

## RECORD OF PROCEEDINGS

---

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH WATER AND SANITATION DISTRICT AND THE BOARD OF DIRECTORS OF THE PLUM VALLEY HEIGHTS SUB-DISTRICT OF ROXBOROUGH WATER AND SANITATION DISTRICT HELD October 18, 2017

A regular meeting of the Board of Directors of the Roxborough Water and Sanitation District and the Board of Directors of The Plum Valley Heights Subdistrict was held on October 18, 2017 at 8:00 a.m. at the Roxborough Water and Sanitation District's offices located at, 6222 N. Roxborough Park Road, Littleton, Colorado 80125. Notice of the meeting was duly posted in at least three locations within the boundaries of the District and three locations within the boundaries of the sub-district, as required by State law.

**Attendance:** Directors: Dave Thomas President  
Ken Maas Vice President  
Tim Moore Assistant Secretary

Consultants: Bill Goetz, TST Infrastructure, LLC  
Alan Pogue, Esq. Icenogle Seaver Pogue

RWSD Employees: Larry Moore  
Barbara Biggs  
Cindy Taylor  
Mike Marcum  
Lucie Taylor  
Jordan Yewey

**Call to Order:** The meeting was called to order at 8:02 a.m. by Dave Thomas, President of the Board. It was also established that a quorum was in attendance and there were no conflicts of interest to disclose.

**Public:** There was no public comment

**Absences:** Upon a motion by Director Maas, second by Director Moore and unanimous vote Director Dave Heldt's and Director John Dillon's absences were excused.

#### PLUM VALLEY HEIGHTS SUBDISTRICT:

Upon a motion by Director Moore, second by Director Dillon and unanimous vote, the Board Convened as the Board of the Plum Valley Heights Subdistrict of Roxborough Water and Sanitation District.

**CONSENT AGENDA:** Upon a motion by Director Maas, second by Director Moore and unanimous vote, the Board approved the Consent Agenda which consisted of:

- A. Approve Minutes of the Plum Valley Heights Subdistrict of Roxborough Water and Sanitation District which is contained in and part of the Roxborough Water and Sanitation District Minutes for the September 20, 2017 Regular Meeting.
- B. Approval of Pay App# 13 NWDC KR Swerdfeger in the amount of \$280,978.80
- C. Approval of Change Order #7 NWDC KR Swerdfeger for additional \$31,380.36 and 7 additional days
- D. Approval of Pay App# 1 Cronen Plumbing (TRIP) in the amount of \$147,063.80
- E. Approval of Change Order #1 Cronen Plumbing (TRIP) for additional \$13,897.00

**General Manager Report: NWDC Water Project:** Ms. Biggs reported that we have begun working on the final draw request and the close out of the project with Colorado Water Resource Power Development Authority. Cronen Plumbing has completed all of the individual connections in TRIP and is working to complete installation of the expansion tanks. We will make a payment of \$2.5 M to Douglas County on or about November 1, which reflects a large portion of unused funds provided by the County to finance the project. The Douglas County portion of the SDCs collected to date for NWDC and the remainder of the unused County funds will be paid to the County in the first quarter of 2018, and the County's portion of the additional SDCs on a quarterly basis thereafter.

**Financial Statements - PVH:** Mr. Snailum presented the August 31, 2017 Financial Statements. Upon a motion by Director Maas, a second by Director Moore and a unanimous vote, the Board accepted the August 31, 2017 Financial Statements for Plum Valley Heights Subdistrict.

**Proposed 2018 PVH Budget:** It was confirmed that the Board Directors received a copy of the Draft 2018 Budget on October 12, 2017

#### Board Action Items:

- A. Upon a motion by Director Maas, second by Director Moore and unanimous vote, the Board approved the PVH Subdistrict System Development Charge for all existing customers and for future inclusion customers.
- B. Upon a motion by Director Moore, second by Director Maas and unanimous vote, the Board set a Public Hearing for the PVH Subdistrict Proposed 2018 Budget at the November 15, 2017 Regular Meeting.
- C. Upon motion by Director Maas, second by Director Moore and unanimous vote, a Study Session was scheduled for Friday, October 27, 2017 at 8:00 am to review the PVH Subdistrict Proposed 2018 Budget prior to the November 15, 2017 Public Hearing.
- D. Upon a motion by Director Moore, second by Director Maas and unanimous vote, the Board approved the Inclusion Agreement with Martin Marietta and authorized Barbara Biggs or Larry Moore to sign documents.

