

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH WATER AND SANITATION DISTRICT HELD APRIL 20, 2011

A regular meeting of the Board of Directors of the Roxborough Water and Sanitation District was held on Wednesday, April 20, 2011 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, as required by State law.

Attendance:	Phil Scott, Director	John Dillon, Director
	Dave Thomas, Director	Dave Bane, Director
	Tim Moore, Director	Ted Snailum, TWS Financial, Inc.
	Larry Moore, RWSD	Alan Pogue, Esq.
	Vickie Nolen, RWSD	Bill Goetz, TST Infrastructure
	Mike Marcum, RWSD	Cindy Taylor, RWSD
	Joanne Cleveland, RWSD	Greg Liptak, Roxborough Resident
	Steve Howell, RWSD	

Call to Order: The meeting was called to order by Phil Scott, President of the Board. It was also established that a quorum was in attendance and there are no conflicts of interest disclosed.

PUBLIC COMMENT:

Greg Liptak addressed the Board with a review of the Sterling Ranch Zoning Hearings that have been held at Douglas County.

CONSENT AGENDA: Upon a motion and second, the Board approved the Consent Agenda, which consisted of:

1. Approve Minutes of the March 9, 2011 Work Session and the March 16, 2011 Regular Meeting
2. Ratify Payroll for March 31, 2011 and April 15, 2011
3. Approve Payment of Claims- checks #52736-52761
4. Ratify Payments since March 18, 2011 – checks #52688-52735
5. Pump Station Improvements
 - i. Approve Pay App #5 to Aslan Construction, Inc.
 - ii. Approve Change Order #2 to Aslan Construction, Inc.

REGULAR AGENDA:

GENERAL MANAGER'S REPORT:

Aurora: Mr. Moore told the Board that he and Alan Pogue had met with Gary Rosmarin, vice-President and Managing Director of CNL Lifestyle Company, Lynn Marie Mallery, Senior Vice-President and General Counsel for Eagle Golf, and Carolyn Burr, Arrowhead's local legal counsel. They discussed the history of the previous agreement with Arrowhead, various other water delivery possibilities and the current IGA with Aurora and how it relates to Arrowhead. Mr. Moore is attempting to set a meeting between these Arrowhead representatives, the Board and also another meeting with the Arrowhead representatives and Lisa Darling of Aurora Water. Mr. Moore presented to the Board the letter proposal that was mailed to Dave Little of Denver Water that outlined the possibility of Denver Water treating raw water for RWSD at the Foothills Treatment Facility. Dave Little had asked Mr. Moore to prepare a proposal that he could take to the Board of Directors for Denver Water.

SMWSA: Mr. Moore told the Board that he has notified SMWSA of RWSD's intent not to participate in the WISE Partnership. He did inform them that RWSD will plan on remaining a member for now as we feel SMWSA was integral in the District getting the deal done with Aurora Water.

Chatfield Reallocation: Mr. Moore informed that he continues to participate when he is available.

Meadow Ditch Water: Larry Moore informed the Board that Steve Jeffers, our water attorney, suggested that we contact Tom Williamson, the water engineer that represented us in the change use case, to provide a proposal to appraise the water. We have received a lot of interest in our water rights and will market this water once we receive an appraisal of the water.

Pulte Pipeline Replacement Project: Mr. Moore informed the Board that he was able to obtain a Temporary Construction Easement from the State Land Board for the contractor's staging area and access to Village Circle East at no cost to the District. Mr. Moore also informed the Board that he went before the Board of County Commissioners to formally request a waiver from the BOCC for the GESC (Grading, Erosion and Sedimentation Control), ROW (Right-of-Way) and temporary ROW access permits. The total amount of the permits was approximately \$100,000. The BOCC granted our waiver request unanimously.

LEGAL ISSUES: Alan Pogue gave the status report to the Board.

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

ENGINEERING: Bill Goetz, TST Infrastructure, presented the engineering report.

FINANCIAL: Mr. Snailum presented the March 2011 Financial Statements to the Board. Upon a motion, second and unanimous vote the Board accepted the March 2011 Financial Statements.

ADMINISTRATIVE:

Monthly Customer Summary: Mrs. Taylor reviewed the Monthly Customer Summary with the Board. Since we have started the rebate program, January 1, 2008, we have rebated \$49,085.00.

Hughes & Stuart: Mr. Moore presented the Public Outreach Report for March, 2011 provided by Hughes & Stuart. The report provides information regarding press releases/correspondence, events, website, miscellaneous, specialty items and also provides itemized hours with cost comparisons to the retainer amount. The report also gives the District an overview of traffic to our website.

BOARD ACTION ITEMS/UPDATES:

Donation Requests: The Board reviewed a donation request from The Greenway Foundation. The donation will help fund the 2011 Reception on the River. Upon a motion, second and unanimous vote the Board agreed to donate \$500.00 to The Greenway Foundation. The Board also reviewed a donation request from the Roxborough Arts Council. Upon a motion, second and unanimous vote the Board denied this request since the Arts Council is not directly related to the water and sewer industry. At this point the Board instructed staff to draft a Donation Policy that can be used to determine donations and also create an annual financial limit for donations.

EXECUTIVE SESSION:

The board was advised that due to the need to discuss matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, and also to discuss personnel matters, it was appropriate, upon compliance with the requisite statutory procedures, to convene an Executive Session. The Directors, by motion duly made and seconded, and approved by greater than two-thirds of the Directors present:

RESOLVE a unanimous vote to convene an Executive Session, pursuant to Section 24-6-402(4)(e), C.R.S., for the purposes of discussing matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, and Section 24-6-402(4)(f) for the purpose of personnel matters and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Director Scott reported, "It is February 16, 2011 and the time is 9:46 a.m. For the record, I am the presiding officer, Phil Scott. As required by the Open Meetings Law, the Executive Session is being recorded.

Also present at this Executive Session are the following persons:

Phil Scott, President
Dave Bane, Vice-President
Dave Thomas, Secretary
John Dillon, Assistant Secretary
Tim Moore, Assistant Secretary
Larry Moore, RWSD
Alan Pogue, Esq.
Bill Goetz, TST Infrastructure LLC

This is an executive session for the following purposes:

For the purpose of discussing matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to 24-6-402(4)(e) C.R.S. and discussion of personnel matters pursuant to 24-6-402(4)(f) C.R.S.

Director Scott 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 matters that may be subject to negotiations and also to discuss personnel issues. The time is now 11:43 a.m. and the executive session has been concluded. The participants in the executive session were the following except Bill Goetz left at 10:45 a.m. and Alan Pogue left at 11:05 a.m.:

Phil Scott, President
Dave Bane, Vice-President
Dave Thomas, Secretary
John Dillon, Assistant Secretary
Tim Moore, Assistant Secretary
Larry Moore, RWSD
Alan Pogue, Esq.
Bill Goetz, TST Infrastructure LLC

Director Scott 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 the 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."

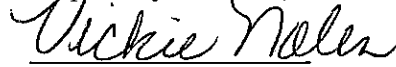
None were stated.

Personnel: The Board discussed annual salary and benefit adjustments for office employees, field and plant personnel. A motion was made and seconded to approve adjustments to employees' salaries effective May 1, 2011.

ADJOURN:

Being no further business, a motion was made to adjourn the meeting at 11:50 a.m. Upon a second, the motion passed.

Respectfully Submitted,


Secretary for the Meeting