

# **RECORD OF PROCEEDINGS**

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## **MINUTES OF JOINT REGULAR MEETING**

### **BOARD OF DIRECTORS**

#### **SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT**

#### **AND**

#### **PLATTE CANYON WATER AND SANITATION DISTRICT**<sup>1</sup>

Friday  
February 28, 2025  
Jefferson County, Colorado

The joint regular monthly meeting of the Board of Directors of the Southwest Metropolitan Water and Sanitation District (“Southwest”) and the Board of Directors of the Platte Canyon Water and Sanitation District (“Platte Canyon”) convened on Friday, February 28, 2025, at 8:30 a.m. in the Districts’ office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123. For purposes of convenience, the meeting could be attended virtually using Microsoft Teams so any Board member who could not physically attend, could attend by telephone or virtually.

The login and call-in information were included in the meeting notice so that interested members of the public could also attend virtually. Although jointly conducted, portions of the meeting pertained solely to one District or the other and, accordingly, at times only the vote of one Board or the other was required.

The following Southwest Directors were in attendance, to-wit:

Anthony M. Dursey  
Ismael Gomez  
Chuck Hause  
Samuel Rivas, Jr.  
Bernard J. Sebastian, Jr.

The following Platte Canyon Directors were in attendance, to-wit:

William D. Buckner  
Anthony M. Dursey  
Louis J. Fohn (by telephone)  
Damien Mulvany  
Mark Swatek

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<sup>1</sup> and each District’s Water and Sanitary Sewer Activity Enterprise.

The following Platte Canyon staff members were physically present: Cynthia Lane, manager; Alyssa Quinn, assistant manager; Vanessa Shipley, financial administrator; Armando Quintana, operations supervisor; and Justin Roquemore, construction program manager. Bridget Butterfield, communications and administrative services coordinator; and Adam Morse, GIS/website/IT technician; and Chris Cochran, construction coordinator, attended the meeting virtually via Microsoft Teams.<sup>2</sup>

Also physically in attendance was Timothy J. Flynn, from Ireland Stapleton Pryor & Pascoe PC, legal counsel for both Districts.

### **CALL TO ORDER**

The meeting was called to order by Southwest President Chuck Hause, who presided as Chair.

### **APPROVAL OF SOUTHWEST AGENDA**

A motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve, as presented, the Southwest agenda. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey  
Ismael Gomez  
Chuck Hause  
Samuel Rivas, Jr.  
Bernard J. Sebastian, Jr.

### **SOUTHWEST CONSENT AGENDA ITEMS**

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve Southwest Consent Agenda Items No. 1 and No. 2, as set forth below:

**1. Ratification of Interim Disbursements and Approval of Current Payables.** The Southwest payables and supplemental disbursements for the month of February 2025, in the aggregate amount of \$267,198.33 represented by Southwest check nos. 21472 thru 21502, inclusive, including any checks for less than \$5,000 written by the manager pursuant to prior Board authorization, as well as various electronic fund payments for utilities and other authorized electronic fund payment vendors.

**2. Southwest Investment/Deposit Report.** During the month of January 2025, Southwest did not: (i) purchase any treasury notes or other securities; (ii) sell or have any

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<sup>2</sup> Southwest has no employees. The above-named personnel are Platte Canyon employees who, pursuant to contract with Platte Canyon, provide management, operation, and maintenance services for Southwest.

treasury notes or other securities mature or redeem; or (iii) purchase, renew or rollover any certificates of deposit.

With respect to consent agenda items No. 1 and No. 2, the Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey  
Ismael Gomez  
Chuck Hause  
Samuel Rivas, Jr.  
Bernard J. Sebastian, Jr.

### **SOUTHWEST ACTION ITEMS**

**1. Approval of Resolution 2025-2-1 Establishing a Fee Schedule for 2025.**

An increasing amount of staff time is being spent reviewing various projects for conformance with Southwest oil and grease policy, which includes reviewing the design of the grease interceptor. In addition, Southwest's fee schedule needs to be updated to include the most current records receival fee, permitted by state statute of \$41.37 per hour. For the forgoing reasons, the Board was presented with Resolution 2025-2-1 ratifying, approving, and confirming the fees and charges of Southwest for calendar year 2025 which resolution supersedes 2024-12-6.

