



Authority Board Chair: Lesley Dahlkemper  
Authority Board Vice-Chair: Lora Thomas  
TAC Chair: Mary Kay Provaznik  
TAC Vice-Chair: David VanDellen

## BOARD Meeting Minutes

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### Chatfield Watershed Authority Board Meeting

September 21, 2020

3:00 p. m. – 5:00 p. m.

GoToMeeting

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#### **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 George Teal – Town of Castle Rock

#### **Others Present:**

Weston Martin (PCWRA)  
Jim Dederick (Douglas County)  
Pat O'Connell (Jefferson County)  
Laura Chartrand (Chartrand Law, LLC)  
Mary Kay Provaznik (Dominion Water & Sanitation District)  
Alan Leak (RESPEC)  
Cathy Begej (JCD)  
David Van Dellen (Town of Castle Rock)  
Ted Snailum (TWS Financial)  
Jim Walker (Pine Canyon)  
Bob Frachetti (AQUA Engineering)  
Jennifer Charles (TCHD)  
Diane Kielty (Colorado Watershed Assembly)  
Mallory Hiss (Colorado Watershed Assembly)

#### **Call to Order**

A regular meeting of the Chatfield Watershed Authority was called to order at 3:00 p.m. by Director Dahlkemper. A quorum was declared established. There were no disclosures.

#### **Public Comment**

None

#### **Board Action Items**

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##### **A. Approval of Agenda**

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

##### **B. Approval of July 20, 2020 Board Meeting Minutes**

It was moved to approve the July 20, 2020 Board meeting minutes as presented by Director Teal and

seconded by Director Biggs; 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.

<b>Invoices &lt; \$5,000 and within Budget and Scope (Manager's Approval)</b>		
	Hughes & Stuart Marketing Invoice #2020047	\$540.00
	Chartrand Law, LLC Invoice #CWA-0001, June	\$575.00
	Chartrand Law, LLC Invoice #CWA-0001, July	\$825.00
	Lynker invoice #S1005535, August	\$880.00
	TWS Financial Inc. Invoice #19631, June	\$1,000.00
	TWS Financial Inc. Invoice #19684, July	\$1,000.00
	TWS Financial Inc. Invoice # 19699, August	\$1,000.00
	Lynker Invoice #SI005289, July	\$1,055.00
	RESPEC Invoice #0820-163, August	\$1,670.00
	RESPEC Invoice #0720-197, July	\$4,660.00
	RESPEC Invoice #0720-203, Pine Canyon Project Review	\$2,735.00
<b>Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)</b>		
	RESPEC Invoice #0620-390, June	\$5,460.00
<b>Invoices &gt; \$15,000 and/or any Amount not within Budget or Scope (Board Approval)</b>		
*Also requires post-payment Board ratification at next quarterly Board Meeting		

It was moved to ratify all invoices for a total of \$21,400.00 by Director Biggs and seconded by Director Teal; motion carried unanimously.

- D. Approval of Revised Cost-of-Review Policy** (Alan Leak and Diane Kielty)

It was moved to approve the revised Cost-of-Review Policy as presented by Director Teal and seconded by Director Thomas; motion carried unanimously.

## **Discussion Items**

- A. 2021 Chatfield Watershed Authority Proposed Budget Discussion** (Mary Kay Provaznik and David Van Dellen)

Proposed expenditures have not changed since the last update to the Board.

Based on advice from the financial consultant, CWA will proceed with 100% standard dues. If there are members experiencing financial difficulties, the Board has discretion to discuss payment from those members and make exception per the bylaws. The budget predicts 80% of dues collected for information only as a scenario forecast. Over the three-year period, a healthy reserve remains. The budget, reflecting full dues, will be brought forward again in November for action by both the TAC and Board.

The Board and TAC discussed that no member entities have requested relief yet. The projected budget shows increased expenditures, reducing the reserve. Board members will only move on the 2021 budget, while the three-year span is for information only.

It was moved to approve the 2021 Member Dues at standard with discretion to adjust individual payment plans as needed by Director Thomas and seconded by Director Biggs; motion carried unanimously.

**Action Item:** Board shall move on expenditures and full budget in November.

## **Informational Items**

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### **TAC Update to Board (Mary Kay Provaznik and David Van Dellen)**

#### **A. Manager Update to Board (Diane Kielty)**

##### **a. Lynker Contract Addendum**

The addendum reflects no change in the contract beyond the additional use of Lynker staff members.

##### **b. CWA "Preserve Chatfield" Domain Renewal Status**

Two domain names which are not currently in use cost \$39.00 yearly under the Authority's domain. Controlling these two domains were a recommendation from the education and outreach committee during the Chatfield Reallocation project. Now that construction is complete, the Preserve Chatfield initiative has been dormant. The Board supports releasing the two domain names.

