

# **RECORD OF PROCEEDINGS**

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## **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 February 18, 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, February 18, 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  
   John Dillon  
   Dave Heldt  
   Tim Moore  
                         Consultants: Bill Goetz, TST Infrastructure, LLC  
   Alan Pogue, Esq. Icenogle, Seaver, Pogue  
   Ted Snailum, TSW Financial, Inc.  
                         RWSD Employees: Larry Moore  
   Mike Marcum  
   Vickie Nolen  
   Cindy Taylor  
   Joanne Cleveland  
                         Guests:      Jack McCormick, PVH resident

**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 additional public comment.

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

1.      Approve Minutes of the January 21, 2015 Regular Meeting
2.      Ratify Payroll for January 31, 2015 and February 15, 2015
3.      Approve Payment of Claims- check #55562-55573
4.      Ratify Payments since January 21, 2015 – checks #55519-55561

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

**Sterling Ranch/DWSD (D/SR):** Mr. Moore informed the Board that we are working closely with Dominion/Sterling Ranch regarding both the construction of the Water Treatment Plant and Dominion's purchase of the Wastewater Treatment Plant. We will discuss the details of these projects under action items.

**Plum Valley Heights Subdistrict:** Mr. Moore informed the Board that Mr. Pogue and Mr. Snailum met with the auditors and they agreed that the 2014 audit for the Plum Valley Heights Subdistrict will be less than \$2,000.

**DC/NWDC Water Project:** Mr. Moore informed the Board that we have submitted the loan application to the CWRPDA and are following up with various questions that the CWRPDA staff has requested. We have also received a draft of the credit report prepared by the Division of Local Government and provided some minor comments. We hope to hear something about this loan in March.

We are anticipating submitting the loan application to CWCB by April 1<sup>st</sup> for May approval. This loan application is in the process of being completed. Also, a grant application has been submitted to the CWCB and that will be considered at their March Board Meeting.

Mr. Moore informed the Board that he received a letter from John Kaufman, Centennial Water and Sanitation District regarding their possible participation in providing service to Chatfield Acres and Chatfield East. Mr. Moore and Mr. Goetz have analyzed the financial projections in the letter and will set up a meeting with Mr. Kaufman and staff and try to come to some terms that would make economic sense to this project. The cost numbers presented by Centennial Water and Sanitation District do not currently make economic sense for RWSD. Mr. Moore will work with Centennial to attempt to get them to modify their numbers.

**WTP Design:** Mr. Moore informed the Board TST has submitted the 8 MGD plant to the appropriate newspapers and journals to be advertised for bid. The bids will be advertised on Thursday, February 19<sup>th</sup> and bids must be submitted within six weeks. The bids will be opened on April 2, 2015. TST is also finishing the design of the 4 MGD plant which should take approximately two months to complete.

**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:** Mr. Goetz gave the status report to the Board and discussed the rainfall/water treatment report.

**Aurora Rampart Raw Line Relocation Pay App #1:** The Board upon a motion from Director Thomas, second from Director Dillon and unanimous vote approved Pay App #1 to BT Construction, Inc. for work done on the Aurora Rampart Raw Line Relocation Line in the amount of \$19,475.00

**Change Order #1:** The Board upon a motion by Director Thomas, second from Director Dillon and unanimous vote approved Change Order #1 to BT Construction, Inc. which will add \$28,432.00 due to added cost because Dominion/Sterling Ranch is not at the construction phase where they were going to hook into this line. RWSD will invoice D/SR for the majority of the cost contained in this change order.

**FINANCIAL:** Mr. Snailum presented the January 2015 RWSD Financial Statements and the January 2015 PVH Financial Statements to the Board. Upon a motion by Director Thomas, second by Director Moore and unanimous vote the Board accepted the January 2015 Financial Statements for both entities.

**ADMINISTRATIVE:**

**Monthly Customer Summary:** Ms. Taylor reviewed the Monthly Customer Summary with the Board. Since we started the rebate program, January 1, 2008, we have rebated \$65,930.11.

**Director Heldt 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 Dillon the motion was unanimously approved.**

**PLUM VALLEY HEIGHTS SUBDISTRICT:**

**ACTION ITEMS:**

**Resolution No. 15-02-02:** The Board upon a motion from Director Thomas, second from Director Moore and a unanimous vote approved Resolution No. 15-02-02 that approved an Intergovernmental Agreement Concerning the Financing and Construction of Water Public Improvements between Roxborough Water and Sanitation District and the Plum Valley Heights Subdistrict.. This IGA

sets forth the commitments and responsibilities of the District and the Subdistrict related to the financing, construction, operations and maintenance of the project.

**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 Dillon the motion passed unanimously.**

**ACTION ITEMS:**

**Resolution No. 15-02-03:** The Board upon a motion from Director Thomas, second from Director Heldt and a unanimous vote approved Resolution No. 15-02-03 that approved an Intergovernmental Agreement Concerning the Financing and Construction of Water Public Improvements between Roxborough Water and Sanitation District and Plum Valley Heights Subdistrict. This IGA sets forth the commitments and responsibilities of the District and the Subdistrict related to the financing, construction, operations and maintenance of the project.

**4<sup>th</sup> Amendment to WWTP Purchase and Sale Agreement:** DWSD and RWSD staff concluded the 4<sup>th</sup> Amendment was not currently necessary so Mr. Pogue did not present this 4<sup>th</sup> Amendment to the Board and no action was taken.

**1<sup>st</sup> Amendment to IGA for Water Treatment Service (RWSD/DWSD):** Mr. Moore, Mr. Pogue and Mr. Goetz presented the status of the provision by DWSD of the letters of credit required by the IGA for Water Treatment Service. DWSD requested the 1<sup>st</sup> Amendment to modify the timing of the letters of credit and the first annual payment. RWSD staff advised the Board that bids for the 8 MGD plant construction are likely to come in higher than originally estimated and that the amounts of DWSD's letters of credit will need to be adjusted upward following receipt of the bids and prior to a contract award. After extensive discussion regarding the 1<sup>st</sup> Amendment to the IGA for Water Treatment Services with Dominion Water and Sanitation District a motion was made by Director Thomas and seconded by Director Heldt to approve this 1<sup>st</sup> Amendment. Upon a vote with Director Bane and Director Dillon voting against, and Directors Heldt, Moore and Thomas voting for, the 1<sup>st</sup> Amendment to the IGA for Water Treatment Services with Dominion Water and Sanitation District was approved, 3-2.

**ADJOURN:** Being no further business, a motion was made by Director Heldt and seconded by Director Moore to adjourn the meeting at 10:20 a.m. The motion passed.

Respectfully Submitted,

  
Secretary for the Meeting