**ROXBOROUGH WATER AND SANITATION DISTRICT:** Upon a motion by Director Moore, second by Director Maas and unanimous vote, the Board Convened as the Board of the Roxborough Water and Sanitation District.

**CONSENT AGENDA:** Upon a motion by Director Moore and second by Director Maas, the Board approved the Consent Agenda, which consisted of:

- A. Approve Minutes of the September 20, 2017 Regular Meeting.
- B. Ratify Payrolls for September 30, 2017 and October 15, 2017.
- C. Ratify Payment of Claims since September 20, 2017 checks #57821-57853, 57859, 57880, 57884, 57890
- D. Approved Payment of Claims- checks #57854-57858, 57860-57879, 57881-57883, 57885-57889, 57891
- E. Approved Pay App #27 RWSD 8.0 MGD WTP- Garney Construction for \$307,997.87
- F. Approved Change Order # E.1 RWSD 8.0 MGD WTP- Garney Construction for additional \$850,000.00 and additional 32 days.
- G. Approve Pay App #3 PEI Village Waterline Replacement in the amount of \$333,435.39.
- H. Approve Change Order #1 PEI Village Waterline Replacement for additional \$9,622.73 and additional 25 days.

**GENERAL MANAGER'S REPORT:**

- **Sterling Ranch/DWSD (D/SR):** Ms. Biggs reported RWSD met with DWSD on October 11, 2017 to negotiate the terms of the IGAs for service to Plum Valley Heights and the Operations Agreement. We are still working on the details of both of those agreements.
- **Ravenna:** Ms. Biggs reported that a settlement has been reached between United Water & Sanitation District and Colorado Bond Shares. It will likely be a month before the bonds close.
- **Inclusions:**
  - **Christine Jaksch** - We have received payment for the cost to design and construct the water service line. We are working through easement issues with Highlands Ranch Metro District and Xcel Energy.
  - **Joe Cronen** - Moving forward with inclusion of the 9 acre parcel between the day care and Mr. Cronen's home. We will allow a water tap to the water line that serves the Estates at Chatfield Farms Estates provided Mr. Cronen provides all-weather ingress/egress to the meter and dedicates a 30-foot easement along both parcels to facilitate construction of a future water line along Rampart Range Rd.

**OPERATIONS:** Mike Marcum gave the Board an overview of work done in the District, at the Plants and in the Field. The new WTP is running smoothly. Over 44 million gallons of water were treated in September, with 2.5 million gallons going to Sterling Ranch and 1.5 million gallons to Ravenna. Regarding the WWTP, we are now in the clean-up stage after ceasing operation at the WWTP and putting it in moth balled status. The Lift Stations are running smoothly with 18.1 million gallons of sewage to LEWWTP in September. The field remains busy; there are now over 820 new Beacon meters installed which includes 67 in NWDC, 7 in PVH and 18 in TRIP. Lead & Copper testing requirements are complete. KR Swerdfeger has almost completed the NWDC project as well as the punch list. We are holding retainage for a few minor things to be completed. Cronen Plumbing has completed all of the TRIP connections and we will hold retainage until we have certification of all backflow prevention devices to comply with CDPHE requirements, which is expected by October 18<sup>th</sup>.

**ENGINEERING:** Bill Goetz gave the status report to the Board and discussed the rainfall/water treatment report.

**FINANCIAL:** Mr. Snailum presented the August 31, 2017 RWSD Financial Statements to the Board. Upon a motion by Director Moore, second by Director Maas and unanimous vote the August 31 RWSD Financial Statements were accepted.

**Proposed 2018 RWSD Budget:** It was confirmed that the Board Directors received a copy of the Draft 2018 Budget on October 12, 2017.

