

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HOLLY HILLS WATER AND SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WATER UTILITY ENTERPRISE
HELD
APRIL 15, 2020**

A Regular Meeting of the Board of Directors of the Holly Hills Water and Sanitation District and the Board of Directors of the Water Activity Enterprise (referred to hereafter as "Board") was convened on Wednesday, the 15th day of April, 2020, at 7:00 p.m. by teleconference. The meeting was open to the public.

Directors In Attendance Were:

Raymond V. Henney
Irina Bovee
Marie Sullivan
Scott Kemmeries
Thomas Thomasson

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Timothy J. Flynn, Esq.; Collins Cockrel and Cole, P.C.

Will Raatz; W2 Engineers LLC (for a part of the meeting)

**ADMINISTRATIVE
MATTERS**

20.036 Agenda: Mr. Beck reviewed the proposed Board Meeting Agenda.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Sullivan and, upon vote, unanimously carried, the Agenda was approved, as presented.

20.037 Minutes: The Board discussed the minutes of the March 18, 2020 Regular Meeting.

Following discussion, upon motion duly made by Director Thomasson, seconded by Director Sullivan and, upon vote, unanimously carried, the minutes of the March 18, 2020 meeting were approved, as presented.

PUBLIC COMMENT

20.038 Public Comment: There were no public comments.

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LEGAL MATTERS

20.039 OCCT/Denver Water Update: Attorney Flynn reported that in connection with the variance the Health Department granted Denver Water from the Lead and Copper Rule, Denver Water is discussing with the Distributor Denver Water Rates and Fees Technical Advisory Committee (“TAC”) how to allocate the cost of Denver Water’s lead service line replacement program, which is estimated to cost between 400 million and 500 million dollars over the next 15 years. The TAC is encouraging Denver Water to adopt a cost allocation methodology that takes into consideration the fact that the majority of the lead service lines that are being replaced are located within the City and County of Denver.

20.040 Vacant Board position: Attorney Flynn and Mr. Beck discussed the process to fill the vacancy by appointment and the candidates who had previously applied for the vacant position in January 2019. Mr. Beck was asked to contact Ms. Linda Rhea to determine if she was still interested and if so to offer her the vacant position.

20.041 Resolution Establishing an Electronic Board Meeting Policy: Attorney Flynn discussed with the Board the need for establishing a policy for conducting of meetings by teleconference.

Following discussion, upon motion duly made by Director Henney, seconded by Director Thomasson and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-04-1; A Resolution Establishing an Electronic Board Meeting Policy During the COVID-19 Emergency.

FINANCIAL MATTERS

20.042 Claims: Mr. Beck reviewed with the Board the claims for the period ending March 15, 2020:

General Fund:	\$ 4,278.71
Capital Projects Fund:	\$ 945.00
Enterprise Fund:	\$ 320.78
Total:	<u>\$ 5,544.49</u>

Following discussion, upon motion duly made by Director Sullivan, seconded by Director Bovee and, upon vote, unanimously carried, the claims for the period ending April 15, 2020 were approved.

20.043 Unaudited Financial Statements: Mr. Beck reviewed the unaudited financial statements for the period ending March 31, 2020, and the cash position statement dated as of March 31, 2020.

Following discussion, upon motion duly made by Director Kemmeries, seconded by Director Henney and, upon vote, unanimously carried, the unaudited financial

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statements for the period ending March 31, 2020, and the cash position statement dated as of March 31, 2020, were accepted, as presented.

20.044 Billing Options: Mr. Beck discussed with the Board how the automatic payments with Xpress Bill Pay work and that to have paperless billing, a separate selection has to be made or else an individual will continue to receive a statement even if they have selected payment automatic option.

OPERATIONS

20.045 Grease Trap Inspections and Operations: Mr. Beck reported that he had not received any updates or notifications of any problems from Mr. Carroll.

20.046 Ramey Environmental Compliance Proposal: Mr. Beck and Attorney Flynn discussed with the Board the proposal provided by Ramey Environmental and the current operations contract with DRC. Mr. Beck was asked to obtain another proposal and to schedule Ramey Environmental at the next Board Meeting.

CAPITAL PROJECTS

At this point, the District's engineer, Will Raatz, joined the meeting.

