

**CHERRY HILLS HEIGHTS  
WATER AND SANITATION DISTRICT  
BOARD OF DIRECTORS (CHH Board) – MEETING MINUTES**

**Date:** Monday, March 9, 2020

**Time:** 5:00 – 7:00 pm

**Location:** Anderson Room, Englewood Civic Center Library, 1000 Englewood Parkway, Englewood, CO

**Board Members Present:** John Ashworth (President), Toby Ralston (Treasurer), Jonah Staller (Secretary), Cam Keshavarz (At-Large)

**Residents/Audience:** None.

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**MEETING CALLED TO ORDER:** at 5:10 pm. Jonah Staller volunteered to take minutes.

**REVIEW OF MINUTES:**

January 6, 2020 meeting minutes: Toby moved to approve, John seconded. Approved unanimously.

**TREASURER’S REPORT:**

1. **Presentation of Bills.** Toby Ralston, District Treasurer, presented the list of bills approved and paid for the period January 7, 2020 through March 9, 2020 (**see attached**). Five checks were issued totaling \$2,478.30. Electronic withdrawals and phone payments totaled \$1,077.49. Amounts were for various items, including legal fees, Special District Association dues, tree watering, library room rental, snow removal, Denver Water charges, Xcel Energy charges (related to park irrigation system), new checks and bank fees.

**OLD BUSINESS:**

1. **Status – Landscape maintenance – University Blvd. and park area. Watering?**  
American Arbor Care watered trees along University and in the park on January 24, 2020. American Arbor Care (AAC) sent Toby its list of proposed services for spring through fall. Jonah will review the list and compare to AAC’s earlier estimate. John moved and Toby seconded that Jonah be able to sign the proposal and return it to AAC. Approved unanimously. There was a brief discussion about the nine ash trees and thoughts about possible replacement. The Board discussed responses from neighbors to the Board’s email inquiry. According to John, about six respondents favored replacement and about four favored treating indefinitely. Based on discussion with folks at the Botanic Gardens, John felt that the trees eventually would be infected regardless of treatment. There was consensus that the Board should probably replace the ash trees over time. There’s no money in the budget to replace any trees in 2020, so the Board will take up the matter again in 2021. The Board will consider replacing two to three of the ash trees in 2021. **Action:** Jonah will review AAC’s proposed list of services, negotiate any needed changes to pricing and sign and return the proposal.
2. **Status - May 2020 election – Candidates.** Peggy Rupp, the election official, will cancel the election because we have only five candidates – the current Board members.
3. **Ongoing Discussion – District procedures for sewer connections. Recent connections.** Board members agreed that we need to draft an email to neighbors to clarify District procedures and homeowner responsibilities regarding sewer line replacements, connections to the main sewer line, and remodeling and new construction projects. First and foremost, the District must have the ability to approve and inspect connections to the District’s main sewer line and must have sufficient advance notice to arrange for an inspector to be there. It is the homeowner’s responsibility to reimburse the District for the

cost of the inspector. But there are other concerns as well, such as ensuring that there is sufficient capacity to handle additions and new construction.

Jonah discussed communications he has had with various people – Joe Richards, the head of the Arapahoe County Building Department, Bob Kunselman, City of Englewood inspector, and Ger Whelan of Colorado Water Systems, who might serve as the District's operator in responsible charge (ORC). As discussed at our last meeting, the District is required to have an ORC who is certified by the State to operate a sewer collection system. This would include inspections.

Joe Richards said that the Arapahoe County Building Department does not have jurisdiction over the sewer line between the home and the tap, and that that is the District's responsibility. Thus, Arapahoe County is not the permitting authority for work on a homeowner's sewer line, and Arapahoe County does not conduct inspections on such work. Mr. Richards mentioned that it might be possible to enter into an intergovernmental agreement (IGA) to have the County do the permitting and inspections.

Bob Kunselman, City of Englewood inspector, said that he and other Englewood inspectors have been conducting inspections in our neighborhood as a courtesy, not because Englewood is the permitting entity. Bob gave Jonah the name of the head of the Englewood Utilities Department to contact regarding the possibility of having an IGA with Englewood to conduct permitting and inspections.