##### **c. Board Nomination Request for W&S and Other Distributed**

Nomination forms have been sent for the 2020 board election process for W&S and Other membership.

#### **B. Other Board and Other Agency/Member Updates**

Chatfield Reservoir won the 2020 Secchi Disk Award. Between Bear Creek, Cherry Creek, and Chatfield, judges could see the Secchi disk (a measurement tool for clarity) at the deepest depth in Chatfield Reservoir.

#### **C. Most Recent Financial Update (Ted Snailum)**

##### **a) July Financial Summary**

At the end of July 2020, cash in the bank is \$377,425.00 and accounts payable are \$9,450.00.

#### **D. Technical Member Updates (Alan Leak)**

##### **a) RESPEC**

##### **i) WQCC response to the 2019 Annual Report**

- The Division commends the effort and extensive coordination the Jellystone trade application review required and considers it a net environmental benefit for total phosphorus.
- The Division appreciates CWA's progress on 2019 reservoir and watershed models. They recommend monitoring NPS projects to show their benefits as CWA's budget allows.
- During the presentation, reporting the geometric mean of E.coli was challenged, but the geometric mean is the standard.
- The WQCC accepted the 2019 Annual Report from the Authority. There was no discussion of TMAIs. The Authority can move forward as planned.

##### **ii) NWQI update**

The Authority applied for \$50,000 of NWQI funding to help agricultural practices improve water quality in the upper reaches of East Plum Creek. The grant application was accepted and approved. The acting state conservationist and the local expert will advise CWA on how to proceed. RESPEC commends Director Witheridge for working with NRCS, local, and state staff to push this grant through for the watershed.

##### **iii) CDPHE Reg. 22 Meeting Update**

- CDPHE held a meeting with 208 management agencies about updates to the implementation policy for Reg. 22. RESPEC believes the Division realizes that the process for phosphorus trades does not work well and does not define the site application process, nor is it clear how the timing of those two fits within Reg. 22. CDPHE plans to assist with the process and improve the Reg. 22 implementation policy.
- Meeting attendees discussed the absence of a formal, usable 208 Plan. A separate meeting to work on the 208 Plan and help entities with 208 planning will occur. Most

entities in the meeting pushed for implementing a formal evaluation of consolidation for projects close to existing wastewater providers.

- The new Reg. 22 was made effective near the end of June 2020. It now requires a 60-day review period for local review entities before submitting to the Division.

iv) **Pine Canyon Water and Sanitation District Phosphorus Trade and Site Application Update Memorandum and letter.** (Status report)

RESPEC reviewed the trade and site applications and returned formal review findings to the applicant. The applicant was asked to provide additional information or clarify several aspects of the trade and site applications in order to meet requirements from Reg. 73, the CWA WQ Trading Guidelines, and the CWA Policy for Review Criteria for Site Location Design Approvals. RESPEC asked for a response in writing. The Town of Castle Rock provided comments on the site application to the Division. On September 18, RESPEC received a response from the applicant and may or may not have a recommendation or letter to present by the next two meetings. The Board will look to RESPEC for next steps and future recommendations.

- The Town of Castle Rock letter was presented to the Town Council. There was unanimous support to send the letter to the CWA Board. The comments therein do reflect the wishes of the Town of Castle Rock.
- Director Thomas stated that this parcel is an active land use application in Douglas County. It is inappropriate for her to be involved in any way.
- Chartrand Law explained the process for TAC review. TAC shall hear and review the application and have authority to develop a referral. Should the applicant be unhappy with TAC's decision, they can make an appeal to this Board, at which time the Board would become a part of the process. The applicant can also appeal to the Division.
- CDPHE referred to the timeline in Reg. 22 that gives the Authority a 60-day comment period upon receipt of the application. The application at present is considered incomplete. The timeline begins with a complete application. The Division will look to the Authority for recommendation on this project.
- Should the applicant appeal TAC's decision, the applicant may not have to alert the TAC but would need to alert the Board within 30 days of TAC's decision. The Board may need to schedule a special meeting with the TAC to hear the applicant's appeal.

## **Upcoming Meetings**

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**A. Next Scheduled TAC Meetings:**

- a) Tuesday, October 6, 2020: 2:00 – 4:00 p.m., GoToMeeting Online

**B. Next Scheduled Board Meeting:**

- a) Monday, November 16, 2020: 3:00 – 5:00 p.m., GoToMeeting Online

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**4:01 p.m.**

**Adjournment of Regular Meeting**