

---

---

RECORD OF PROCEEDINGS

---

---

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

HELD: April 9, 2008

13031 E Caley Ave  
Centennial, CO 80111

**ATTENDANCE:**

Present were Directors: Hap Henderson, Marie Mackenzie, Doyle Tinkey, Pat Mulhern, Linda Lehrer, Alan Leak, Rod Bockenfeld, and Jim Dyer. Also in attendance were: Gary Atkin, Jennie Achee, Martin Stegmiller, Arnie Reil, Barbara Townsley, Toby Arrowsmith, and Legal Counsel Rick Kron of Grimshaw & Harring. Guests: Bert Bondi, Bondi & Company; Jim Harrington, Public Finance Associates; Scott Tucker, SEMSWA

**CALL TO ORDER:**

Director Hap Henderson called the meeting to order at 9:08 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 Tinkey led the Pledge of Allegiance.

**ADOPTION OF THE AGENDA:**

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

**PUBLIC FORUM:**

No discussion took place in public forum.

**CONSENT AGENDA:**

Director Leak stated he would not be voting on the consent agenda due to the potential conflict of interest concerning the WRC Engineering contract. A motion was made by Director Tinkey and seconded by Director Mackenzie to approve the consent agenda. Director Lehrer requested a fee schedule be added for all agreements. The motion passed 7 to 0 with Director Leak not voting. The consent agenda consists of the following items:

1. Approval of Meeting Minutes for March 12, 2008
2. Approve Payment Requests for March 2008
3. Approve Recommendations from the PDACC:
  - A. Approve Addition of Wright Water Engineers to Consultant Short List
  - B. Approve Addition of WRC Engineers to Consultant Short List
  - C. Approve Master Service Agreements with:
    1. Wm. Curtis Wells Company
    2. Wright Water Engineers
    3. Bernard, Lyons, Gaddis & Kahn
    4. WRC Engineers
4. Approve Recommendations from Water Committee:
  - A. Approve Master Service Agreement with Spronk Engineers.

#### GENERAL BUSINESS ACTION ITEMS:

##### Item No. 5 - Presentation of 2007 Audit by Bondi and Company

Mr. Bert Bondi addressed the Board stating that ACWWA had a smooth and clean audit. Director Henderson requested that staff review the recommendations of Bondi & Company with the Finance Committee and report back to the full Board.

##### Item No. 6 – Presentation of Bond and Investment Status

Mr. Jim Harrington gave a presentation concerning the ACWWA bonds and investments. He also discussed ACWWA's current A+ rating.

##### Item No. 7 – Agreement with SEMSWA Regarding Pond W-4

After discussion between Mr. Atkin and the Board regarding the Memorandum of Understanding for Pond W-4, Director Henderson requested a minor language change. This will be addressed by Mr. Atkin and Mr. Tucker. A motion was made by Director Henderson and seconded by Director Lehrer to approve the MOU with the slight language changes as suggested. The motion passed 8 to 0.

##### Item No. 8 – Stites Development Inclusion into the PID

Mr. Atkin discussed the staff recommendation regarding the Stites development. A motion was made by Director Tinkey and seconded by Director Dyer to recommend approval of the Stites development inclusion into the PID. The motion passed 8 to 0.

Item No. 9 – ACWWA Water Resource Fee

Mr. Atkin discussed with the Board the Water Committee's recommendation regarding the increase to the water resource fee. At the direction of the Board, staff will communicate the increase with the community. A motion was made by Director Leak and seconded by Director Mackenzie to increase the water resource fee effective May 1, 2008 as discussed. The motion passed 8 to 0.

Item No. 10 – Rescheduling the June Board Meeting

Director Henderson discussed the absence of Mr. Atkin at the June Board meeting and suggested the meeting be held with Ms. Achee and Mr. Reil present. There were no objections.

INFORMATION ITEMS AND REPORTS

Item No. 11 – Identity Theft Coverage

Ms. Achee reviewed identity theft coverage with the Board members.

Item No. 12 – General Managers Report

A. Cherry Creek Alluvial Modeling Project

A status report was recently received by Mr. Atkin and he went over the information with the Board.

B. Update on South Metro Water Supply Authority Activities

Mr. Atkin gave a handout to the Board regarding Aquifer Supply along with an update on activities.

C. Internet Service Update

Mr. Toby Arrowsmith addressed the Board and went over the changes occurring regarding ACWWAs internet service.

Item No. 13 – Financial Report

No discussion took place.

Item No. 14 – Legal

Mr. Kron gave a brief overview of a legal issue concerning CDot.

EXECUTIVE SESSION

A motion was made by Director Henderson and seconded by Director Leak to move into Executive Session to consult or receive advice from attorney on specific legal questions pursuant to C.R.S. Section 24-6-402(4) (b) and develop negotiating positions, strategy, or instruct negotiations pursuant to C.R.S. Section

24-6-402(4) (e) regarding the HDR pump station issue at 10:30 a.m.. The motion passed 8 to 0. (Executive session meetings are recorded and retained for 90 days.)

Director Bockenfeld left at 10:31.

A motion was made by Director Henderson and Director Mackenzie to engage an engineering firm for work concerning the pump station and authorize Mr. Atkin to approve the work up to his normal limit. The motion passed 7 to 0.

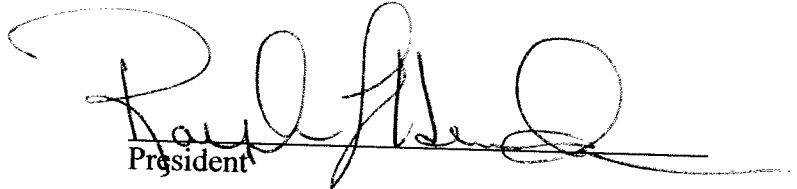
A motion was made by Director Henderson and seconded by Director Tinkey to move into Executive Session develop negotiating positions, strategy, or instruct negotiations pursuant to C.R.S. Section 24-6-402(4) (e) regarding service to Vermillion Creek at 10:56 a.m. pursuant to C.R.S. The motion passed 7 to 0. (Executive session meetings are recorded and retained for 90 days)

ADJOURNMENT:

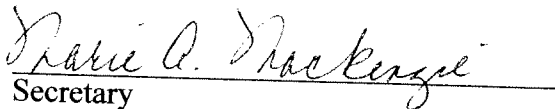
A motion was made by Director Dyer and seconded by Director Henderson to adjourn the meeting at 11:09 a.m. The motion passed 7 to 0.

Approved: 5/14 2008

ARAPAHOE COUNTY WATER AND  
WASTEWATER AUTHORITY

  
President

ATTEST:

  
Secretary