**ADMINISTRATIVE:**

**Monthly Customer Summary:** Ms. Cindy Taylor reviewed the Monthly Customer Summary with the Board. Since we started the rebate program January 1, 2008, we have paid rebates totaling \$74,330.00.

**ACTION ITEMS:**

**Resolution 17-10-09:** Upon a motion by Director Moore, second by Director Maas and unanimous vote, the Board agreed to approve the System Development Charge for the PVH Subdistrict's existing customers and for future inclusion customers.

**Resolution 17-10-10:** Upon a motion by Director Moore, second by Director Maas and unanimous vote, the Board approved the Resolution to Certify Delinquent accounts to The Douglas County Assessor.

**Approval of Inclusion Agreement with Ravenna Metro District:** Upon a motion by Director Maas, second by Director Moore and unanimous vote, the Board approved the Inclusion Agreement with Ravenna Metro District and authorized Barbara Biggs or Larry Moore to sign appropriate documents.

**Approval of Inclusion Agreement with Martin Marietta:** Upon a motion by Director Moore, second by Director Maas and unanimous Vote, the Board approved the Inclusion Agreement with Martin Marietta and authorized Barbara Biggs or Larry Moore to sign appropriate documents.

**Approval of Inclusion Agreement with Douglas County:** Upon a motion by Director Maas, second by Director Moore the Board approved the Inclusion Agreement with Douglas County by 2 votes for and 1 abstained (by Director Moore) and authorized Barbara Biggs or Larry Moore to sign appropriate documents.

**Set Hearing for 2018 Budget Approval:** Upon a motion by Director Moore, second by Director Maas and unanimous vote, the Board set a Public Hearing for the Proposed 2018 Budget at the November 15, 2017 Regular Board Meeting.

**Set Study Session:** Upon motion by Director Maas, second by Director Moore and unanimous vote, a Study Session was scheduled for Friday, October 27, 2017, at 8:00 a.m. to review the District Proposed 2018 Budget prior to the November 15, 2017 Public Hearing.

**Executive Session** The board was advised that due to the need to discuss personnel matters related to the general manager, it was appropriate, upon compliance with the requisite statutory procedures, to convene an Executive Session at 10:35 a.m., pursuant to Section 24-06-402(4)(f)(I), C.R.S. to discuss personnel matters related to General Manager Moore. The Directors, by motion duly made and seconded, and approved by greater than two-thirds of the Directors present:

**RESOLVED** by a unanimous vote to convene an Executive Session, pursuant to Section 24-6-402(4)(f)(I), C.R.S., for the purposed of discussing personnel matters related to the general manager.

Director Thomas reported, "It is October 18, 2017 and the time is 10:38 a.m. For the record I am the presiding officer, Dave Thomas. As required by the Open Meetings Law, the Executive Session is being recorded."

Present at this Executive Session were the following persons:

Dave Thomas, President  
Ken Maas, Vice President  
Tim Moore, Assistant Secretary  
Larry Moore, RWSD  
Alan Pogue, Esq.

This is an executive session for the purpose of discussing personnel matters pursuant to 24-6-402(4)(f) C.R.S.

Director Thomas cautioned each participant to confine all discussions to the stated purposes of 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 executive session, please interrupt the session and make an objection. The purpose of the executive session was to discuss personnel issues.

The participants in executive session were:

Dave Thomas, President  
Ken Maas, Vice President  
Tim Moore, Assistant Secretary  
Larry Moore, RWSD  
Alan Pogue, Esq.  
Mr. Pogue departed at 10:58 a.m.  
Mr. Moore departed at 11:06 a.m.  
Mr. Moore rejoined at 11:16 a.m.

After a motion by Director Maas, second by Director Moore and unanimous vote, the executive session was adjourned at 11:22 a.m. and the Board returned to Open Session.

Director Thomas stated, "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."

None were stated.

**Personnel:** The Board approved compensation adjustments for an employee.

**AJOURN:** Upon a motion by Director Moore, second by Maas and unanimous vote, the meeting was adjourned at 11:42 a.m.

Respectfully Submitted,

  
Secretary for the Meeting