

CUCHARAS SANITATION AND WATER DISTRICT
16925 STATE HIGHWAY 12
CUCHARA, COLORADO 81055
Regular Meeting Minutes of the Board of Directors
February 11th, 2022

1. **CALL TO ORDER:**

Larry Dasenbrock opened the meeting at 9:03 am.

2. **PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Larry Dasenbrock

3. **ROLL CALL:**

LARRY DASENBROCK: Present
JAMES ALT: Present
RONALD BARBEE: Present
JAMES BERG: Present via telecom
DAVID GEORGE: Present

Staff present: Shannon Shrout, Shaylee Andreatta & Kristan Lowe

Visitors present: Will Malbon

4. **APPROVAL OF AGENDA:**

Larry Dasenbrock asked if there were any additions or changes to today's Agenda. There was a minor change made to Section 8, under Reports of Officers. The agenda bullet item for Operation's Status Report was listed twice and the duplicate item has been omitted. Also, Jim Alt explained there is a recent court filing and the need for an Executive Session, pursuant to §24-6-402(4) (b), C.R.S., Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions. The Executive session has been added to be discussed under Legal Case updates.

Jim Alt made a motion to approve February 11th, 2022 Agenda as Amended. Jim Berg seconded the motion. All in favor. Motion carried.

5. **MINUTES CORRECTION AND APPROVAL: January 21st, 2022 Regular Meeting Minutes:**

Board members reviewed the January 21st, 2022 Regular meeting minutes prior to today's meeting. Larry Dasenbrock asked if there were any changes or additions needed. There were none.

Jim Alt made a motion to approve the January 21st, 2022 Regular Meeting Minutes as presented. David George seconded the motion. All in favor. Motion carried.

6. **TREASURER'S REPORT:**

- Jim Alt reviewed financial documents for January 2022 with the board and gave them a chance to ask questions. Jim provided an overview of the Operating Cash Income and mentioned that the report was missing column 6 from the print out that has been provided today. The missing column contains data % of annual budget, so that board members can view progress toward end of year costs. Jim Alt explained operating expenditures have increased and mentioned items such as the propane have been rising. Jim Berg pointed out a double payment was made to San Isabel Electric Association and Shaylee explained the invoice wasn't received in December 2021. Jim thanked Shaylee Andreatta for helping to improve the treasurer's report and for providing details from the accounting software to show all payments made to vendors.

Ron Barbee made a motion to approve the January 2022 Treasurer's Report as presented. David George seconded the motion. All in favor. Motion carried.

7. **PUBLIC FORUM:** Nothing to Report

8. **REPORTS OF OFFICERS, COMMITTEES PROFESSIONAL CONSULTANTS and STAFF:**

a. **Operations Status Report: Reported by Shannon Shrout, Detailed Report Attached**

b. **Administrator Report: Reported by Shaylee Andreatta, Detailed Report Attached.**

c. **Water Stewardship Committee Report:**

Jim Alt provided a brief update regarding the Huerfano County Water Conservatory District (HCWCD). He stated the collaborative didn't meet in January but that he expects them to reach out regarding a CSWD the grant match commitment, they haven't yet provided a formal request. Jim Alt explained an engineer shared the over flow patterns from the Bruce

Canyon reservoir. He mentioned board members can view the engineer's findings regarding the 50 % design on the CSWD shared drive.

d. Executive Session:

Larry Dasenbrock explained the board will now move into Executive Session pursuant to §24-6-402(4) (b), C.R.S., Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal questions. The Executive session will follow Legal Case updates to discuss a recent court filing. He advised only the board members and staff in attendance can remain.

Jim Alt Made a motion to enter into executive session pursuant to §24-6-402(4) (b), C.R.S. to discuss the recent filing of 2021CW3084. Ron Barbee seconded the motion. All in favor. Motion carried.

Board members entered into Executive session at 9:51 am.

Regular Board meeting reconvened at 10:01 am. No votes or decisions were made during the executive session

e. Legal Case Updates:

The board members discussed the monthly email update provided by Stuart Corbridge of Vranesh and Raisch. Jim Berg reviewed each case. Jim advised the board that there is one new case that will be need to be discussed but no action is needed by the board at this time. He advised Shaylee Andreatta to provide Stuart with a statement of opposition regarding 2021CW3084, signed by Chairman Larry Dasenbrock. He also reminded Shaylee to provide Stuart a copy of the motion to oppose. He provided a brief overview of case 20CW3012. Stuart has completed the stipulation on behalf of CSWD. The board plans to meet with Stuart Corbridge to discuss attorney costs and cswd interests.

