

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE ROXBOROUGH WATER AND SANITATION DISTRICT AND THE BOARD OF DIRECTORS OF THE PLUM VALLEY HEIGHTS SUBDISTRICT OF ROXBOROUGH WATER AND SANITATION DISTRICT HELD September 25, 2013

A special meeting of the Board of Directors of the Roxborough Water and Sanitation District and the Board of Directors of the Plum Valley Heights Subdistrict of Roxborough Water and Sanitation District was held on Wednesday, September 25, 2013 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 subdistrict, as required by State law.

**Attendance:** Directors: Dave Bane  
John Dillon  
Dave Thomas  
Dave Heldt  
Tim Moore  
Consultants: Ted Snailum, TWS Financial, Inc.  
Alan Pogue, Esq. Icenogle, Seaver, Pogue  
Bill Goetz, TST Infrastructure, LLC  
RWSD Employees: Larry Moore  
Mike Marcum  
Vickie Nolen  
Cindy Taylor  
Guests: Jack McCormick, PVH resident  
Don and Verena Rogge, PVH resident  
Esty Atlas, Hughes & Stuart

**Call to Order:** The meeting was called to order 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.

**PUBLIC COMMENT:**  
There was no public comment.

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

1. Ratify Payroll for August 30, 2013 and September 15, 2013
2. Approve Payment of Claims- checks #54498-54501
3. Ratify Payments since August 21, 2013 – checks #54431-54497
4. Approve Minutes of the August 21, 2013 Regular Meeting
5. Approve Pay App #4 in the amount of \$10,176.40 to T. Lowell Construction, Inc. for the Denver Water Interconnect Project
6. Approve Change Order #3 for the Denver Water Interconnect Project

**Amend Agenda:** The Board upon a motion by Director Dillon, second by Director Thomas, and a unanimous vote agreed to amend the agenda to move the Plum Valley Heights Subdistrict meeting to the first item on the Agenda and to allow Plum Valley Heights' representatives to discuss the formation of a sub-district for 28 homeowners in Plum Valley Heights.

**Director Thomas made a motion to adjourn as the Board of Directors of the Roxborough Water and Sanitation District and convene as the Board of Directors of the Plum Valley Heights Subdivision. Upon a second by Director Heldt the motion was unanimously approved.**

**PLUM VALLEY HEIGHTS SUBDISTRICT:**

**ACTION ITEMS:**

**Resolution No. 13-09-04PVH:** Upon a motion by Director Moore, second by Director Heldt and a unanimous vote the Board approved Resolution No. 13-09-04PVH which is described as the 2013 Organizational Administrative Matters Resolution. A copy of the Resolution will be attached to these Minutes.

**Resolution No. 13-09-05PVH:** Upon a motion by Director Thomas, second by Director Dillon and a unanimous vote the Board approved Resolution No. 13-09-05PVH which is described as the Meeting Resolution. A copy of the Resolution will be attached to these Minutes.

**Resolution No. 13-09-06PVH:** Upon a motion by Director Thomas, second by Director Moore and a unanimous vote the Board approved Resolution No. 13-09-06PVH which is an indemnification resolution that provides for the defense and indemnification of directors, officers and employees of the Subdistrict. A copy of the Resolution will be attached to these Minutes.

**Resolution No. 13-09-07PVH:** Upon a motion by Director Thomas, second by Director Dillon and a unanimous vote the Board approved Resolution No. 13-09-07PVH which approves a services agreement between Plum Valley Heights Subdistrict of Roxborough Water and Sanitation District and Roxborough Water and Sanitation District. A copy of the Resolution will be attached to these Minutes.

**Plum Valley Heights:** Mr. Moore informed the Board that we hosted a public meeting at RWSD to present the preliminary engineering plan for water service to Plum Valley Heights which was done by Mulhern MRE. The meeting was required by the State in order to obtain state funding. The only attendees were I, Pat Mulhern, Jack McCormick, and Luis Tovar of Mulhern MRE.

