

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH WATER AND SANITATION DISTRICT HELD FEBRUARY 16, 2011

A regular meeting of the Board of Directors of the Roxborough Water and Sanitation District was held on Wednesday, February 16, 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 (by phone) | 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 |

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.

PUBLIC COMMENT:

Greg Liptak addressed the Board regarding the current efforts with regards to establishing the funding for the water agreement with the City of Aurora.

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

1. Approve Minutes of the January 19, 2011 Regular Meeting
2. Ratify Payroll for January 31, 2011 and February 15, 2011
3. Approve Payment of Claims- checks #52622-52629
4. Ratify Payments since January 19, 2011 – checks #52565-52621
5. Pump Station Improvements
 - i. Approve Pay App #3 to Aslan Construction, Inc.
 - ii. Approve Change Order #1 for Aslan Construction, Inc.

REGULAR AGENDA:

GENERAL MANAGER'S REPORT:

Aurora: Mr. Moore discussed with the Board the reception held February 3rd at Arrowhead to celebrate the signing of the IGA with Aurora. Everyone agreed that the event was successful and they were pleased with the turnout. Bill Goetz, Alan Pogue and Mr. Moore have met with Arrowhead Golf Course and Roxborough Village regarding how the IGA relates to them. Both entities will require more time to research their options and have their decision making people review. The Board instructed Mr. Moore to continue discussions with Arrowhead and Roxborough Village and also to let them know there is a necessity for a decision to be made soon. Also, Mr. Moore informed the Board that he had a meeting with Keith McLaughlin who is with the Colorado Water Resource and Power Development Authority (CWRPDA) to discuss our financial needs for this project. They discussed the needs of the District and what financing programs might be available. Mr. Moore also informed the Board that he has been in contact with Dave Bennett with Denver Water and they are trying to set up a meeting to discuss treatment options with Denver.

SMWSA: Mr. Moore reminded the Board that the WISE Partnership is hosting a luncheon on March 1st to present to the various Districts' Boards and City Council's the blueprint that outlines how they would propose to work together. Larry Moore, Dave Thomas, Dave Bane and Phil Scott will all be attending this luncheon.

Chatfield Reallocation: Mr. Moore informed the board that he has been letting the different participants know our intent to dissolve our interest in Chatfield. Also, they are hoping the EIS will be released this summer.

Douglas County Regional Conservation Plan: Mr. Moore informed the Board that the Plan did not account for the new IGA with Aurora so we delayed the presentation and consideration of adoption until the March meeting.

Development: Larry Moore updated the Board on the development Steve Ketcham owns. The development went before the Douglas County Planning Commission on Monday, January 24th and was approved 5-1 to go forward to the County Commissioners in late February. Mr. Ketcham is planning on about 30 residential units.

Meadow Ditch Water: Larry Moore informed the Board that he has been in touch with Steve Jeffers, our water attorney; and asked him to provide us with a marketing package that we will be able to provide to potential interested parties for the sale of our Meadow Ditch Water.

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 January 2011 Financial Statements to the Board. Upon a motion, second and unanimous vote the Board accepted the January 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 \$43,804.00.

BOARD ACTION ITEMS/UPDATES:

Resolution No. 11-02-01: Mr. Pogue informed the Board that due to legislation passed since the Board established an Identity Theft Prevention Policy it is his recommendation that we suspend our Identity Theft Policy. Upon a motion, second and unanimous vote the Board agreed by Resolution No. 11-02-01 to suspend our Identity Theft Policy.

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, 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:

RESOLVED by 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.

Director Scott reported, "It is February 16, 2011 and the time is 9:10 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

Vickie Nolen, RWS SD
Alan Pogue, Esq.
Bill Goetz, TST Infrastructure LLC
Mike Marcum, RWSD

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.

Director Scott cautioned each participant to confine all discussions to the stated purpose 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 time is now 11:25 a.m. and the executive session has been concluded. The participants in the executive session were the following except Dave Bane left at 10:00 a.m. and Tim Moore 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
Vickie Nolen, RWSD
Alan Pogue, Esq.
Bill Goetz, TST Infrastructure LLC
Mike Marcum, RWSD

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.

ADJOURN: Being no further business, a motion was made to adjourn the meeting at 11:31 a.m. Upon a second, the motion passed.

Respectfully Submitted,


Secretary for the Meeting