Jonah presented to the Board a draft message to neighbors, but Board members agreed that more information is needed before finalizing the message. It was agreed that we should discuss the District's responsibilities with the District's attorney, consult other sewer districts, consult the District's engineer, and determine whether an intergovernmental agreement with Arapahoe County or Englewood would be possible. And, we need to make sure we have a current ORC.

**Actions:** Jonah will follow up with: the District's attorney; Arapahoe County and Englewood about a possible IGA; and Ger Whelan and one other potential ORC. He will also try to contact other sewer districts. John will seek input from Jamie at Kennedy Jenks about sewer capacity issues and the need for reviews of sewer lines within property boundaries. He will also follow up with Guildner Pipeline to see if they have certified operators on staff and could serve as ORC for the District. Once information is gathered, Jonah will draft a message to neighbors.

4. **Status – Operator in Responsible Charge.** Jonah mentioned that Ger Whelan has offered to serve as the ORC for the District pending a final hiring decision by the District. Toby moved and John seconded a motion to accept Mr. Whelan's offer to serve as interim ORC for the District. **Actions:** In addition to the actions regarding an ORC described under paragraph 3, above, Jonah will contact Ger Whelan to accept his offer to serve as interim ORC for the District.
5. **Status – Audit Exemption Form.** Toby reported that Simmons Wheeler, the District's accounting firm, is close to completing the form. Once completed, at least three Board members must sign the form electronically. **Action:** Toby will coordinate with Simmons Wheeler to circulate the form for signature and submit it to the State. The deadline is March 31<sup>st</sup>.
6. **Status – District Website.** Jonah said that he is waiting for contact from the Statewide Internet Portal Authority (SIPA). He checked and was told that he shouldn't expect SIPA to reach out before April.

7. **Status – Hampden Wall Neighborhood Survey.** Cam reported that he tried to contact Bob McMahon, the mason who did the University wall, to try to get pricing information. He hasn't had any luck. **Actions:** Toby will ask Cheryl Brown about other possible contacts. Cam will continue his efforts. It was suggested that Cam should also reach out to XCEL about its easement along Hampden and CDOT regarding its right-of-way.

**NEW BUSINESS:**

1. **Upcoming Deadlines.** The only imminent deadline is for the audit exemption form, which is covered above.
2. **Trash on University – E.g., large spool. Actions:** John will talk to Arapahoe County about the spool. He will also contact John Crabtree about the trash can in the park. It is believed that the trash can was washed down to the park when the water main broke and that the can belongs to the Crabtrees.
3. **New Neighbor Information. Action:** Toby will have Natalie get a directory to the Mauros.
4. **Other business.** None.
5. **Visitor comments/remarks.** None.
6. **Adjourn.** The meeting was adjourned at 6:30 pm

**-- END OF MEETING MINUTES --**

**Cherry Hills Heights Water & Sanitation District**

**Treasurer's Report**

**For the period of January 7, 2020 through March 9, 2020**

**Checks Issued (\$2,478.30):**

- 1) #689 – Special District Association of CO - **\$264.18** (Annual Dues)
- 2) #690 – Collins Cockrel & Cole - **\$1,274.12** (December Legal Fees)
- 3) #691 – American Arbor Care - **\$300.00** (Inv# 57938)
- 4) #692 – Collins Cockrel & Cole - **\$620.00** (January Legal Fees)
- 5) #693 – Englewood Public Library - **\$20.00** (March Room Fee)

**Electronic Withdrawals & Phone Payments (\$1,077.49)**

- 1) Online Payments to Denver Sprinkler for Snow Removal:
  - a. **\$130.00** on 2/6/20 for 2/4/20 clearing
  - b. **\$390.00** on 2/11/20 for 2/7, 2/8 and 2/10 clearing
  - c. **\$130.00** on 2/24 for 2/11 clearing
  - d. **\$130.00** on 2/24 for 2/13 clearing
  - e. **\$130.00** on 2/24 for 2/20 clearing
- 2) Online Payments to Safeguard (check re-order)
  - a. **\$106.42**
- 3) Denver Water - Phone Payment for December:
  - a. **\$22.72** on 1/13/20
  - b. **\$22.72** on 2/13/20
- 4) Xcel Energy – Electronic Bank Payments – **\$10.63** (January Bill)
- 5) US Bank – Bank Fees - **\$5.00** (December Fees)

**Deposits:**

- 1) Standard and prorated Arapahoe County deposits for mill levy collections