water quality planning. They relinquished this role. It is hard to do water quality planning without an overall plan. We do need a seat at the table to stay informed. RESPEC was directed to continue to attend the 208 meetings and update the Board and inform them should any actions be necessary. A discussion with Cherry Creek and Bear Creek to identify common issues would be informative. RESPEC will keep TAC up-to-date and follow TAC guidance on this discussion. Understanding the merits and value of developing a plan would be of interest to CWA.

c) Colorado School of Mines 2021 CWA Field Session Update

A map was provided showing the sampling sites for the 2021 spring field session. It will follow the same format as last year's field session with a pre-field session presentation from CWA and post-field session recommendations made by the student groups.

d) Regulation 31 Rulemaking Update

There were no changes in the 303d regulations, and we determined not to be a party to the rulemaking.

B. Manager Update to Board (Diane Kielty)

a) Website Hosting & Maintenance Update – Will be bringing quotes forward in the next month to consider a new website platform. The current platform is unstable.

b) Introduction of Elena Smith who has been brought on board to assist in CWA program management.

C. Legal Services Update (Sarah Klahn)

- a) CWA TAC Letter to WQCD Regarding Consolidation Status
Somach Simmons and Dunn revised and submitted the letter highlighting the need to consolidate facilities whenever possible.

D. Other Board and Other Agency/Member Updates

Jim Derick has resigned. There is a new member on the TAC. Ryan Adrian with Douglas County Engineering was introduced.

E. Financial Update (Ted Snailum)

- a) CWA 3-Year Budget Forecast Planning Update (David Van Dellen)
- b) March 2021 Financial Summary was presented. We have collected all dues except \$2,000. Manager will resubmit a dues letter to this outstanding entity. The state auditor has given us more time on our Audit Exemption. It is waiting for signatures. A copy will be sent to Manager to distribute for review and signature.

Action: There may be an opportunity for people to meet on location. Douglas County can set up for live and virtual meetings on site. Manager contact Director Thomas to discuss.

Upcoming Meetings (4:55 – 5:00 p.m.)

A. Next Scheduled TAC Meetings:

- a) Tuesday, May 4, 2021: 2:00 – 4:00 p.m., GoToMeeting Online

B. Next Scheduled Board Meeting:

- a) Monday, July 19, 2021: 3:00 – 5:00 p.m., GoToMeeting Online

4:51 p.m.

Adjournment of Regular Meeting

- Motion to Adjourn