

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

February 15, 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 Sub-district of Roxborough Water and Sanitation District was held on Wednesday, February 15, 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
Tim Moore Vice-President
Ken Maas Assistant Secretary
John Dillon Secretary/Treasurer

Consultants: Bill Goetz, TST Infrastructure, LLC
Alan Pogue, Esq. Icenogle Seaver Pogue
Ted Snailum, TWS Financial, Inc.

RWSD Employees: Larry Moore
Cindy Taylor
Joanne Cleveland
Mike Marcum
Lucie Taylor

PVH Residents: Ann Sheflin
John Redmon

Call to Order: The meeting was called to order at 8:03 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.

Absence: Upon a motion by Director Thomas and second by Director Maas, Director Dave Heldt's absence was excused.

Public Comment: Ann Sheflin and John Redmon (PVH Residents) asked questions and received answers regarding the NWDC Construction Project.

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 Moore, second by Director Dillon the Board approved the Consent Agenda which consisted of:

- A. Approve Minutes of the Plum Valley Heights Subdivision of Roxborough Water and Sanitation District which is contained in and part of the Roxborough Water and Sanitation District Minutes for the January 18, 2017 Regular Meeting
- B. Approve Pay App #6 for the NWDC Project to KR Swerdfeger in the amount of \$541,759.36.
- C. Approve Change Order #1 for NWDC Project to KR Swerdfeger for additional \$18,582.58.

General Manager Report: NWDC Water Project: Mr. Moore reported the NWDC project is progressing well and Mike Marcum gave the Board an update on construction status. Mr. Moore told the Board the District has just received a bid from KR Swerdfeger for the Titan Rd Industrial Park Waterline portion of the NWDC Project in the amount of \$857,395.00.

Financial Statements- PVH: Mr. Snailum presented December 31, 2016 Financial Statements. Upon a motion by Director Moore, a second by Director Dillon and a unanimous vote, the Board accepted the December 31, 2016 Financial Statements for Plum Valley Heights Subdivision.

Board Action Items: None

ROXBOROUGH WATER AND SANITATION DISTRICT: Upon a motion by Director Moore, second by Director Dillon 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 Dillon, the Board approved the Consent Agenda, which consisted of:

- A. Approve Minutes of the January 18, 2017 Regular Meeting
- B. Ratify Payrolls for January 31, 2017 and February 15, 2017
- C. Ratify Payment of Claims since January 18, 2017 checks #57167,57169-57174,57176,57181,57194-57195,57198,57201,57218
- D. Approved Payment of Claims- checks #57157-57166,57168,57175,57177-57180,57182-57193,57196-57197,57199-57200,57202-57217,57219-57241
- E. Approved Pay App #19 RWSD 8.0 MGD WTP- Garney Construction for \$1,773,913.63
- F. Approved Change Order #8 RWSD 8.0 MGD WTP- Garney Construction for an additional \$96,572.40
- G. Approved Change Order #A.3 for Garney Construction Transmission Line for a deduction of \$8,652.00

GENERAL MANAGER'S REPORT:

- **Sterling Ranch/DWSD (D/SR):** Mr. Moore reported that the District is continuing to work on the 5 year operating contracts between RWSD and D/SR. The District is waiting for D/SR to commit to the 2 MGD expansion of the WTP. They will need to deposit approximately \$1.3M in addition to the previous deposited amount of \$2.2M. We have agreed to reduce their Letter of Credit to \$2M. We are close to having an IGA with D/SR which would cover the water and fire flow delivery to the PVH Subdivision in the same manner we have with Centennial W&S District for the Chatfields and Titan Rd Industrial Park.
- **Conveyance of Gravity Interceptor to Littleton:** Mr. Moore reported that he, Deborah Early, Alan Pogue and Bill Goetz attended the Littleton City Council Meeting on February 14, 2017. Mr. Moore gave a summary presentation to the City Council. The final consideration by City Council is scheduled for Tuesday, February 21, 2017.
- **Ravenna:** Mr. Moore reported that he had a very successful meeting with Aurora Water. We provided Aurora Water with a draft Amended IGA which was approved by Aurora's water policy committee. We are negotiating the final payment and the new connection point.
- **PA 13 RXD:** Mr. Moore told the Board that he and Alan Pogue met with the owners of PA13 to discuss and explain the Board's counter to their proposal. There are a few requests that will be presented under Action Items.
- **Addendum to Littleton Sewer Service Agreement:** The EPA has required Littleton/Englewood WWTP to add some enforcement language to their contracts. The Board had approved this in March, 2016 but Southwest Metro and Platte Canyon W&S Districts had some changes to the previous agreement so they have a revised agreement that will be addressed in the Action Items.
- **Meadow Ditch Water:** Mr. Moore reported that Bruce Lytle of Lytle Water Solutions LLC will conduct studies to evaluate options for the partners (Tom Barenberg and RWSD) and the potential to separate the interests. The estimated cost of the analysis is \$33,235. RWSD will be responsible for 54% (\$17,998.00) and Barenberg will be responsible for 46% (\$15,237.00).
- **Joe Cronin Property:** The Board agreed to entertain a request by Joe Cronin to include a 9 acre parcel adjacent to the Estate Lots on Rampart Range Rd., at such time as Mr. Cronin submits a petition to include the property.
- **Board Meeting Times:** Mr. Moore reported that the District has received several calls and emails regarding changing the RWSD Board Meeting times to evenings so that the public can attend particularly the March 15, 2017 meeting. The Board decided to keep the regularly scheduled meetings as they are now and may consider a special meeting in the evening for public education regarding District matters in the future.

LEGAL ISSUES: Alan Pogue gave the Board an update on legal issues.

OPERATIONS: Mike Marcum gave the Board an overview of work done in the District, at the Plants and in the Field.

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

FINANCIAL: Mr. Snailum presented the December 31, 2016 RWSD Financial Statements to the Board. Upon a motion by Director Maas, second by Director Moore and unanimous vote December 31, 2016 RWSD Financial Statements were accepted.

ADMINISTRATIVE:

Monthly Customer Summary: Ms. Taylor reviewed the Monthly Customer Summary with the Board. Since we started the rebate program January 1, 2008 we have rebated \$72,055.11.

ACTION ITEMS:

- A. Upon a motion by Director Maas, second by Director Dillon and unanimous vote, the Board approved the Amended and Restated PA 13 RXD Availability of Service agreement
- B. Upon a motion by Director Moore, second by Director Dillon and unanimous vote, the Board approved to amend the Addendum to the Littleton Sewer Service Agreement
- C. Upon a motion by Director Moore, second by Director Dillon and unanimous vote, the Board approved the proposal from Lytle Water Solutions, LLC for Meadow Ditch/Lambert Reservoir

- D. Upon a motion by Director Moore, second by Director Dillon and unanimous vote, the Board approved the Ravenna Inclusion IGA, subject to final revisions approved by legal counsel and Mr. Moore, provided such reason do not substantively change the terms of the IGA.
- E. Upon a motion by Director Moore, second by Director Dillon and unanimous vote, the Board approved the Aurora Water Service Agreement IGA subject to additional negotiations by General Manager, Larry Moore.

ADJOURN: Upon a motion by Director Thomas, second by Director Dillon and unanimous vote, the meeting was adjourned at 11:05 am.

Respectfully Submitted,


Secretary for the Meeting