
RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY**

HELD: June 9, 2021

13031 E. Caley Ave.
Centennial, CO 80111

ATTENDANCE:

Present were Directors: Doyle Tinkey, Geri Santos-Rach, Brad Cromer, and Perry Deeds. Present via Zoom video conferencing were Directors Nancy Sharpe and Derek Killebrew. Directors Jeff Baker and Tom Wood were absent and excused. Also in attendance were Steve Witter, Tony Campbell, Matt Vigil, Kevin McBrien, Patty Pratt, Sandor Rebek, Savana Dumler, Bogdan Dumitru, Sam Waxlax, Diana Schulthess, and Legal Counsel Ron Fano. The guests in attendance were Alan Leak, of Respec, and Legal Counsel Paul Zilis of Vranesh and Raisch LLP.

CALL TO ORDER:

Director Tinkey called the meeting to order at 9:01 a.m. The Pledge of Allegiance was recited.

ADOPTION OF THE AGENDA:

Director Santos-Rach made a motion to adopt the Agenda as presented. The motion was seconded by Director Tinkey and passed 6 to 0.

PUBLIC FORUM

No one came forward to address the Board.

CONSENT AGENDA:

Director Santos-Rach made a motion to approve the Consent Agenda as presented. The motion was seconded by Director Cromer and passed 6 to 0.

The Consent Agenda consisted of the following:

1. Request for Approval of Minutes of the Board of Directors of the Arapahoe County Water and Wastewater Authority - from May 12, 2021
2. Request for Approval of Payment Register for May 2021

GENERAL BUSINESS ACTION ITEMS

ITEM No. 3 – Introduction of New Employees

Mr. Witter stated that three new employees and one temporary intern have joined ACWWA's workforce. Mr. Witter introduced Sam Waxlax as ACWWA's new water engineer; and Diana Schulthess as ACWWA's new Billing/Customer Service Specialist. Mr. Witter reported that the other permanent employee is Lucas Conrad, Maintenance Technician I; and the temporary intern is Matt Westfield, an engineering student at Colorado State University. The Board welcomed all new employees.

ITEM No. 4 - Cybersecurity Discussion (Possible Executive Session)

FIRST EXECUTIVE SESSION

At 9:07 a.m., a motion was made by Director Tinkey and seconded by Director Santos-Rach to enter into the First Executive Session, pursuant to §24-6-402(4)(d) to discuss security details and responses to potential acts of terrorism. The motion passed 6 to 0.

The following people were present in the First Executive Session: Doyle Tinkey, Geri Santos-Rach, Brad Cromer, and Perry Deeds. Directors Nancy Sharpe and Derek Killebrew attended via Zoom. Also in attendance were Steve Witter, Tony Campbell, Matt Vigil, Bogdan Dumitru, Patty Pratt, and Legal Counsel Ron Fano. (Executive Session meetings are recorded and retained for 90 days.)

At 9:37 a.m., a motion to adjourn the First Executive Session was made by Director Tinkey. The motion was seconded by Director Santos-Rach. The motion passed 6 to 0.

Mr. Witter then re-opened the meeting to the public.

In the efficacy of time, Director Tinkey stated discussion of Item No. 6 would come before the discussion of Item No. 5.

ITEM No. 6 – ACWWA Flow Update

SECOND EXECUTIVE SESSION

At 9:42 a.m., a motion was made by Director Tinkey and seconded by Director Santos-Rach to enter into the Second Executive Session, pursuant to §24-6-402(4)(b) to receive legal advice regarding the ACWWA Flow updates. The motion passed 6 to 0.

The following people were present in the Executive Session: Doyle Tinkey, Geri Santos-Rach, Brad Cromer, and Perry Deeds. Directors Nancy Sharpe and Derek Killebrew attended via Zoom. Also in attendance were Steve Witter, Tony Campbell, Matt Vigil, Sandor Rebek, Sam Waxlax, Consultant Alan Leak of Respec, Patty Pratt, and Legal

Counsel Paul Zilis and Ron Fano. (At the direction of Attorney Fano this Executive Session was not recorded due to attorney/client privilege.)

At 10:23 a.m., a motion to adjourn the Second Executive Session was made by Director Tinkey. The motion was seconded by Director Santos-Rach. The motion passed 6 to 0.

Mr. Witter then re-opened the meeting to the public.

ITEM No. 5 –Joint Water Purification Plant (JWPP)

Mr. McBrien and Mr. Campbell gave an update on the increased flows going from the JWPP to the Lone Tree Creek Water and Reuse Facility (LTCWRF). The new intern is sampling these flows every day to ensure LTCWRF continues to run smoothly. Mr. Campbell reported that the State of Colorado is still in the review process for the renewal of the permit. Discussion took place regarding how and when a decision will be made regarding whether Jacobs' solution for treating water at the JWPP is successful and the best option for ACWWA.

On an unrelated matter, Director Tinkey inquired about the water staining issues in the Ladera neighborhood. Mr. McBrien responded that irrigation has begun, but there have been minor problems with the data logger, which records how much water is being used. The landscaper for Ladera has reported that the filter system is working well.

ITEM No. 7 – General Manager's Report to the Board of Directors

Director Cromer inquired about the most recent Tabletop Exercise performed by the Operations staff at ACWWA, the potential upgrades to the systems that support SCADA and how that will be paid for. Mr. Campbell reported that this will be part of a future CIP project and funding.

The Board congratulated staff on reaching the water hardness goal.

Director Sharpe inquired about the Duperon system at the Arapahoe County Detention Center. Mr. McBrien gave a brief update regarding the equipment that is currently in place.

Mr. Witter expressed his appreciation to staff Daniela Soare, Ali Chaudhry, Bogdan Dumitru, Kevin McBrien, Marc Letourneau, Matt Langridge, and Tony Campbell for their continued efforts at keeping the East Broncos Parkway clean between South Potomac Street and South Jordan Road.

Mr. Leak reported that the Purchase and Sale Agreement for purchase by ACWWA of the roadway to its storage tank (such roadway previously was the subject of an easement owned by ACWWA) between ACWWA and Aurora RV Storage has been finalized.

For the time being, staff will conduct the board meetings both via Zoom and in person.

ITEM No. 8 – Operations and Facilities Report – No further report on these items was necessary.

ITEM No. 9 – Finance and Administration Report

Mr. Vigil reported that revenues are slightly down due to the amount of rain recently received, but that he anticipates a bounce back due to the forecasted hot, dry weather.

ITEM No. 10 – Legal Report

Mr. Fano reported that he had nothing to report that had not already been covered in the meeting.

ITEM No. 11 – Updates – No further report on these items was necessary.

ADJOURNMENT

At 10:52 a.m. the meeting was adjourned.

Approved: _____ 7-14-_____ 2021.

ARAPAHOE COUNTY WATER AND
WASTEWATER AUTHORITY



Doyle Tinkey, President

ATTEST:



Geri Santos-Rach, Secretary



SpencerFane®

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June 9, 2021

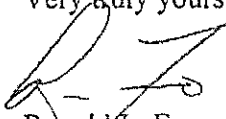
Arapahoe County Water and
Wastewater Authority
Attn: Patty Pratt
13031 E. Caley Avenue
Centennial, CO 80111

Re: Opinion Concerning Executive Session Held June 9, 2021

Members of the Board:

In my opinion, the executive session concerning legal issues related to the ACWWA Flow Project that occurred during the Board meeting that I personally attended on June 9, 2021 was properly announced and was a privileged attorney-client communication. Therefore, no record or electronic recording of this executive session was required pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Very truly yours,



Ronald L. Fano

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