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RECORD OF PROCEEDINGS

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**MINUTES OF THE BOARD OF DIRECTORS OF  
THE ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY**

HELD: September 12, 2007

13031 E Caley Ave  
Centennial, CO 80111

**ATTENDANCE:**

Present were Directors: Hap Henderson, Marie Mackenzie, Doyle Tinkey, Pat Mulhern, Linda Lehrer, Alan Leak, Bart Miller, Rod Bockenfeld, and Jim Dyer. Also in attendance were: Gary Atkin, Jennie Achee, Will Koger, Barbara Townsley, Heather Beasley, Molly Trujillo, and Legal Counsel Rick Kron of Grimshaw & Harring. Guests: Jim Harrington, Public Finance Associates.

**CALL TO ORDER:**

Director Hap Henderson called the meeting to order at 9:07 a.m. in the Arapahoe conference room of the Arapahoe County Water and Wastewater Authority office at 13031 E Caley Ave, Centennial, CO 80111. Director Mackenzie led the Pledge of Allegiance.

**ADOPTION OF THE AGENDA:**

A motion was made by Director Miller and seconded by Director Lehrer to adopt the agenda. The motion passed 7 to 0.

**PUBLIC FORUM:**

No discussion took place in public forum.

**CONSENT AGENDA:**

Director Leak recused himself from Item No. 3A. Director Mulhern recused himself from Item No. 3C.

Director Dyer joined the meeting at 9:09 a.m.

A motion was made by Director Tinkey and seconded by Director Miller to approve the consent agenda. The motion for Item No. 3A passed 7 to 0. The

motion for Items No. 3B and 3D passed 8 to 0. The motion for Item No. 3C passed 7 to 0. The consent agenda consists of the following items:

1. Approval of Meeting Minutes for August 8, 2007
2. Approve payment requests for August, 2007
3. Approve PDAC Committee recommendations:
  - A. Approve Dove Creek Interceptor Line Extension and Oversizing Agreement
  - B. Approve Inverness Return Line Easement
  - C. Approve Professional Services Agreement with Mulhern MRE for Pipeline Alignment Study.
  - D. Approve Professional Services Agreement with Black & Veatch for Caley Force Main Project P-24.

Mr. Atkin informed the Board that Ms. Trujillo will be leaving ACWWA.

#### GENERAL BUSINESS ACTION ITEMS

##### Item No. 4 – ACWWA Bond Issue

The discussion was moved to later in the meeting.

##### Item No. 5 – ACWWPID Project P-24, Caley Force Main

Ms. Trujillo reviewed the Caley Force Main project and gave a presentation to the Board in regards to awarding the construction contract. The PDAC Committee made a recommendation, which was discussed.

Director Bockenfeld joined the meeting at 9:14 a.m.

A motion to award the contract to Tierdael Construction was made by Director Mulhern and seconded by Director Tinkey. The motion passed 9 to 0.

##### Item No. 6 – ACWWPID Budgets for 2007 and 2008

Ms. Beasley gave a presentation to the Board regarding the 2007 and 2008 ACWWPID budgets and reviewed the projects. A budget presentation has been scheduled with the ACWWPID Board in October. A motion was made by Director Henderson and seconded by Director Miller recommending approval of the 2008 PID budget to the ACWWPID Board. The motion passed 9 to 0.

##### Item No. 4 – ACWWA Bond Issue

Mr. Harrington addressed the Board, explaining that ACWWA continues to be rated an A+ for financing purposes. He reviewed the details of the bond closing

with the Board members. Director Henderson thanked Mr. Harrington, Mr. Atkin, and Ms. Achee for the work done.

Item No. 7 – Service to Motel 6

Mr. Atkin explained to the Board that this item has been to the Finance Committee a number of times and staff has been working to resolve the issue for over a year. Discussion took place between the Board members, Mr. Atkin, and Ms. Achee as to the best decision regarding service to Motel 6. The Board directed the staff to work with the appropriate committees and bring the information to the Board in November.

INFORMATION ITEMS AND REPORTS

Written reports were provided to the Board on the following topics:

Item No. 8 – ACWWA Capital Improvement Projects for 2008

Ms. Achee presented the Capital Improvement Project list for 2008 to the Board.

Item No. 9 – ACWWA 2008 Proposed Budget

Ms. Achee presented the ACWWA 2008 proposed budget to the Board in detail.

Item No. 10 – Board Workshop for 2008 Rates and Fees

A rates and fees study session is scheduled for next months Board meeting.

Item No. 11 – Update on the Event

Mr. Atkin gave the Board an update on the recent event at the plant. Going forward, staff is looking into what can be done to prevent occurrences like this in the future.

Director Mulhern left the meeting at 11:15

Item No. 11A – General Managers Report

A. Update on ACWWA Agreement with Cottonwood

There is no change in the status at this time.

B. Cherry Creek Project Water Authority Update

Mr. Koger gave an update on the projects that the Cherry Creek Project Water Authority is working on.

C. Update on South Metro Water Supply Authority Activities

Mr. Koger gave an update on the activities of South Metro Water Supply Authority.

Item No. 12 – Financial Report

Item No. 13 – Legal Report

EXECUTIVE SESSION

A motion was made by Director Henderson and seconded by Director Bockenfeld to move into Executive Session to discuss potential acquisition of water rights, to consult or request legal advise and develop negotiating positions at 11:26 a.m. pursuant to Section 24-6-402(4) (A), Section 24-6-402(4) (B) and Section 24-6-402(4) (E) C.R.S. The motion passed 7 to 0 (Director Lehrer was out of the room during the motion.) (Executive session meetings are recorded and retained for 90 days.)

Director Miller left at 11:27.

The Executive Session ended at 11:41 a.m.

A motion was made by Director Henderson and seconded by Director Tinkey to move into Executive Session to develop negotiating positions at 11:43 a.m. pursuant to Section 24-6-402(4) (E) C.R.S. The motion passed 7 to 0. (Executive session meetings are recorded and retained for 90 days.)


The Executive Session ended at 11:52 a.m.

ADJOURNMENT:

A motion was made by Director Henderson and seconded by Director Dyer to adjourn the meeting at 11:52 p.m. The motion passed 6 to 0.

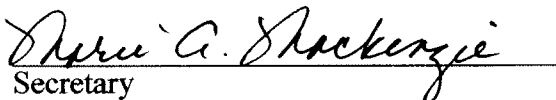
Approved: October 10, 2007

ARAPAHOE COUNTY WATER AND  
WASTEWATER AUTHORITY



President

ATTEST:



Secretary