Following a brief discussion and based on staff's recommendation, a motion to adopt Resolution 2025-2-1 was made by Southwest Director Sebastian Jr. and seconded by Southwest Director Rivas. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey  
Ismael Gomez  
Chuck Hause  
Samuel Rivas, Jr.  
Bernard J. Sebastian, Jr.

### **SOUTHWEST INFORMATION/ DISCUSSION ITEMS.**

**1. Update on Status of May 6, 2025, Board of Directors Election.** Bridget Butterfield updated the Boards on the status of the Southwest 2025 Board of Directors Election. Three nominating petitions have been received from Directors Dursey, Rivas and Gomez, all of whom are up for a four-year term of office. No other nominating petitions have been filed. Today, February 28th, is the last day to file self-nominating petitions, and the close of business on March 3 is the last day to file affidavits of intent to run as a write-in candidate. Accordingly, Bridget notified the Board that she will be canceling the District's May 6, 2025, election if no nominating petitions are filed today and if, as of the

close of business, no affidavits of intent to run as a write-in candidate have been filed by any person.

**SOUTHWEST NEW BUSINESS**

There was no new business to come before the Southwest Board

**JOINT PARTICIPATION PORTION OF THE MEETING**

Southwest President, Chuck Hause continued to Chair the joint participation portion of the meeting.

**Approval of Joint Meeting Agenda**

Following a brief discussion, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Buckner to approve the Joint Meeting Agenda, as presented. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

**JOINT MEETING CONSENT AGENDA**

1. **Approval of the Minutes of the Boards' January 24, 2025, Joint Regular Meeting.** Following a brief discussion and review, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Buckner to approve the minutes of the Boards' January 24, 2025, joint regular meeting, as written. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

The approved minutes will be presented to the members of each Board for signature as soon as practical, as further evidence of ratification, confirmation, and approval.

**JOINT MEETING ACTION ITEMS**

**1. Financial Matters.**

(a) **Platte Canyon Financial Statements.** The following unaudited Platte Canyon financial statements, prepared by Vanessa Shipley, for the one-month period ending January 31, 2025, were presented to the Boards:

(i) Statement of Net Assets, dated January 31, 2025, showing Platte Canyon’s Assets, Liabilities, and Net Assets;

(ii) Statement of Revenue, Expenses and Changes in Net Assets for the one-month period ending January 31, 2025;

(iii) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to Annual Budget for the one-month period ending January 31, 2025; and

(iv) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to CM/YTD Budget for the one-month period ending January 31, 2025.

Because it is early in the year, there were not many transactions reflected in the financial statements. Vanessa Shipley noted that expenditures are well within budget. At the conclusion of her review, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Dursey to accept the Platte Canyon financial statements as presented. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn (by Teams)	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

(b) **Southwest Financial Statements.** The following unaudited Southwest financial statements, prepared by Vanessa Shipley for the one-month period ending January 31, 2025, were presented to the Boards:

(i) Statement of Net Assets, dated January 31, 2025, showing Southwest’s Assets, Liabilities, and Net Assets;

(ii) Statement of Revenue, Expenses and Changes in Net Assets for the one-month period ending January 31, 2025;

(iii) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to Annual Budget for the one-month period ending January 31, 2025; and

(iv) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to CM/YTD Budget for the one-month period ending January 31, 2025.

