

Norwood Water Commission
Tuesday May 14th, 2024- Regular Meeting
Norwood Community Center 7:00 P.M.

Call to Order:

Tony Daranyi called the regular meeting of the Norwood Water Commission to order at 7:00P.M. The Norwood Water Commission of San Miguel County, State of Colorado, met in regular session at the Norwood Community Center, 1670 Naturita Street, Norwood, Colorado. Those being present were as follows:

Present: **Chairman** – Tony Daranyi, **Vice Chairman** – Finn KJome, Brad Campbell, Ray Cossey, Richard Nelson, and Mike Grafmyer

Staff: Deana Sherrif– Town Manager and Shawntel Darby – Secretary

Absent: Randy Harris – ORC

Others: Jenny Russell, Mayor Candy Meehan, Shawn Fallon, Kerry Welch, Valerie Gibson, Art Goodtimes, Sharon Pape, Alex Pape

Via Zoom – Jaime Schultz, Chad Hill, Catherine Carella and Kris Holstrum

Public Walk-In Period:

Jenny Russell asked when Farmer’s Water Development Company was releasing water for the raw water season. Tony Daranyi states they would begin on Friday and run it until mid-July. Mike Grafmyer further clarified that raw water does not get turned on right away as the ditch has to be charged first.

Tony Daranyi would like to move Chad Hill and Catherine Carella of SGM up on the agenda, so they don’t have to sit through all the New Business items.

Ray Cossey made a **motion** to move Old Business a) Discussion Regarding System Upgrades: 1. Update on Redundant Line Grant Application i) SGM PNA Discussion – Catherine/Chad of SGM to New Business b). Richard Nelson seconded the **motion**. **All** voted **yes**. **Motion Passed**.

Review/Consent Agenda:

There was a **Motion** by Finn KJome to approve the consent agenda as presented. Ray Cossey seconded the **motion**. **All** voted **yes**. **Motion passed**.

Board Member Announcements and Updates: (if any)

New Business:

a) **Raw Water Billing Discussion – Art Goodtimes**

Art Goodtimes gave his backstory as to why he invested in the Raw Water Irrigation System as a remote tap customer. He no longer needs raw water, but he did pay last year. He asked about potential accommodation for remote tap customers as well as those who are senior citizens. He proposed that remote raw water customers would not be billed on the years they do not use it with the option to come back the next year if they do use it. He does want to retain his remote raw water

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tap. After Board discussion, the Board would like more information first. They would like to know How many remote raw water taps there are and how much money that could potentially be. They also have concerns regarding maintenance.

Finn Kjome made a **motion** to table it until the next regular meeting. Brad Campbell seconded the **motion**. All voted **yes**. **Motion passed**.

The NWC Board directed staff to put together the information requested.

b) ***Discussion Regarding System Upgrades: (if any)***

1. ***Update on Redundant Line Grant Application (if any)***

i) ***SGM PNA Discussion – Catherine/Chad of SGM***

Catherin Carella states that they are at a decision point. Steps one and two are complete out of eight. We are prequalified and waiting for our legal status to be determined. She will follow up once she receives proof of eligibility and PNA approval. It takes 18 months to apply for the loan. Design and loan application must be completed by February. We need to schedule a lot of fieldwork and assessments. Kjome asked clarifying questions. Catherine states that it is possible design and engineering are not funded. She does think we should get the PNA approved. She let the NWC Board know that she was nervous about the February deadline. Candy Meehan asked what a PNA was, and Finn explained that it stands for Project Needs Assessment. Catherine will send a proposal for support and environmental services funding.

c) ***Water Shack Users***

Due to recent extra requests, Shawny Darby asked for clarification on who could receive a card for the water shack and what exceptions could be made, if any. The NWC Board discussed the current Norwood Water Commission Boundaries and explained why the boundaries were put in place – for San Miguel County to have knowledge of where there was a reliable source of water when issuing building permits. Jenny Russell, as member of the public, further explained that the water shack was not considered a reliable source of water as the Norwood Water Commission’s priority is to the actual water tap customers first and we are in an area where water is limited. Ray Cossey expressed his concerns as a rural member. He does not agree with the decision to stick with the boundary as he feels there should be access to water. The general consensus of the NWC Board is that the boundary is a hard line, no exceptions.

d) ***Waiver of Conflict of Interest – NWC Hiring of Rob Pierce from Dufford & Waldeck***

Deana Sherrif let the Norwood Water Commission know that the Town of Norwood did sign a waiver regarding Rob Pierce for the State Land Board issue.

e) ***Town Manager Letter of Agreement Status – Complete***

Deana Sherrif let the Norwood Water Commission know that the Town of Norwood agreed to the Town Manager Letter of Agreement, and it is complete.

f) ***IGA Update – On Hold per Town of Norwood Until October/November***

Deana Sherrif states that the Town of Norwood chose to table the IGA until all 3 boards could meet together.

