
RECORD OF PROCEEDINGS

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

HELD: April 8, 2009

13031 E Caley Ave
Centennial, CO 80111

ATTENDANCE:

Present were Directors: Hap Henderson, Rod Bockenfeld, Doyle Tinkey , Pat Mulhern, Linda Lehrer, Marie Mackenzie, and Jim Dyer (by phone). Also in attendance were: Gary Atkin, Jennie Achee, Martin Stegmiller, Arnie Reil, Steve Witter, Barbara Townsley, Patty Pratt, Patrick Reed and Legal Counsel Rick Kron of Grimshaw & Harring. Guests: John Brackney, Brian Bartony and Deverick Wilder, South Metro Chamber of Commerce; John Nelson, Wright Water Engineering; Bill Veydovec, Arber and Associates; John McCarty, Southeast Metro Stormwater Authority

CALL TO ORDER:

Director Henderson called the meeting to order at 9:05 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. Brackney led the Pledge of Allegiance.

ADOPTION OF THE AGENDA:

A motion was made by Director Tinkey and seconded by Director Henderson adopt the agenda. The motion passed 6 to 0.

PUBLIC FORUM:

Nobody chose to address the board in public forum.

Director Dyer joined the meeting by phone at 9:09

CONSENT AGENDA:

Legal council suggested a few additions to the agreement in 4A and 4B. These agreements are should be subject to legal review. Ms. Achee answered a question from Director Mulhern regarding an expense listed. A motion was made by

Director Mackenzie and seconded by Director Lehrer to approve the consent agenda subject to approval of 4A and 4B by legal counsel. The motion passed 7 to 0. The consent agenda consists of the following items:

1. Approval of Meeting Minutes for March 11, 2009.
2. Approve payment requests for March 2009.
3. Approve Recommendations from Finance Committee:
 - A. Approve Professional Services Insurance Requirements Policy
 - B. Approve investment recommendations offered by ACWWA's financial advisor
4. Approve recommendation from PDAC Committee :
 - A. Approve Happy Canyon (TPQ) Well Equipping
 - B. Approve DLT&V Electrical Design Review Services
 - C. Approve Task Order modification to Wright Water Engineering services for NP system
 - D. Approve Task Order modification to Wright Water Engineering services for Chapparal Pump Station Evaluation of Remedies

GENERAL BUSINESS ACTION ITEMS:

Item No. 5 – Discussion and Presentation by John Brackney, President and CEO of the South Metro Denver Chamber of Commerce

Mr. Brackney addressed the board and discussed the many opportunities ACWWA has to utilize the Chamber staff with future needs. He then took questions and listened to ideas as to how the Chamber could be most helpful going forward.

Item No. 6 – Discussion and Action regarding a Fee Amendment to the Construction Services Contract with Arber and Associates

Mr. Reed spoke to the board regarding the contract with Arber the need to increase the budget by \$112,000. He went on to explain the cause of the increase, which was a problem with the start-up of the centrifuge. A motion was made by Director Tinkey and seconded by Director Mackenzie to approve the Construction Service Contract with Arber and Associates in the amount of \$112,000. The motion passed 7 to 0.

Item No. 7 – Discussion and Action Regarding a Stormwater Quality and Monitoring Services Contract with Wright Water Engineering

Mr. Nelson addressed the board regarding the ACWWA Stormwater Quality Monitoring and Reporting program. This program is for the purpose of phosphorus reduction at Lone Tree Creek drainage facilities. A motion was made by Director Lehrer and seconded by Director Tinkey to approve the Stormwater Quality and Monitoring Services Contract with Wright Water Engineering for a three month period with a potential extension for a three month period. The motion passed 7 to 0.

Item No. 8 – Discussion and Action Regarding a Policy for ACWWA Board Members Providing Contract Services

A motion was made by Director Henderson and seconded by Director Mulhern to approve the policy for ACWWA Board Members providing contract services. The motion passed 7 to 0.

Item No. 9 – Discussion and Update regarding First Industrial Realty Trust Settlement Agreement

Mr. Reil updated the board on the settlement agreement between ACWWA and First Industrial Realty Trust.

Item No. 10 – Discussion and Action Regarding a Special Study Session on Water Supply

A date and time was established for a special study session to take place regarding water supply.

Item No. 11 – General Manager’s Report

- A. Update on South Metro Water Supply Authority Activity
Mr. Witter gave the board an update on costs regarding the loan.
- B. Update on Cherry Creek Alluvial Modeling Group
Mr. Witter informed the board of the progress of the group.
- C. Cherry Creek Project Water Authority
Mr. Witter explained that the authority is doing their due diligence on the Grange Water rights.
- D. Update on Stonegate Village Metro District discussions
Mr. Atkin discussed with the board the benefit and cost to ACWWA and Stonegate.
- E. Water Conservation Program Update
Discussion took place with Mr. Witter and the board as to how to move forward with this program regarding clocks for older sprinkler systems.
- G. Bond Rating Update

Ms. Achee informed board of the bond rating increase.

Director Dyer left at 10:45

Mr. Kron discussed FACT (identity theft) with the board and explained what it entails. A motion was made by Director Lehrer and seconded by Director Henderson to adopt the FACT policy.

The board took a break at 10:55.

The board resumed session at 11:05

EXECUTIVE SESSION

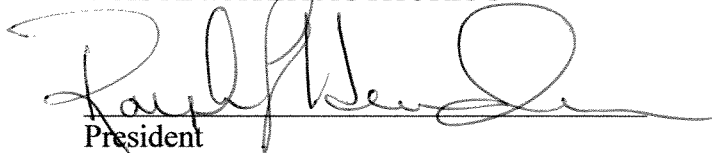
A motion was made by Director Henderson and seconded by Director Mulhern to move into Executive Session to consult or receive advice from legal counsel on specific legal questions and to develop negotiating positions, strategy, instruct negotiators regarding the Chapparal Pump Station pursuant to Section 24-6-402(4) (B) (E) at 11:05 a.m. The motion passed 6 to 0. (Executive session meetings are recorded and retained for 90 days.)

ADJOURNMENT:

A motion was made by Director Tinkey and seconded by Director Lehrer to adjourn the meeting at 11:37 a.m. The motion passed 6 to 0.

Approved: May 13, _____ 2009

ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY


President

ATTEST:


Secretary