Following Vanessa Shipley's review of the financial statements, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest financial statements as presented.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

(c) **Platte Canyon Investment/Deposit Report.** The Boards reviewed a list of Platte Canyon’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Platte Canyon has in approved state depositories and authorized local government investment pools. As of January 31, 2025, Platte Canyon's investments and deposits totaled \$11,429,547.73, itemized as follows:

<u>Description</u>	<u>Amount</u>	<u>Percentage</u>
Checking	\$299,598.13	2.62%
Certificates of Deposit	\$250,000.00	2.14%
Colo Trust-Edge	\$850,700.35	7.44%
Colo Trust-Plus	\$3,049,073.21	26.68%
ColoTrust-Trust Account	\$19,002.92	0.17%
CSAFE-Core	\$3,948,195.12	34.54%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$1,511,864.00	13.23%
U.S. Government Agencies and Instrumentalities	\$1,501,114.00	13.13%
TOTAL	<u>\$11,429,547.73</u>	<u>100.00%</u>

The average yield on Platte Canyon’s investments for the month of January 2025, as calculated by staff, was 3.6732% per annum.

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Swatek to accept the Platte Canyon Investment/Deposit Transaction Report.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

(d) **Southwest Investment/Deposit Report.** The Boards reviewed a list of Southwest’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Southwest has in approved state depositories and authorized investment pools. As of January 31, 2025, Southwest investments and deposits totaled \$26,895,483.39, itemized as follows:

<u>Description</u>	<u>Amount</u>	<u>Percentage</u>
Checking	\$10,399.47	0.04%
Certificates of Deposit	\$249,000	0.93%
ColoTrust-Edge	\$930,420.03	3.46%
ColoTrust-Plus	\$3,159,901.43	11.75%
ColoTrust-Trust Account	\$238,488.46	0.89%
CSAFE-Core	\$1,356,694.42	5.04%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$10,966,092.75	40.77%
U.S. Government Agencies and Instrumentalities	\$9,984,486.83	37.12%
TOTAL	<u>\$26,895,483.39</u>	<u>100.00%</u>

The average yield on Southwest’s investments for the month of January 2025, as calculated by staff, was 3.0057% per annum.

Following Vanessa Shipley’s review of the Southwest investment/deposit report, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest Investment and Deposit Report as presented.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

### INFORMATION/DISCUSSION ITEMS

1. **Manager’s Report.** The manager reviewed her written management report for both Boards for the month of February 2025, a copy of which was previously included in the meeting packet. As part of her review, the manager discussed the following matters:

(a) **2025 District Goals.** The 2025 goals for each District were briefly reviewed. All first-quarter statutory filing deadlines have been met for both Platte Canyon and Southwest. There were no workplace safety or security issues to report. Each District’s priority initiatives regarding safety, security, hydrant maintenance, etc., are proceeding on schedule, as is the effort to develop a data-driven method for evaluating sewer rehabilitation projects. A contractor has been retained to assist, and staff is currently responding to requests for information from the contractor.



(b) **Platte Canyon's Water Main Replacement Program.** Staff is in the process of developing and will present to the Board a comprehensive evaluation regarding the alternatives for funding Platte Canyon's water main replacement program. The options include debt financing or returning to a cash-funded approach. The potential decision may involve a 2025 TABOR election.

(c) **Stub-Out Fee Evaluation.** There was a brief discussion of the fee that each District currently charges for issuing a stub-out permit. It was noted that Denver Water's fee is significantly higher than Southwest or Platte Canyon at the present time. Staff will evaluate whether or not the stub-out fee needs to be increased and will bring a report back to the Board at a future meeting.

(d) **Website Activity.** There was a brief discussion concerning the traffic that each District's website is currently experiencing. It was noted that the traffic level is increasing and that the report staff gets concerning website traffic is helpful in identifying who is making contact with each District's website, and the information they are requesting.

(e) **Water Quality Evaluation Group.** The manager noted that there is a nonprofit group, the Water Quality Evaluation Group, that is monitoring unregulated contaminants. At times, the Group issues information which could be misconstrued by the general public. This environmental group is primarily addressing disinfection byproducts in the water that are not currently regulated. It was noted that Denver Water's 2025 water quality report has been issued, and that Denver Water is in full compliance with all EPA and Colorado Department of Public Health and Environment regulations.

