

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 21, 2015

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, October 21, 2015 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 Bane
 Dave Thomas
 Tim Moore
 Dave Heldt
 Consultants: Bill Goetz, TST Infrastructure, LLC
 Alan Pogue, Esq. Icenogle, Seaver, Pogue
 Ted Snailum, TWS Financial, Inc.
 RWSD Employees: Larry Moore
 Mike Marcum
 Vickie Nolen
 Joanne Cleveland
 Public: Ann Sheflin, PVH resident
 John Redmon, PVH resident
 Mark Ashland, Titan Industrial Park

Call to Order: The meeting was called to order at 8:06 a.m. by Dave Bane, President of the Board. It was also established that a quorum was in attendance and there were no conflicts of interest to disclose.

Absent: There was a motion by Dave Thomas and a second by Tim Moore and unanimous vote to approve the excused absence of John Dillon.

PUBLIC COMMENT:
 There was no public comment.

PLUM VALLEY HEIGHTS SUBDISTRICT:

General Manager Report: Mr. Moore informed the Board that we have a fully executed IGA between Centennial Water and Sanitation District and RWSD. We have also received the water delivery approval letter from Aurora Water. We now have to go back to the Colorado Department of Health and Environment and get the Amended PER approved. We now have all of the key elements that we need to move the project forward through the design phase of the project. We will continue to work with the individual homeowners to determine the best location for their future meters and we will also continue to work to secure the needed Easements for the project.

Mr. Moore also talked to the Board about the 28 Plum Valley Heights homeowners that included into the District in the spring of 2013 and that they have been patient and have paid expenses for the two years that the Chatfield customers have not had. Since the project has been delayed and because these customers have incurred additional cost, Mr. Moore talked to the Board about the possibility of a credit on future billings for the original 28 PVH Subdistrict homeowners to equalize the project costs for the original Subdistrict properties and the newly included properties,

which was the intent of the Board when the Subdistrict was established. The Board directed Mr. Moore and Mr. Pogue to present a plan to equalize the situation between the 28 PVH customers and the newly included customers from the two Chatfield communities and Titan Industrial Park. Mr. Moore and Mr. Pogue will present this at the November Board meeting for their consideration.

Action Items:

Financial Statements: Upon a motion by Director Thomas, second by Director Heldt and unanimous vote the Board accepted the August 2015 Financial Statement for Plum Valley Heights Subdistrict.

Public Hearing for NWDC Water Project: Separate minutes of this Public Hearing were kept and are attached.

2016 Budget: The Board acknowledged receiving on October 15, 2015 a draft of the 2016 Proposed Budget for the Plum Valley Heights Subdistrict. At the September 16, 2015 Board meeting the Board set the 2016 Budget Hearing for November 18, 2015 at the regular board meeting. Alan Pogue's office will handle the required publication for the hearings.

Director Thomas made a motion to adjourn as the Board of Directors of the Plum Valley Heights Subdistrict and reconvene as the Board of Directors of the Roxborough Water and Sanitation District with a second by Director Moore the motion passed unanimously.

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

1. Ratify Payroll for September 30, 2015 and October 15, 2015
2. Ratify Payment of Claims since September 16, 2015- check #56039-56080
3. Approve Payment of Claims- checks #56081-56111
4. Pay App #3, RWSD 8.0 MGD WTP- Garney Construction \$972,947.73
5. Pay App #3, Lift Station Storage Building -Norkoli - \$7,234.00
6. Change Order #1 RWSD 8 MGD, WTP - Garney Construction - Increase \$28,686.59

Upon a motion by Director Thomas, second by Director Heldt the Board approved the Minutes of the September 16, 2015 Regular Meeting. Director Moore abstained since he was absent during the September 16, 2015 Regular Meeting.

GENERAL MANAGER'S REPORT:

Sterling Ranch/DWSD (D/SR): Mr. Moore informed the Board that D/SR is now scheduled to close October 23rd with their selected builders. We continue to work with D/SR through various IGA's, exhibits and easements. We are also working on the closing documents for the WWTP. The Emergency Interconnect project is also moving forward.

