



Castle Rock Water Commission Meeting Minutes - Final

Todd Warnke, Chair
Amy Blackwell, Vice Chair
Clark Hammelman
Katherine Redmond
Carol Selos
John Wright

Wednesday, May 27, 2020

6:00 PM

Castle Rock Water
175 Kellogg Ct., Bldg. 183
Castle Rock, CO 80109

This meeting is open to the public and will be held in a fully virtual format in accordance with Town Council Meeting Special Procedures During Declared Disasters. This meeting will be hosted online and can be accessed at <https://crgov.webex.com>, or phone in by calling (720) 650-7664, meeting code 967 160 275. Three or more Council members may also attend this meeting, during which the items listed herein will be discussed.

CALL TO ORDER / ROLL CALL

- Present** 6 - Commissioner Clark Hammelman, Chair Todd Warnke, Vice Chair Amy Blackwell, Katherine Redmond, Vice Chair John Wright, and Carol Selos
- Attendance** 7 - Caryn Johnson, Mark Marlowe, Tim Friday, Heather Justus, Anne Glassman, Jennifer Thompson, and MaryJo Woodrick

COUNCIL UPDATE

Councilmember Johnson updated the commission on various Town Council topics from the May 5th and May 19th Council Meetings including that the Town Council sent a letter to the Governor requesting the re-opening of businesses, decided to leave the Design Review Board as is, provided a Proclamation honoring the Class of 2020, discussed the Pine Canyon Development, approved the Tank Site Easement, approved the PV LLC 3rd Amendment and discussed the retirement of the Town Attorney and plans for replacement.

COMMISSION COMMENTS

Commissioner Selos is excited for the conversation about the new ordinance.

Commissioner Blackwell thanked the Castle Rock Water Staff and board members for everything and stated that she will miss everyone.

ADMINISTRATIVE BUSINESS

[WC 2020-039](#) Approval of the April 22, 2020 Meeting Minutes

It was moved by Amy Blackwell and seconded by John Wright to approve the meeting minutes for April 22, 2020. The motion passed with a vote of 6-0.

- Yes:** 6 - Commissioner Hammelman, Chair Warnke, Blackwell, Redmond, Vice Chair Wright, and Selos

[WC 2020-040](#)**Recognizing Outgoing Commissioners**

Mr. Marlowe thanked Ernie Foerster for serving on the Water Commission Board. He shared that he hopes Ernie continues to feel better.

Mr. Marlowe also thanked Commissioner Blackwell and shared that she has been a true asset and will be missed. CRW Staff would like to wish her the best.

[WC 2020-041](#)**Introduction and Welcome New Board Members****Town Council Agenda Date: May 19, 2020**

Mr. Marlowe reported that Carol Selos and Katherine Redmond have been re-appointed to the Water Commission and that he is glad to have them back.

Mr. Marlowe also introduced and welcomed Wyn Barrett and Bill Lueng to the board.

ACTION ITEMS (HIGH PRIORITY / TIME CRITICAL)[WC 2020-032](#)**Ordinance Amending Chapter 13.12 and 15.38 of the Castle Rock Municipal Code which Define Ownership and Responsibility for Water Systems****Town Council Agenda Date: May 15, 2020**

Mr. Friday explained that this item was tabled at the April 22nd meeting by the Commission. The Commission requested to see the final ordinance and the letter to the homeowners before voting. The staff has finalized the Ordinance and Letter and both are attached to this packet. The letters to the Homeowners were mailed out on May 26, 2020.

It was moved by Amy Blackwell and seconded by Clark Hammelman to recommend Council approve this item. The motion passed 6-0.

Yes: 6 - Commissioner Hammelman, Chair Warnke, Blackwell, Redmond, Vice Chair Wright, and Selos

DIRECTOR FOLLOW-UP AND INFORMATIONAL / UPDATE ITEMS[WC 2020-042](#)**COVID in Wastewater**

Mr. Friday shared that staff has been looking at a study that would predict the amount of COVID in the area population through testing of wastewater. The vendor would be Source Molecular. The cost of the testing is not expensive and the information could be used across the Front Range. The testing doesn't tell how many people have COVID just whether it is present or if a change has occurred. The results of the testing can be used to estimate the amount of the population impacted by the virus, but Source Molecular does not provide this service.

The cost of the testing is from \$125 - \$165 per test and the samples would need to be collected once a week for 3 to 6 months. The main concern would be how the

information would be collected and how it would be used. The information could be shared with Tri-County Health. It could also be used collectively along the Front Range.

Mr. Marlowe shared that the technology is useful and the purpose of the technology is to predict the level of infection in a community. At this time there are groups that are collecting this type of data for a study. We would not be part of a study so the information that we collect would just be for our knowledge. Mr. Marlowe stated that since the information would not be used for research at this time he would recommend that CRW not pursue it because having the data but not the expertise to interpret the data means we will have information that we do not know how to interpret or use. He also shared that he would still share the information with the Town Manager in case there was interest at a Council level to pursue this.

It was moved by Clark Hammelman to keep an eye open for the opportunity to participate in a study if one becomes available otherwise to let this project go for now. Carol Selos seconded the motion. Motion passed 6-0

Yes: 6 - Commissioner Hammelman, Chair Warnke, Blackwell, Redmond, Vice Chair Wright, and Selos

[WC 2020-043](#)

Customer Care Characteristics and Affordability Study

It was moved by Amy Blackwell and seconded by John Wright to approve the meeting minutes for April 22, 2020. The motion passed with a vote of 6-0.