2. **Operations and Maintenance Summary Report.** Armando Quintana reviewed the Operations and Maintenance Summary Report for the month of February 2025. During the reporting period, neither Platte Canyon nor Southwest had any sewer service interruptions. Platte Canyon had no water service interruptions during the reporting period, but Southwest had a waterline break that occurred on January 7 at 9771 W. Fremont Pl. Mr. Quintana presented a PowerPoint presentation showing the repair activities undertaken by the emergency response maintenance contractor. The break caused eight residents to be out of service temporarily.

During the month of January, C&L Water Solutions repaired five valves in Southwest's water distribution systems. No valves were repaired in Platte Canyon. Staff is working with C&L on a list of several packing leaks and valve replacements that will occur in the next couple of months. There were no incidents to report at either the Platte Canyon Scott J. Morse Pump Station or the Southwest Hogback Pump Station.

On January 14, 2025, meetings were conducted with staff to review operations, construction, and safety training. Armando also briefly reported on the activities that occurred with respect to locates in both Platte Canyon, Southwest, and the contract districts for which Platte Canyon provides locate services. Other services performed for the contract

service Districts were also briefly reviewed, and a written report regarding all these matters was included in the meeting packet.

**3. Construction Projects Report.** Justin Roquemore reviewed the capital projects report for both Platte Canyon and Southwest. The focus of this report was on other construction projects, which are ongoing outside of the south Santa Fe Park area. He focused on 14 developments that are ongoing within Platte Canyon and 16 that are ongoing within Southwest. A brief overview and summary of each project was provided for both the Platte Canyon and Southwest Board.

### **NEW BUSINESS**

There was no new business to come before the joint participation portion of the meeting.

### **PLATTE CANYON PORTION OF THE JOINT MEETING**

#### **CALL TO ORDER**

Platte Canyon’s President, Mark Swatek, called the Platte Canyon portion of the joint meeting to order and acted as Chair.

#### **APPROVAL OF PLATTE CANYON AGENDA**

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Dursey to approve, as presented, the Platte Canyon Agenda. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

#### **PLATTE CANYON CONSENT AGENDA ITEMS**

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Mulvany to approve Platte Canyon Consent Agenda Items No. 1 and No. 2, as set forth below:

**1. Ratification of Interim Disbursements and Approval of Current Payables.** Platte Canyon payables and supplemental disbursements for the month of February 2025, in the aggregate amount of \$381,198.63 represented by Platte Canyon check nos. 35773 thru 35779 inclusive, including any checks for less than \$5,000 written by the

manager pursuant to prior Board authorization, together with various electronic fund payments for employees' salaries, utilities and other authorized electronic fund payment vendors.

**2. Platte Canyon Investment/Deposit Transaction Report.** During the month of January 2025, Platte Canyon did not: (i) purchased any treasury notes or other securities; and (ii) sell or have any treasury notes or other securities mature or redeem; and (iii) purchase, renew, or roll over any certificates of deposit.

With respect to Consent Agenda Items No. 1 and No. 2, the Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

**3. Approval of Resolution 2025-2-1 Establishing Fee Schedule for 2025.** The manager provided the Platte Canyon Board with the same background regarding the need to implement fees to review projects for compliance with Platte Canyon's oil and grease policy, including the design of the grease interceptor. In addition, Platte Canyon's fee schedule needs to be updated to include the most current record retrieval fee of \$41.37 per hour. For the foregoing reasons, The Board was presented with Resolution 2025-2-1, which supersedes Resolution 2024-12-1, ratifying, approving, and confirming the fees and charges of the Platte Canyon Water and Sanitation District for 2025.

Following a brief discussion and based upon staff's recommendation, a motion to adopt Resolution 2025-2-1 was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Mulvany. The Chair called for a vote of the Platte Canyon board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

**4. Award of Construction Contract for 2025 Sewer Rehabilitation Project.** The manager and Justin Roquemore reviewed with the Board, Platte Canyon's 2025 sewer rehabilitation project, which involves rehabilitating approximately 2,620 linear feet of 8 inch cured in place pipe and the rehabilitation of six manholes using SpectraShield spray coating. Staff received bids from two contractors: Insituform Technologies and InLiner

Solutions. Insituform Technologies was the low bidder, and staff recommended awarding the contract to that entity.