**Other Matters From the Board:** Alan Pogue informed the Board that a Federal Employer Identification Number, a Colorado Sales Tax Exemption Number and a Public Deposit Protection Association Number have all been applied for the Plum Valley Subdistrict. Also Mr. Pogue discussed Directors and Officers insurance coverage for the Subdistrict and instructed Mr. Moore to investigate adding the Plum Valley Heights Subdistrict to the existing SDA coverage that the Roxborough Water and Sanitation District is insured through.

**Director Heldt 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.**

**ROXBOROUGH WATER AND SANITATION DISTRICT:**

**GENERAL MANAGER'S REPORT:**

**CWCB Loan:** Mr. Moore informed the Board that the CWCB loan has been processed and we have received a copy of the signed loan documents.

**Sterling Ranch/DWSD:** Mr. Moore informed the Board that we are awaiting a decision from D/SR as to their participation level in the proposed Water Treatment Plant. Mr. Moore and Mr. Pogue met with the D/SR representatives on Tuesday, September 24<sup>th</sup> and they gave us a letter of intent regarding their commitment to participate in the design phase of the Water Treatment Plant. They acknowledged there would be a shared 50% cost, unless the water treatment plan project is joined by other partners at which time we will split the cost equally among the project participants. They informed us that they are drafting an IGA to address the cost sharing arrangement.

**Douglas County:** Mr. Moore relayed to the Board that Douglas County is also considering participating in the Water Treatment Plant. At this time the Douglas County Commissioners are considering their level of involvement. They also know that November 15<sup>th</sup> is RWSD's decision date.

**LEGAL ISSUES:** Alan Pogue gave the status report to the Board. Mr. Pogue informed the Board that he is working with staff to obtain a list of delinquent accounts that may be certified with the Douglas County Assessor's office. Mr. Pogue also outlined a summary of 2013 legislation action that pertained to special districts.

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

**ENGINEERING:** Mr. Goetz presented the engineering status report and discussed the rainfall/water treatment report. Mr. Goetz also reviewed two memos with the Board that discussed fluoride in the water and also pharmaceuticals in the water. The fluoride memo explained that the recommended level for fluoride has been reduced to .7 micrograms per liter and the naturally occurring fluoride in the District's raw water is .6 micrograms per liter. The pharmaceutical and personal care product memo explained that from a list of about 57 unregulated contaminants, 10 were found in the District's raw water supply. This will be useful in planning the replacement Water Treatment Plant in case stricter regulations are implemented. These contaminants occur at very small amounts and are measured at parts per billion.

**FINANCIAL:** Mr. Snailum presented the August 2013 Financial Statement to the Board. Upon a motion by Director Thomas, second by Director Moore and unanimous vote the Board accepted the August 2013 Financial Statement.

**ADMINISTRATIVE:**

**Monthly Customer Summary:** Ms. Taylor reviewed the Monthly Customer Summary with the Board. Since we have started the rebate program, January 1, 2008, we have rebated \$61,380.11.

**ACTION ITEMS:**

**Resolution No. 13-09-08:** Upon a motion by Director Thomas, second by Director Dillon and a unanimous vote the Board approved Resolution No. 13-09-08 which approves a services agreement between Roxborough Water and Sanitation District and Plum Valley Heights Subdistrict of Roxborough Water and Sanitation District.

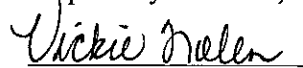
**Denver Water Interconnect:** Mr. Goetz presented to the Board Change Order #3 that provides for a deduction in the amount of \$7,049.00 and also Pay App #5 in the amount of \$27,176.08 which is the final pay app for this project. Upon a motion by Director Heldt, second by Director Dillon and a unanimous vote the Board approved Change Order #3 and Pay App #5 subject to the completion of the necessary paperwork and the scheduled advertising for the Denver Water Interconnect project.

**Other Matters From the Board:**

**SDA District of the Year Award:** Mr. Moore presented to the Board and staff the award that was handed out at the 2013 SDA Convention naming Roxborough Water and Sanitation District the Special District of the Year. The attendees at the Board Meeting also viewed the video about RWSD that had been shown at the 2013 SDA Convention.

**ADJOURN:** Being no further business, a motion was made by John Dillon and seconded by Dave Heldt to adjourn the meeting at 10:30 a.m. The motion passed.

Respectfully Submitted,

  
Secretary for the Meeting