

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH WATER AND SANITATION DISTRICT HELD NOVEMBER 17, 2010

A regular meeting of the Board of Directors of the Roxborough Water and Sanitation District was held on Wednesday, November 17, 2010 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
Steve Howell, RWSD	Steve Boand, Douglas County Commissioner
Lisa Darling, Aurora Water	Steve Hellman, Aurora Water
John Murphy, Aurora Water	

**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:**  
There was no public comment.

### AURORA IGA:

**EXECUTIVE SESSION:** The board was advised that due to the need to discuss matters that may be subject to negotiations, 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.

Director Scott reported, "It is November 17, 2010 and the time is 8:08 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, Assistant Secretary  
John Dillon, Assistant Secretary  
Tim Moore, Assistant Secretary  
Larry Moore, RWSD  
Steve Hellman, Aurora Water  
Lisa Darling, Aurora Water  
John Murphy, Aurora Water

Vickie Nolen, RWSD  
Steve Howell, RWSD  
Mike Marcum, RWSD  
Cindy Taylor, RWSD  
Alan Pogue, Esq.  
Bill Goetz, TST Infrastructure  
Ted Snailum, TWS Financial

This is an executive session for the following purposes:

For the purpose of discussing matters that may be subject to negotiations 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 matters that may be subject to negotiations. The time is now 8:50 a.m. and the executive session has been concluded. The participants in the executive session were:

Phil Scott, President  
Dave Bane, Vice-President  
Dave Thomas, Assistant Secretary  
John Dillon, Assistant Secretary  
Tim Moore, Assistant Secretary  
Larry Moore, RWSD  
Steve Hellman, Aurora Water  
Lisa Darling, Aurora Water  
John Murphy, Aurora Water  
Vickie Nolen, RWSD  
Steve Howell, RWSD  
Mike Marcum, RWSD  
Cindy Taylor, RWSD  
Alan Pogue, Esq.  
Bill Goetz, TST Infrastructure  
Ted Snailum, TWS Financial

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.

**AMEND AGENDA:** At this point in the meeting the Board upon a motion, second and unanimous vote agreed to move the Aurora IGA consideration up to this time in the meeting. The Board indicated it unanimously supports the IGA with Aurora, as presented by Aurora staff. The Board expressed its thanks to the Aurora staff, Council and Mayor for all of their efforts in bringing the IGA to its current status. To permit the city to proceed with its previously scheduled review of the IGA at its Water Policy Committee meeting on November 18<sup>th</sup> and its City Council Study Session on November 22<sup>nd</sup>, the Board set a special meeting for December 6, 2010 at 8:00 a.m., at which time the Board intends to consider approval of the IGA and to direct the Board President and Secretary to sign on the District's behalf.

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

1. Approve Minutes of the October 31, 2010 Regular Meeting
2. Ratify Payroll for October 31, 2010 and November 15, 2010
3. Approve Payment of Claims- checks #52394-52414
4. Ratify Payments since October 20, 2010 – checks #52344-52393

**REGULAR AGENDA:**

**GENERAL MANAGER'S REPORT:**

**Aurora:** Mr. Moore summarized the process and schedule for consideration and approval of the IGA by the District and the City of Aurora. It was determined that the Board would schedule a Special Meeting for December 6, 2010 to consider approval which would be after the November 6<sup>th</sup> Aurora Water Policy Committee Meeting and the November 22<sup>nd</sup> Aurora Council Study Session. Then, assuming RWSD Board approves the IGA, Aurora would consider approval of the IGA the evening of December 6<sup>th</sup> with a Reconsideration Date of December 20<sup>th</sup>, which the Mayor could execute the agreement after this date.

**SMWSA:** Mr. Moore informed the Board that the SMWSA is still working on the Wise Partnership IGA. The Agreement has evolved into the desire to have a more long term permanent partnership as there would be extensive commitment from the South Metro Water Providers to build costly infrastructure to warrant a short term agreement.

**Chatfield Reallocation:** Mr. Moore informed the Board that progress is being made however the FR/EIS has now been pushed to the end of January or early February.

**Douglas County Regional Conservation Plan:** Mr. Moore informed the Board that we have received the draft plan for RWSD and are in the process of reviewing. The Douglas County representative and the consultant will make a presentation at our December board meeting.

**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 October 2010 Financial Statements to the Board. Upon a motion, second and unanimous vote the Board accepted the October 2010 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 \$39,804.00.

**BOARD ACTION ITEMS/UPDATES:**

**BUDGET:**

**Public Hearing  
2011 Proposed**

**Budget:** Director Scott opened the public hearing for public comment regarding the 2011 proposed budget. It was noted that the Budget was available for review prior to the meeting and that all notices were provided according to State statutes. With no comments from the public, Director Scott closed the public hearing.

**2011 Budget:** The Board took action to approve the 2011 Budget. A motion was made and seconded to approve Resolution 10-11-05 which adopts the budget, certifies its 2011 mill levy, appropriates revenues and authorizes expenditures as set forth in the budget resolution. The Board acknowledged and directed Staff to make any necessary final changes to the Budget to reflect the revised assessed valuation from both Douglas County and Jefferson County when those numbers are received. Resolution 10-11-05 is attached and becomes a part of these minutes, which also includes all appropriate documentation for the 2011 Budget as, required by state statutes. The motion passed unanimously.

**December Regular Meeting:** Larry Moore reiterated to the Board dates for the next regular meeting. The December 15th meeting will be cancelled and a Special Meeting will be held on December 6, 2010 at 8:00 a.m.

**Personnel:** The Board approved compensation adjustments for several employees.

**ADJOURN:** Being no further business, a motion was made to adjourn the meeting at 10:55 a.m. Upon a second, the motion passed.

Respectfully Submitted,

  
Secretary for the Meeting