
RECORD OF PROCEEDINGS

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

HELD: October 8, 2008

13031 E Caley Ave
Centennial, CO 80111

ATTENDANCE:

Present were Directors: Hap Henderson, Marie Mackenzie, Pat Mulhern, Linda Lehrer, Alan Leak, Rod Bockenfeld, Doyle Tinkey and Jim Dyer. Also in attendance were: Gary Atkin, Jennie Achee, Martin Stegmiller, Barbara Townsley, Marc Letourneau and Legal Counsel Rick Kron of Grimshaw & Haring. Guests: John McCarty, SEMSWA; Roger Hartman, THC.

CALL TO ORDER:

Director Hap Henderson called the meeting to order at 9:04 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. Gary Atkin led the Pledge of Allegiance.

ADOPTION OF THE AGENDA:

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

PUBLIC FORUM:

No one requested to address the board.

CONSENT AGENDA:

Director Bockenfeld arrived at 9:15

Legal counsel advised of minor legal and technical changes to Item #4A and #4B. A motion was made by Director Dyer and seconded by Director Lehrer to approve the consent agenda. The motion passed 8 to 0. The consent agenda consisted of the following items:

1. Approval of Meeting Minutes for September 10, 2008.
2. Approve payment requests for September 2008.
3. Approve Resolution No. 2008-04 Amendment #9 to the ACWWA Employee Retirement Plan.
4. Approve Recommendations from PDACC:
 - A. Approve Pond W-4 Wetland Mitigation Easement Dedication to Corps of Engineers.
 - B. Approve Pond W-4 Right-of-Way Dedication.
 - C. Approve Master Service Agreement with Arber & Associates
 - D. Approve Task Order for SCADA System Service with DLT&V.
5. Approve Recommendations from Finance Committee:
 - A. Approve Changes to Disconnection Policy.
6. Approve Recommendation from Water Committee:
 - A. Approve Confidentiality Agreement between ACWWA, Aurora, Denver Water and SMSWA.

GENERAL BUSINESS ACTION ITEMS

Item No. 7 – Discussion Regarding Potable and Non-Potable Rate Differentiation

Mr. Roger Hartman gave a presentation to the board concerning the potable and non-potable system and how a rate differentiation will effect the overall plan for ACWWA. Discussion took place among the board and Mr. Hartman regarding the benefit to the customers having both systems and the appropriate way to charge for the water supply. No formal action was taken on this item.

Item No. 8 – Discussion and Presentation of an ACWWA Comprehensive Process Overview

Mr. Martin Stegmiller provided a comprehensive water resource plan to the board showing how the ACWWA system interacts. No formal action was taken on this item.

Item No. 9 – Discussion and Update Regarding Operations of Wastewater Plant Upgrade

Mr. Marc Letourneau reviewed the LTCWRF treatment process results with the board. Mr. Atkin recognized the outstanding work done by Mr. Letourneau since he has been employed by ACWWA. No formal action was taken on this item.

Item No. 10 – Discussion and Presentation of the 2009 Capital Improvement Plan and 2009 Budget

Mr. Alan Leak presented the 2009 CIP and 2009 budget to the board. Discussion took place between Mr. Leak, Mr. Atkin and the board regarding the ACWWA projects. No formal action was taken.

INFORMATION ITEMS AND REPORTS

Item No. 11 – General Manager’s Report

- A. Cherry Creek Basin Open Space Initiative
Mr. Atkin informed the board that this initiative is in the beginning phase.
- B. Motel 6 Update
Ms. Achee informed the board that the documents have been reviewed by legal counsel and construction will start soon.
- C. Update on Cost of Service Study
Ms. Achee updated the board on Finance Committee discussions regarding the Cost of Service.
- D. Chapparral Pump Station Update
Mr. Atkin updated the board on the status of the Chapparral Pump Station.
- E. October 10th Plant Ribbon Cutting
The LTCWRF ribbon cutting will take place on October 10th per Mr. Atkin.
- F. Cornerstar Well Vault Design
Payment has been approved by the PDAC Committee for the well vault design per Mr. Leak subject to engineering review.

Item No. 12 - Financial Report

Mr. Atkin reviewed a financial handout with the board.

EXECUTIVE SESSION

A motion was made by Director Tinkey and seconded by Director Dyer to move into Executive Session to consult or receive advice from legal counsel on specific legal questions regarding a pipeline agreement at 11:55 a.m. pursuant to Section 24-6-402(4) (B) C.R.S. and to develop negotiating positions, strategy or instruct negotiators regarding a pipeline agreement under Section 24-6-402(4) (E) C.R.S. and to discuss personnel matters regarding the General Manager’s review under Section 24-6-402(4) (F) C.R.S. The motion passed 8 to 0. (Executive session meetings are recorded and retained for 90 days.)

Director Mulhern left at 11:03 a.m.

The Executive Session ended at 11:19 a.m.

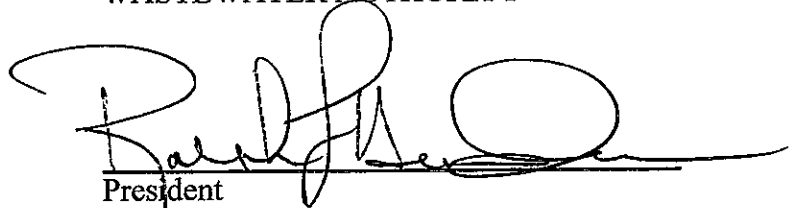
Director Leak discussed with the board a drainage easement requested by Arapahoe County for pond W-4. A motion was made by Director Dyer and seconded by Director Henderson to approve the dedication of the drainage easement over ACWWA W-4 property in Arapahoe County subject to review by staff and legal counsel. The motion passed 7 to 0.

ADJOURNMENT:

A motion was made by Director Lehrer and seconded by Director Henderson to adjourn the meeting at 11:12. The motion passed 7 to 0.

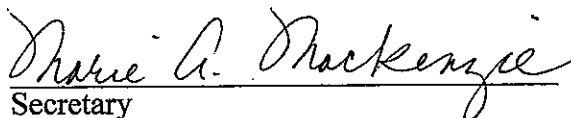
Approved: November 12, 2008

ARAPAHOE COUNTY WATER AND
WASTEWATER AUTHORITY



President

ATTEST:



Secretary