Rampart Road Water Service Extension: Mr. Moore informed the Board that he continues to meet with interested property owners between our current boundaries and the Seven Stones Development. Mr. Moore has also met with South Metro Fire and Rescue regarding fire protection on the west side of the Rampart Range Road for those properties not included in a fire district.

Storage Building at Roxborough Lift Station: Larry Moore updated the Board on the storage building we are constructing at the Lift Station. We ran into a lot line glitch that we are cleaning up with Douglas County. Construction should begin this month.

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 gave the status report to the Board and discussed the rainfall/water treatment report.

FINANCIAL: Mr. Snailum presented the August 31, 2015 RWSD Financial Statements to the Board.

ADMINISTRATIVE:

Monthly Customer Summary: Ms. Nolen reviewed the Monthly Customer Summary with the Board. Since we started the rebate program, January 1, 2008, we have rebated \$67,455.11.

ROXBOROUGH WATER AND SANITATION DISTRICT:

ACTION ITEMS:

Financial Statements: Upon a motion by Director Thomas second by Director Heldt and unanimous vote the Board accepted the August 2015 Financial Statements for Roxborough Water and Sanitation District

Resolution of Intent to Certify Delinquent Accounts: Alan Pogue presented to the Board Resolution 15-10-13 to Certify Delinquent Water and Sewer Charges that will be filed with the County Assessor and recorded with the Clerk and Recorder. Upon a motion by Director Heldt, Second by Director Moore and unanimous vote the Resolution was approved and the Board directed Mr. Pogue to have the Resolution recorded and the delinquent charges certified on the tax bills for the properties listed in Exhibit A of the Resolution. If any payments are received prior to the October 31, 2015 deadline or if any properties are deemed not appropriate to be certified, they will be removed from the Certification List.

2016 Budget: The Board acknowledged receiving on October 15, 2015 a draft of the 2016 Proposed Budget for Roxborough Water and Sanitation District. At the September 16, 2015 Board Meeting the Board set the 2016 Budget Hearing for November 18, 2015 at the regular board meeting. Alan Pogue's office will handle the required publication for the hearings.

The Board spent time discussing the fact that we are required by law to finalize our budgets before year's end but then we set our rates the first quarter of the following year. The justification behind this schedule was reiterated but staff will consider any adjustments that can be made to the schedule.

EXECUTIVE SESSION: The board was advised that due to the need to discuss personnel matters related to the general manager and staff, it was appropriate, upon compliance with the requisite statutory procedures, to convene an Executive Session pursuant to Section 24-6-404(4)(f)(I), C.R.S. 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 purposes of discussing personnel matters related to the general manager and staff.

Director Bane reported, "It is October 21, 2015 and the time is 11:56 a.m. For the record, I am the presiding officer, Dave Bane. As required by the Open Meetings Law, the Executive Session is being recorded.

Present at this Executive Session were the following persons:

Dave Bane, President
Dave Thomas, Vice-President
Dave Heldt, Assistant Secretary
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 Bane 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 the executive session were:

Dave Bane, President
Dave Thomas, Vice-President
Tim Moore, Assistant Secretary
Dave Heldt, Assistant Secretary
Larry Moore, RWSD
Alan Pogue, Esq.
Mr. Moore departed at 12:30 a.m.
Mr. Pogue departed at 11:57 a.m.
Mr. Moore rejoined at 12:38 a.m.
Mr. Pogue rejoined at 12:48 a.m.

After a motion by Director Heldt, second by Director Thomas the executive session was adjourned at 12:49 a.m. and the Board returned to Open Session.

Director Bane 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 approved compensation adjustments for an employee and a change in all of the employees benefit program by reducing the retirement benefits from 15% to 12% to offset the additional cost to health care.

ADJOURN: Being no further business, a motion was made by Director Moore and seconded by Director Heldt to adjourn the meeting at 12:50 a.m. The motion passed.

Respectfully Submitted,


Secretary for the Meeting