

**EAST CHERRY CREEK VALLEY
WATER & SANITATION DISTRICT**

**MINUTES OF A MEETING OF
THE BOARD OF DIRECTORS**

A regular meeting of the Board of Directors of East Cherry Creek Valley Water & Sanitation District was held at 5:00 p.m. on Thursday, July 28, 2022 in person as well as telephonically.

ATTENDANCE

Directors in Attendance

Monica Holland, Chair
E. Peter Elzi, Jr., Vice Chair
Martin Hill, Jr., Treasurer
O. Karl Kasch, Secretary
Mark Vagnerini, Asst. Secretary

Staff in Attendance

David J. Kaunisto, District Manager
Rick Clark, Senior Engineering Advisor
Scott Niebur, Operations Manager
Lauren Florman, Customer Service Manager
Tawna Scalese, Business Services Manager
Michelle Probasco, Projects Manager
Rebecca Bellamy, Programs Administrator

Others in Attendance

Tamara Seaver, Icenogle Seaver Pogue, P.C.
Gordon Meurer, Kennedy Jenks Consultants, Inc.
Brian Nazareus, Nazareus Stack Wombacher, LLC
Scott Mefford, Hydrokinetics, Inc.
Andy Cohen, Clermont Eliot, LLC
Janece Soendker, CliftonLarsonAllen, LLP

**CALL TO ORDER,
CONFIRMATION OF
QUORUM AND
APPROVAL OF
AGENDA**

Upon motion by Director Holland, seconded by Director Hill...

The Board of Directors meeting was called to order, a quorum confirmed, and the agenda approved.

CONFLICTS OF
INTEREST

Legal counsel advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosures previously made, as applicable, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

Director Elzi disclosed his interests and association with The Bromley Companies. This disclosure is associated with approval of items on the agenda that may affect his interests.

Legal counsel advised that written disclosure of this interests had been filed with the Secretary of State at least seventy-two hours prior to the meeting.

APPOINTMENT OF NEW
BOARD MEMBER

Upon motion by Director Kasch, seconded by Director Hill, and unanimously adopted, and approved...

The appointment of new Board member, Mark Vagnerini as Assistant Secretary to the East Cherry Creek Valley Water & Sanitation District's Board of Directors.

MINUTES

July 14, 2022

Upon motion by Director Hill, seconded by Director Kasch, and unanimously adopted, and approved...

The minutes of the July 14, 2022 Board Meeting.

PAYMENT OF CLAIMS

Upon motion by Director Kasch, seconded by Director Elzi, and unanimously adopted, and approved...

The payables and ACH transactions dated July 28, 2022 for \$1,430,575.96.

Upon motion by Director Holland, seconded by Director Hill, and unanimously adopted, and ratified...

The ACH transactions dated July 19, 2022 for \$206,982.02.

CONSIDERATION OF
CHANGE ORDER NO. 8
FOR THE PHASE 2
NORTHERN WATER
TREATMENT PLANT
PROJECT FROM
GARNEY COMPANIES,
INC.

Upon motion by Director Elzi, seconded by Director Kasch and
unanimously adopted and approved...

Change Order No. 8 for the Phase 2 Northern Water Treatment Plant
Project from Garney Companies, Inc. in the amount of \$280,000,
increasing the total contract amount to \$35,362,169, in substantial form
presented with any additional changes approved by District Manager and
legal counsel.

EXECUTIVE SESSION

Director Holland moved that the Board convene in Executive Session,
pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e)
for the purposes of receiving legal advice on specific legal questions and
determining positions relative to matters that may be subject to
negotiations, developing strategy for negotiations, and instructing
negotiators related to ECCV water main boring damage.

Director Hill seconded the motion, which was approved by the Board at
5:49 PM.

The Executive Session included all voting members of the Board, staff
and others in attendance as noted above.

Director Holland reconvened open session at 6:11 PM

ADJOURNMENT

There being no further business to come before the Board, Director
Holland adjourned the meeting at 6:11 PM.

David J. Kaunisto
Acting Secretary