[WC 2020-044](#)

Customer Assistance Program Update

Mr. Marlowe shared that the Customer Assistance program was less utilized than staff thought it would be. At this time 54 small businesses and 52 residential accounts have been approved. The program has been advertised through all of the Town's options and through the Economic Development Council as well.

[WC 2020-045](#)

Pine Canyon Planned Development - Douglas County Referral Town Council Agenda Date: May 19 and June 6, 2020

Mr. Marlowe explained that Pine Canyon consists of about 540 acres. This acreage is in the Town of Castle Rock but is considered Unincorporated Douglas County. Over the last five years the owners have been trying to annex into the Town but have been unable or unwilling to meet the requirements to be annexed. At this time, they are trying to develop it as an urban level development within the County. This brings many concerns for the Town and Castle Rock Water. The main concerns for CRW staff is that they are proposing to develop based only on non-renewable water which would reverse 2 decades worth of work that all of the water providers in Douglas County have done to move away from non-renewable water. Another item of concern is in 20 years or so when non-renewable water is no longer available, who will be responsible for the cost of the renewable water which would be almost \$20M for this development in today's dollars.

Mr. Marlowe explained that they intend to drill deep ground water wells near the

Town owned wells. These wells will interfere with 6 or 7 of our wells by reducing the capacity and increasing the energy to run the wells. In addition, some of the Town's wells are aquifer storage and recovery (ASR) wells, so once we place water down the well it may be moved underground to support Pine Canyon.

Mr. Marlowe also shared that Pine Canyon has requested their own waste water plant in the middle of the development. This would go against recommendations in state law that states new developments should connect to established waste water treatment facilities. An additional concern for the plant to be constructed in the middle of the development is the odor, property values, and delivery of chemicals. Mr. Marlowe also shared that small water and sanitation districts tend to struggle over the long term due to the costs associated with running these types of facilities. Another item of concern for this facility would be the plan to discharge water into Plum Creek upstream of some of our drinking water supplies. Since we don't know what kind of quality they will be able to meet, this could impact our costs to protect our drinking water supply.

The last item of concern is that the stormwater from this property will run through much of the infrastructure that the Town is and will continue to build along East Plum Creek but the development does not have to pay for the construction or upkeep of the Stormwater system.

There are many concerns from all departments for the Town but Mr. Marlowe shared only the concerns related to the water system.

Amy Blackwell moved that the Water Commission recommend Town Council stand in opposition of the proposed development. Clark Hammelman seconded the motion. Motion passed 6-0.

Yes: 6 - Commissioner Hammelman, Chair Warnke, Blackwell, Redmond, Vice Chair Wright, and Selos

[WC 2020-046](#)

Aquifer Storage and Recovery Program Update

Town Council Date: July 7, 2020

This item was tabled until the next meeting. Mr. Marlowe would like to share a full report on where we are with Aquifer Storage and Recovery (ASR) at the next Water Commission meeting. He also shared an update on the struggle with the United States Environmental Protection Agency (EPA) to get a final permit for our ASR project in the Meadows. EPA would like to require CRW to include in our permit conditions several technical issues that are a big problem and cost for CRW. CRW Staff have a meeting with the Region 8 EPA director to discuss the issues.

[WC 2020-047](#)

Cherry Creek Basin Water Quality Authority and Regulation 38 Update

Mr. Marlowe reminded everyone that this item was talked about last month and this is just a follow up. Mr. Marlowe and Ron Redd from Parker Water wrote a letter to the authority to express concerns about the process that they used to develop their comments on Regulation 38. The good news is that due to the concerns raised, the

Authority has reversed their position on the Rueter-Hess Reservoir guidelines to be more supportive of Castle Rock and Parker's position.

[WC 2020-048](#)

Resolution Authorizing a Reallocation of Authorized Funds for the Gordon Drive Improvement Project [Memmen's Subdivision, South of Fifth Street and East of Valley Drive]

Town Council Agenda Date: May 19, 2020

Mr. Marlowe shared that this item is to change which funds within the Town are paying for this project based on what type of work is being done. The amount is still within the budget amount but Stormwater needs to pay a larger amount as there was additional work completed.

[WC 2020-049](#)

**Resolution Approving the Third Amendment for Purchase and Sale of Water Assets and Water Line Capacity
Ordinance Approving the Tank Site Easement Option Agreement -
First Reading**

Town Council Agenda Date: May 19, 2020

Mr. Marlowe explained that this is a follow up to the 90 day suspension agreement for the purchase of additional Lost Creek water rights. The seller asked that we add an item to the amendment so this has the addition added.

[WC 2020-050](#)

Coloradoscape Makeover Contest Video

Mr. Marlowe let everyone know that the video is available for viewing on YouTube, the crconserve website, the Towns website and Channel 22. If you have seen it please share your feedback with Staff.

[WC 2020-051](#)

Water Wiser Virtual Training

Mr. Marlowe gave KUDOS to the Water Conservation team. At this time, staff are unable to offer the Water Wiser training in person so the team created an online version that can be administered through WebEx. The first class was offered on May 19th, through WebEx, and they had 30 customers. The class went really well.

COMMISSIONER MEETING COMMENTS