Jim Berg made a motion to oppose case 2021CW3084, with a stipulation that the board will review it again in one month. Jim Alt seconded the motion. All in favor. Motion carried.

f. Rules and Regulations Committee report:

Jim Berg stated the Rules and Regulation's document is under review. He plans to begin working with Shannon ShROUT to finalize the revisions needed on Section 6. Jim asked the staff to incorporate all documents that Rheanne Velie had been working on and merge them into one document. Kristan Lowe will provide Jim with the items requested.

g. Personnel Committee: Nothing to Report

h. Personnel Policy Committee:

David George provided an update regarding the CSWD Infectious Disease Policy. All board members were given a chance to review the revisions prior to today's meeting. He explained the policy will be presented for approval today under the New Business agenda item.

i. Information Technology Update:

Jim Alt asked if any board or staff members were experiencing any problems with their emails. There has been a problem with the mail server host that interrupted CSWD emails. Jim encouraged everyone to use caution when opening any email and also verify links are valid before opening them. Jim also mentioned there was a period in January that the CSWD cameras were not recording but that this issue has been resolved.

j. Reports of Officers:

Jim Berg provided an explanation regarding the disclosure of active lease agreements for the ponds within the district. He advised Shaylee to send the same pond decree as provided in the past. He stated that the ponds are named after the original owners and that even is ownership changes, the pond names remain the same. Jim Alt offered to assist Shaylee with the list. Jim Berg also mentioned the Paolucci pond has been declared breeched and there is a decree on file. The Paolucci pond fees have been waived in the Caselle billing system since the pond has been breached.

9. OLD BUSINESS:

• **Job Safety Analysis –David George**

Jim Alt requested this section be changed from Job Safety Analysis to Job Safety Updates. David George has nothing to report at this time.

10. NEW BUSINESS:

• **Collins Cole, Flynn Winn, & Ulmer PLLC. (CCFWU) – Update Regarding Delinquent Accounts:**

Shaylee Andreatta provided a brief explanation of the past due accounts. During 2020 and part of 2021 the district wasn't following normal collections procedures because of the Covid 19 Executive Order. Shaylee explained that order has since

expired. She reached out to CCFWU for clarification on how to handle delinquent accounts. CCFWU advised there are 2 options the district could consider.


- Certify the total delinquent amount with the county for collections of property tax by the November 2022 deadline or
- The district can file a perpetual lien at any time.

The delinquent account in question is for Amber Olsen of 488 Hill Road. As of today's meeting, the account is 400 days past due and the customer owes a balance of \$2576.07. Jim Alt instructed Shaylee to send a formal delinquent letter to Amber Olsen, outlining the service fees owed along with the potential lien and processing fees. Jim Alt reminded Shaylee to include deadline to pay. Shaylee or Kristan Lowe will send a certified letter to the address on file and also reach out via email. Kristan mentioned the only way to reach her is via email but that the customer has stopped all communications. Shaylee will reach out to Peggy Ruff of CCFWU to get an estimate on legal costs to file the lien.


- **Discuss and Approve Draft 5 of the CSWD Infectious Disease Policy:**
David George provided a copy with tracked changes to the board to review revisions prior to today's meeting.
Jim Alt made a motion to approve the 5th draft of the CSWD Infectious Disease Policy as redlined. David George seconded. Roll Call Vote: Ron Barbee, in favor. David George, in favor. Larry Dasenbrock, in favor. Jim Alt, in favor. Jim Berg – abstain. Motion carried 4/0.

11. ADJOURNMENT:

Jim Alt made a motion for an adjournment of today's meeting. Jim Berg seconded the motion. All in favor. Motion carried. The meeting was adjourned at 10:53 am.


Larry Dasenbrock: Chairman


David George: Vice Chairman

 Telecom
Ronald Barbee: Secretary


James T. Alt: Treasurer

 Telecom
James Berg: Director