20.047 2019 Capital Projects: Mr. Raatz, Director Thomasson and Mr. Beck discussed the status of the 2019 CIP contract with JBS Pipeline and the proposals from A.G. Wasserman for Borings and Geotechnical services related to the 2019 CIP.

Following discussion, upon motion duly made by Director Henney, seconded by Director Sullivan and, upon vote, unanimously carried, the Board approved the acceptance of the proposals as amended by Attorney Flynn.

OTHER BUSINESS

20.048 Other Business: The Board thanked Director Henney for his many years of service to the District.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Thomasson, seconded by Director Bovec and, upon vote, unanimously carried, the meeting was adjourned at approximately 8:45 p.m.

Respectfully submitted,

By: 

Secretary for the Meeting

RESOLUTION NO. 2020-04-1

**HOLLY HILLS WATER AND SANITATION DISTRICT
ARAPAHOE AND DENVER COUNTIES, COLORADO**

**A RESOLUTION ESTABLISHING AN ELECTRONIC BOARD MEETING
POLICY DURING THE COVID-19 EMERGENCY**

WHEREAS, the Holly Hills Water and Sanitation District ("*District*") is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, C.R.S.; and

WHEREAS, the District's Board of Directors ("*Board*") conducts regular monthly public meetings, and special public meetings on an as-needed basis, to carry out its statutory responsibilities for "the management, control, and supervision of all the business and affairs of the District." C.R.S. § 32-1-1001(1)(h); and

WHEREAS, the severe acute respiratory syndrome coronavirus SARS-CoV-2, commonly referred to as COVID-19, is highly infectious and can cause severe and potentially fatal respiratory symptoms in infected individuals; and

WHEREAS, the Governor of the State ("Governor") declared a State of Emergency declared a State of Emergency on March 10, 2020 ("Emergency") due to the threat that COVID-19 poses to the health, safety, and welfare of the citizens of the state; and

WHEREAS, on March 18, 2020 the Governor issued public health order 20-23 ("Order") limiting all mass gatherings to no more than 10 people, effective 12:01 a.m. on March 19, 2020. Gatherings subject to the Order include, but are not limited to, community, civic, public, leisure, faith based events, and any other similar event or activity that brings together ten or more persons in a single room or space at the same time in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, private club, or any other confined indoor or outdoor space; and

WHEREAS, the Colorado Department of Public Health and Environment and Centers for Disease Control and Prevention recommends certain precautions in order to attempt to slow the spread of COVID-19 including minimizing close contact with large numbers of people; and

WHEREAS, in order to protect the health and safety of the residents of the District from COVID-19 and in order to apply with the ORDER, while at the same time continuing with the regular business of the District, the Board wishes to have the ability to hold regular and special meetings electronically until such time that the emergency is lifted by the State, the Order is repealed, or sooner as otherwise determined by the District's President; and

WHEREAS, the Colorado Open Meetings Law expressly contemplates that the Board may conduct its public meetings by electronic methods. *See* C.R.S. § 24-6-402(1)(b)

("Meeting" means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication."); and

WHEREAS, the District has the capability for the Board to conduct its regular and special public meetings through electronic communications systems that will allow the public to access and hear the meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HOLLY HILLS WATER AND SANITATION DISTRICT OF ARAPAHOE AND DENVER COUNTIES, COLORADO AS FOLLOWS:

1. Until otherwise determined by the Board, all regular and special Board meetings will be conducted electronically, using the following electronic methods:

(a) Telephone Conferencing: Phone number to be made available on the Board agenda posted on the District's website or physical location, if applicable; and

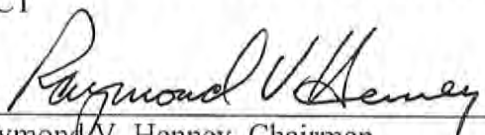
(b) Any other electronic media as approved by the Board from time to time, including but not limited to, Zoom.

2. A copy of this Resolution shall be posted on the District's website or posted where the District normally posts notice of its meetings, whichever is applicable.


3. The policy stated in this Resolution shall remain in effect until the Board determines that conducting its meetings in a physical location no longer poses a risk of exposure to COVID-19 for the Board members, District employees, and the public who attend the meetings.

APPROVED AND ADOPTED this 15 day of April, 2020.

HOLLY HILLS WATER AND SANITATION
DISTRICT

By: 
Raymond V. Henney, Chairman

Attest:


Marie E. Sullivan, Secretary/Treasurer