

# 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 July 17, 2013

A regular meeting of the Board of Directors of the Roxborough Water and Sanitation District was held on Wednesday, July 17, 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, as required by State law.

**Attendance:**

<b>Directors:</b>	Dave Bane Tim Moore John Dillon Dave Thomas Dave Heldt
<b>Consultants:</b>	Ted Snailum, TWS Financial, Inc. Alan Pogue, Esq. Icenogle, Seaver, Pogue Bill Goetz, TST Infrastructure, LLC
<b>RWSD Employees:</b>	Larry Moore Vickie Nolen Cindy Taylor Cindy Taylor
<b>Guests:</b>	Jack McCormick, PVH resident Gary Bauer, PVH resident Tim Murrell, Douglas County Esty Atlas, Hughes & Stuart Jason Adams, Poysti & Adams Jim Raye, Poysti & Adams

**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 are no conflicts of interest disclosed.

**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 June 30, 2013 and July 15, 2013
2. Approve Payment of Claims- checks #543444-54357
3. Ratify Payments since June 19, 2013 – checks #54295-54343
4. Approve Minutes of the June 19, 2013 Regular Meeting
5. Approve Pay App #2 in the amount of \$191,292.62 to T. Lowell Construction, Inc. 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 allow Plum Valley Heights' representatives to discuss the possible formation of a sub-district for 28 homeowners in Plum Valley Heights and to then discuss the 2012 Audit.

**Plum Valley Heights:** Jack McCormick made a request on behalf of the Plum Valley Heights Community asking the RWSD Board of Directors to form a sub district to help them be able to finance the infrastructure needed to connect to RWSD's Water Treatment Plant. Jack read the motion that was approved at the PVH HOA Board Meeting which read: "I make the motion that the Plum Valley Heights Association Board (HOA), acting on behalf of the 28 homeowners who are

included in the Roxborough Water and Sanitation District (RWSD), approve initiation and possible costs, not to exceed \$15,000 unless approved by the HOA Board, for RWSD to form a sub-district for funding the construction of infrastructure and other costs, and to pursue grants and low interest loans on behalf of the 28 included homeowners. Additionally, we also approve RWSD to proceed with steps for a local election which authorizes the sub-district debt by the included 28 homeowners who commit to repayment of loans and fees and obligations the sub-district assumes on their behalf." The Board upon a motion by Director Moore, a second by Director Heldt and a unanimous vote directed Alan Pogue, Esq. to prepare a Resolution to be approved at the August 2013 Regular Meeting creating a sub-district and also to prepare a Resolution declaring an election regarding the sub-district. The Board also instructed Mr. Pogue and General Manager Moore to continue conversations with the County regarding the sub-district for Plum Valley Heights.

**2012 Audit:** The Board was presented a final 2012 Audit. Jason Adams and James Raye of Poysti and Adams were in attendance and discussed and presented the audit for final approval. Dave Thomas made a motion to accept the 2012 Audit and Dave Heldt seconded. The motion passed unanimously. Poysti and Adams will file the 2012 Audit with the Division of Local Government on behalf of the District. Staff will distribute copies to other entities that require an annual audit update.

#### **GENERAL MANAGER'S REPORT:**

**CWCB Loan:** Mr. Moore informed the Board that most of our requirements have been completed for the CWCB loan. Mr. Snailum and Mr. Moore will continue talking to the CWCB loan officials regarding the timing of the payout of the loan.

**Sterling Ranch/DWSD:** Mr. Moore continues to work with the Sterling Ranch/Dominion group regarding their possible participation in our Water Treatment Plant. A lengthy discussion was held regarding the timing of the construction of the new Water Treatment Plant and the involvement of Sterling Ranch/Dominion in that process.

**LEGAL ISSUES:** Alan Pogue gave the status report to the Board. Mr. Pogue is negotiating with the attorneys for Land Securities Investors regarding the Availability of Service Charges owed to the District. Land Securities Investors has a buyer for some of their properties and they have agreed to pay all Availability of Service Charges but Mr. Pogue is trying to get that put in the bankruptcy agreement.

**OPERATIONS:** Larry Moore 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.

**FINANCIAL:** Mr. Snailum presented the June 2013 Financial Statement to the Board. Upon a motion by Director Thomas, second by Director Heldt and unanimous vote the Board accepted the June 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 \$59,780.11.

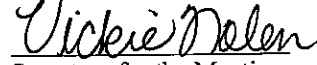
#### **ACTION ITEMS:**

**Rules and Regulations:** The Board reviewed two housekeeping changes to the Rules and Regulations. One change was regarding the commercial general liability coverage and the other change was pertaining to not charging additional system development charges for additional buildings or connections to the service lines. Upon a motion by Director Thomas, second by Director Moore and a unanimous vote the Board approved these changes to the Rules and Regulations.

**September Regular meeting:** The Board agreed to reschedule the September regular board meeting because of a conflict with the Annual SDA Conference. The September meeting will be held on Wednesday, September 25<sup>th</sup> and will be noticed as required.

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

Respectfully Submitted,

  
Secretary for the Meeting