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Mulvany to award a contract for the rehabilitation of the above-described sewer lines and manholes in the Columbine Hill subdivision to Insituform Technologies, LLC, in an amount not to exceed \$165,690. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

### **PLATTE CANYON INFORMATION/ DISCUSSION ITEMS**

1. **Discussion Regarding Access Easements Across BowMar South HOA Property.** A draft of a proposed access easement across a portion of the BowMar South HOA property, which has been discussed at previous meetings of the Board, was reviewed by staff and legal counsel. At the conclusion of the discussion, legal counsel was authorized to send the access easement as drafted and discussed to the HOA's legal counsel for review. It is hoped that the agreement can be executed and recorded in the near future.

2. **2025 District Goals.** The Board was provided with a written draft of Platte Canyon's 2025 goals. Following a brief discussion, a motion to accept those goals was made by Director Buckner and seconded by Director Mulvany. The Chair called for a vote, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

3. **Update on May 6, 2025, Election.** Bridget Butterfield advised the Board that three Directors are up for election in May 2025. Those Directors are Anthony M. Dursey, Louis J. Fohn, and Damien Mulvany. As of the date of today's meeting, no other self-nomination forms have been provided. Today is the last day to file self-nomination forms. Monday, March 3, is the last date to file affidavits of intent to run as a write-in candidate. Bridget Butterfield advised the Board that, pursuant to a resolution previously adopted by the Board, she will cancel the District's May 6, 2025 election and declare the three candidates elected if no nominating petitions or affidavits of intent to run as a write-in candidate are filed by the end of business on Monday.

**PLATTE CANYON NEW BUSINESS**

There was no new business to come before the Platte Canyon Board.

**ADJOURNMENT**

There being no further business to come before this joint regular meeting of the Southwest and Platte Canyon Boards, the Chair, Mark Swatek declared that the meeting was adjourn.

Whereupon, this joint regular meeting of the Southwest and Platte Canyon Boards of Directors adjourned at approximately 9:50 a.m. The next regular joint meeting of the Boards will be held on Friday, March 28, 2025, at 8:30 a.m. in the Platte Canyon and Southwest office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123.

Respectfully submitted,

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Timothy J. Flynn, Recording Secretary

**RECORD OF PROCEEDINGS**

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THE MINUTES OF THIS JOINT REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT AND THE BOARD OF DIRECTORS OF THE PLATTE CANYON WATER AND SANITATION DISTRICT ARE HEREBY RATIFIED, CONFIRMED AND APPROVED BY THE FOLLOWING NAMED INDIVIDUALS WHO, INDIVIDUALLY AND AS MEMBERS OF THE BOARD OF DIRECTORS OF SAID DISTRICTS, WAIVE ANY AND ALL NOTICE THAT MAY BE REQUIRED BY THE STATUTES OF THE STATE OF COLORADO PERTAINING TO THE CONVENING AND THE CONDUCTING OF THIS SPECIAL MEETING OF THE DISTRICTS' BOARDS OF DIRECTORS; AND THE UNDERSIGNED DO HEREBY CONSENT TO THE SAID MEETING BEING HELD ON THE DATE, AT THE TIME AND AT THE PLACE AS HEREINABOVE SET FORTH.

SOUTHWEST METROPOLITAN  
WATER AND SANITATION DISTRICT

PLATTE CANYON WATER AND  
SANITATION DISTRICT

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Anthony M. Dursey

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William D. Buckner

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Ismael Gomez.

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Anthony M. Dursey

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Chuck Hause

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Louis J. Fohn

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Bernard J. Sebastian, Jr.

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Damian. Mulvany

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Samuel Rivas, Jr.

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Mark Swatek