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Mayor Candy Meehan states that she does not want to overwhelm the staff and that the SMCD has a lot to go through.

g) User Loan Update

Tony Daranyi would like to establish or create loan funds for existing residents who want to purchase water taps and water line extensions but may need financial assistance. Deana Sherrif has had time to make one phone call. Tony would like to keep this on the agenda.

h) Drainage Study Request for Proposal – SGM Chosen Firm

Deana Sherrif states that she received good feedback on proposals. SGM is the lowest bidder but came out on top and they are the chosen firm. One of the reasons we chose to go with SGM is in case there are change orders it gives us a little bit of room within the grant to be a little bit more flexible with our needs. Randy Harris feels very comfortable working with SGM as they already have a lot of our documentation. Deana also received feedback from all 3 boards.

i) Replacement for Steve Johnson

The requests for proposal have been sent out. There are no responses yet. Requests were sent out to 25 different firms, all with recognized water experience. Steve Johnson has been graciously helping out but has resigned. They are due by June 6th. We are hoping to select one by June 15th.

j) Resolution of the NWC on the Actions of the Mayor – Mike Grafmyer

Mike Grafmyer explained that he had a resolution regarding the actions of Mayor Candy Meehan toward Town Manager Deana Sherrif that can be amended or not voted on. Member of the public Jenny Russell asked what that had to do with the Norwood Water Commission. Mike Grafmyer states that Deana is our employee and that is what it is about. Ray Cossey feels we need hard facts first and does not feel we should do this as it opens us up and puts us in jeopardy. Mike Grafmyer states that we should stick up for our employee.

Deana Sherrif called a Personal Point of Order: Deana states that so much of this has been around her and admits that she and Candy have had their disagreements. She thinks they have been able to work them out as adults and this is absolutely tearing her staff apart and she is sick of it.

Finn Kjome states that he does not know what the resolution does.

Tony Daranyi feels that the Norwood Water Commission has had a very good working relationship with Deana. The job she has done in the few months she has been on the job is tremendous with a steep learning curve – about as steep as a learning curve could get. He would rather move forward in a cooperative fashion with the Town of Norwood and the Norwood Sanitation District.

Deana states that she appreciates the NWC Board wanting to protect her, but she thinks we have been able to move beyond that.

Tony Daranyi feels that if another board is involved then it should be between them.

Kerry Welch asked that Candy Meehan publicly apologize to Deana Sherrif. Candy responded by saying that she has been given direction by her legal counsel to not speak to anyone on the

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Norwood Sanitation District Board until she has been directed to do otherwise. Mike Grafmyer asked who her attorney was. Candy stated that she is not supposed to be addressing the issue.

Member of the public Valerie Gibson asked when the last time everyone read the Code of Conduct.

Candy Meehan asked for some documents to be part of the permanent record. Tony Daranyi stated that he will review it.

Old Business:

Staff Reports/Announcements

a) Public Works Director's Report:

Hereunto attached.

Brad Campbell asked if we wanted to stick with Riley Southern for the Redvale Project. Hearsay is that no one has seen Riley. ACM is almost double the cost. We need to follow through with what we told Mrs. Eades. Deana Sherrif will check with Randy Harris.

Mike Grafmyer made a **motion** that if Riley is not able to do it in the next 3 weeks, then we put it out for rebid. Brad Campbell seconded the **motion**. All voted **yes**. **Motion passed**.

1. PFAS Testing Richard Nelson

Richard Nelson discussed PFAS testing with the NWC Board. Deana Sherrif explained that we are required to test, and we are receiving some funding from the EPA. We are not testing quite yet.

b) Board Member Reports:

Tony Daranyi let the NWC Board know that he and Richard Nelson attended San Miguel Water Conservation District meeting. Kerri has resigned and they will replace her.

Candy Meehan states that they are unfamiliar with how the process works for replacing Kerri. They will let us know.

c) Administration Reports:

Deana Sherrif states that she is working on PFAS original application. She is looking for other loans and grants as time allows.

Richard Nelson states that if Deana has an issue she can't resolve there is the personnel committee.

Executive Session

a) State Land Board Update on Agreement with Norwood Water Commission

Mike Grafmyer made a **motion** to go into executive session at this time for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instruction to negotiators under CRS 24-6-402 (4)(e). Brad Campbell seconded the **motion**. All voted **yes**. **Motion passed**.

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It's Tuesday, May 14th, 2024 and the time is 7:40pm. For the record, I am the presiding officer, Tony Daranyi, Chair. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

Finn Kjome, Brad Campbell, Mike Grafmyer, Ray Cossey, Richard Nelson, Deana Sherrif, and Candy Meehan.

This is an executive session for the following purpose: per CRS 24-6-402 (4)(e) For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instruction to negotiators.

I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the above-stated purpose of this session, please interrupt the discussion and make an objection.

I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of Open Meeting Law.

I hereby direct the NWC Secretary to retain for a 90-day period.

The time is now 8:55pm and we now conclude the executive session and return to the open meeting.

The time is now 8:56pm and the executive session has been concluded. For the record if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Mike Grafmyer expressed frustration that Tony Daranyi had not notified the NWC Board that Candy Meehan would be speaking in the Executive Session. He also requested that we get Mike Bourdognia, Marie Scott, and Mark Ragsdale to speak at the next regular meeting regarding the water settlement on the San Miguel River Right and so we will know where the diversion point is. We have never seen the settlement contract from San Miguel County or San Miguel Water Conservancy District. There was also question as to whether we had a time crunch and whether we needed to have a special meeting or not.

Adjourn:

Motion by Finn Kjome to adjourn the meeting at 9:03pm. Mike Grafmyer seconded the **motion**. **All** voted **yes**. **Motion passed**.

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Approved:

Approved As Corrected:

Date:

A handwritten signature in blue ink, appearing to read "Shayla", with a large, stylized flourish underneath.

6/13/24