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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: March 12, 2008

13031 E Caley Ave  
Centennial, CO 80111

**ATTENDANCE:**

Present were Directors: Doyle Tinkey , Marie Mackenzie, Pat Mulhern, Linda Lehrer, Alan Leak, Rod Bockenfeld, Jim Dyer and Hap Henderson (by phone). Also in attendance were: Gary Atkin, Jennie Achee, Martin Stegmiller, Arnie Reil, Barbara Townsley and Legal Counsel Rick Kron of Grimshaw & Harring. Guests: Will Koger, Nolte; Dave Berwanger, DAB Engineering; Rod Kuharich, South Metro Water Supply Authority; David Porter, Steve McNicol, Wendy Christofferson, CH2MHill

**CALL TO ORDER:**

With the consent of the Board, Director Tinkey called the meeting to order at 9:03 a.m. in the Arapahoe conference room of the Arapahoe County Water and Wastewater Authority office at 13031 E Caley Ave, Centennial, CO 80111. Mr. Will Koger led the Pledge of Allegiance.

**ADOPTION OF THE AGENDA:**

A motion was made by Director Lehrer and seconded by Director Dyer to adopt the agenda. The motion passed 8 to 0.

**PUBLIC FORUM:**

Mr. Koger addressed the Board stating that he has left ACWWA since the last Board meeting. He said he enjoyed working at ACWWA and with the Board members.

**CONSENT AGENDA:**

A motion was made by Director Lehrer and seconded by Director Mackenzie to approve the consent agenda. The motion passed 8 to 0. The consent agenda consists of the following items:

1. Approval of Meeting Minutes for February 13, 2008
2. Approve payment requests for February 2008
3. Approve Official Location for Posting ACWWA meetings
4. Approve Recommendations from the Finance Committee:
  - A. Upgrade membership level in the South Metro Denver Chamber of Commerce
5. Approve Recommendations from PDACC
  - A. Approve of Agreement with Merrick & Company for GIS Analysis
  - B. Approve of Agreement for Professional Services with Nolte Associates, Inc.

#### GENERAL BUSINESS ACTION ITEMS

##### Item No. 7 – Presentation of Operations Audit by CH2MHill

Mr. David Porter presented a report of the Operational Audit to the Board and staff. CH2MHill will provide a comprehensive summary of the audit for the ACWWA customers.

##### Item No. 6 – Update on South Metro Water Supply Authority Activity

Mr. Rod Kuharich addressed the Board giving an overview of SMWSA and current activities. He discussed groundwater resources, storage capacity and issues surrounding the water supply industry.

##### Item No. 8 – IIGA with SEMSWA

#### EXECUTIVE SESSION

A motion was made by Director Bockenfeld and seconded by Director Mackenzie to move into Executive Session to consult or receive advice from attorney on specific legal questions and to develop negotiating positions, strategy or instruct negotiators regarding the SEMSWA IIGA pursuant to Section 24-6-402(4) (b) and (e) C.R.S. at 10:25 a.m. The motion passed 8 to 0. (Executive session meetings are recorded and retained for 90 days.)

The Executive Session ended at 11:22 a.m.

The Board took a break at 11:22 a.m.

The break ended at 11:30 a.m.

Mr. Dave Berwanger addressed the Board to discuss the SEMSWA IIGA.

A motion was made by Director Leak and seconded by Director Mackenzie to authorize ACWWA manager to commit in writing to Arapahoe County to immediately proceed with permitting, design, and construction of the first phase

of Pond W-4 and to authorize staff to work with Arapahoe County to establish appropriate trigger points to allow phase one of Pond W-4 to be in place to allow Arapahoe County to allow developments to continue on a case by case basis upon concurrence between Arapahoe County and ACWWA. The motion passed 7 to 1 with Director Lehrer being opposed.

Director Henderson left the meeting (by phone) at 11:53 a.m.

Item No. 10 – Chapparral Pump Station Design Error

#### EXECUTIVE SESSION

A motion was made by Director Dyer and seconded by Director Lehrer to move into Executive Session to develop negotiating positions, strategy or instruct negotiators regarding the Chapparral Pump Station pursuant to Section 24-6-402(4) (e) C.R.S. at 11:55 a.m. The motion passed 7 to 0. (Executive session meetings are recorded and retained for 90 days.)

The Executive Session ended at 12:05 p.m.

A motion was made by Director Dyer and seconded by Director Leak to send a final letter of demand to HDR. The motion passed 7 to 0.

Item No. 11 – Amendment to Section 2.4 of the Rules and Regulations Appendix A

Ms. Achee reviewed the amendment to Section 2.4 of Appendix A with the Board. A motion was made by Director Lehrer and seconded by Director Bockenfeld to approve the amendment. The motion passed 7 to 0.

Item No. 14D – Xcel Energy Award

Mr. Atkin explained to the Board that ACWWA recently received the Xcel Energy Award. He recognized Mr. Stegmiller and his staff for their efforts in earning the award. ACWWA, along with businesses such as Walmart, Coors Brewing Company, and King Soopers was chosen to receive the energy award.

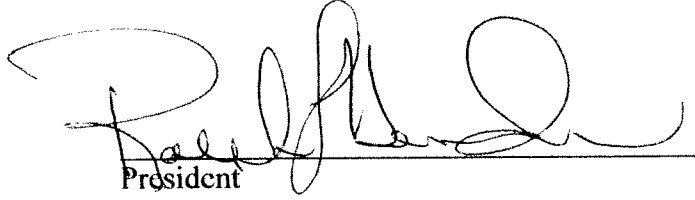
#### ADJOURNMENT:

A motion was made by Director Dyer and seconded by Director Lehrer to adjourn the meeting at 12:10 p.m. The motion passed 7 to 0.

Approved: April 9, 2008

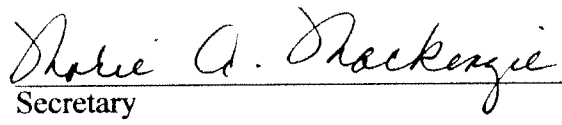
ARAPAHOE COUNTY WATER AND

WASTEWATER AUTHORITY



President

ATTEST:



Secretary