
RECORD OF PROCEEDINGS

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

HELD: July 14, 2010

13031 E. Caley Ave.
Centennial, CO 80111

ATTENDANCE:

Present were Directors: Doyle Tinkey, Ray Wells, Hap Henderson, Alan Leak, and Steven Hunt. Also in attendance were: Gary Atkin, Arnie Reil, Jeff Brooks, Steve Witter, Martin Stegmiller, Patty Pratt, Jennie Achee, Carol Bauman, Barbara Townsley, and Legal Counsel Rick Kron. Guests in attendance were: Lindsay Griffith, Brown and Caldwell; John McCarty, Southeast Metro Stormwater Authority (SEMSWA); and Linda Lehrer, Sierra Consulting.

CALL TO ORDER:

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 (ACWWA) office at 13031 E. Caley Ave., Centennial, CO 80111.

ADOPTION OF THE AGENDA:

A motion was made by Director Leak and seconded by Director Henderson to approve the Agenda as presented. With no discussion needed, Director Tinkey called for a vote. The motion passed 5 to 0.

PUBLIC FORUM

No one came forward to address the Board.

CONSENT AGENDA

A motion was made by Director Hunt and seconded by Director Wells to approve the Consent Agenda as modified. Mr. Reil reported that the attachments listed under Items 3.B. and 4. have been switched due to an error while compiling the packet. Mr. Atkin indicated that Item 3.A. will be considered contingent on the fact that it is a shared cost with Inverness and will need the Inverness Board approval before it is finalized. After a brief discussion, Director Tinkey called for a vote. The motion passed 5 to 0. The consent agenda consists of the following items:

1. Approval of Meeting Minutes for June 9, 2010
2. Approve Payment Requests for June 2010
3. Approve Recommendations from PDAC Committee:
 - A. Approve Clarifier 3 Design Work by Arber and Associates.
 - B. Approve Windmill Creek Channel Improvements – CIP Project 68.

GENERAL BUSINESS ACTION ITEMS:

Item No. 4 – Discussion and Possible Action Regarding the Caley Gravity Main Upsizing Project – CIP Project 95.

Mr. Brooks explained that this project was called for in the 2002 Master Plan and designed in 2009. A modification to the alignment has been necessary and it has been determined that the budgeted amount was too low. After reviewing competitive bids, staff is requesting an additional \$400,000 in funding for this project. Staff is proposing that cost savings from several other completed projects be allocated to cover the additional funds that will be necessary to complete this project. Director Leak supported the request and explained that in addition to the realignment, the increase in cost is due in part, to ACWWA's decision to increase the size of the pipeline from 24" to 30" and the City of Centennial's new, more cost intensive pavement/concrete standards. After extensive discussion, a motion was made by Director Tinkey and seconded by Director Henderson to approve additional funding in the amount of \$400,000. Motion passed 5 to 0.

Item No. 5 – Discussion and Possible Action Rates and Fees Charged to Inverness Water and Sanitation District.

Mr. Atkin reported that staff met with Inverness Water and Sanitation District (IWSD) and their rate consultant, offering a counter proposal, approximately four weeks ago and that IWSD has not responded. The remainder of the discussion was deferred to the discussion of negotiating positions and to instruct negotiators in Executive Session later in the meeting.

Item No. 6 Discussion and Possible Action Regarding the JWPP Operations Agreement.

The discussion was deferred to the discussion of negotiating positions and to instruct negotiators in Executive Session later in the meeting.

INFORMATION ITEMS AND REPORTS

Item No. 7 – General Manager Report.

A. Update on South Metro Water Supply Authority Activity – Mr. Witter reported that the WISE IGA is being finalized for presentation to the various boards. The costs of this project were presented to the various participants. Mr. Atkin has asked CDM to push ACWWA’s participation commitment out to 2020, which will allow ACWWA time to determine if participation is necessary.

B. Cherry Creek Project Water Authority – Mr. Witter reported that there is no update; the next meeting is scheduled for July 21, 2010.

C. Chaparral Pump Station Update – Mr. Reil provided photos of the progress; completion is scheduled for mid to late August. HDR has not responded to ACWWA’s request for mediation.

D. Update on ACWWA Flow Project –

1. Mr. Witter introduced Lindsay Griffith of Brown and Caldwell, who will be handling the engineering aspects of the ACWWA Flow water adjudication cases. The Master Service Agreement and Scope of Work will be presented to PDAC and the Board next month.
2. The drilling of the ECCV brine well has commenced, with completion scheduled for mid-September. The Board is invited to an ECCV Open House on Friday, July 16, 2010, 10:00 a.m. – 1:00 p.m.
3. To date, ACWWA has closed on a total of 2,200 acre feet of water with United, with four more closings scheduled this month.
4. At the next Board meeting, staff will present a strategic plan for the adjudication process.
5. The planning of the Chambers Reservoir is at a critical stage. Legal work on the IGA is being finalized as well as the design work.
6. ECCV is planning to award a contract for the water treatment plant on August 26, 2010, with ground breaking to be scheduled shortly thereafter.

Item No. 8 – Legal Report.

Mr. Kron reported that the draft IGA regarding the permit transfer with SEMSWA is complete. The Board was asked to review the draft IGA and return any comments to Mr. Atkin or Mr. Kron prior to the next Board meeting, where it will be addressed as an action item.

At 10:15 a.m., the Board took a five-minute break.

EXECUTIVE SESSION

At 10:20 a.m., a motion was made by Director Henderson and seconded by Director Leak to adjourn to Executive Session, pursuant to Section 24-6-402(4)(b), C.R.S. to consult or receive advice from the attorney on specific legal questions relating to the Lavenhar Living Trust litigation; and Section 24-6-402(4)(e), C.R.S, to develop negotiating positions, strategy or instruct negotiators concerning the Lavenhar Living Trust litigation. Motion passed 5 to 0. (Executive Session meetings are recorded and retained for 90 days.)

At 10:40 a.m., a motion to adjourn the Executive Session was made by Director Henderson and seconded by Director Leak. Motion passed 5 to 0.

At 10:42 a.m., a motion was made by Director Henderson and seconded by Director Leak to adjourn to a second Executive Session, pursuant to Section 24-6-402(4)(e), C.R.S. to develop negotiating positions, strategy or instruct negotiators concerning the Lone Tree Creek Water Reuse Facility contract with the Inverness Water and Sanitation District, specifically rates; the Joint Water Purification Plant contract with the Cottonwood Water and Sanitation District, specifically concerning rates; and the South Metro Water Supply Authority contract, generally. Motion passed 5 to 0. (Executive Session meetings are recorded and retained for 90 days.)

At 12:00 p.m., a motion was made by Director Henderson and seconded by Director Leak to continue the meeting fifteen minutes. Motion passed 5 to 0.

At 12:15 p.m., a motion to adjourn the Executive Session was made by Director Henderson and seconded by Director Leak. Motion passed 5 to 0.

Item No. 7 – Financial Report – Report contained in the Board Packet.

ADJOURNMENT

Following discussion, there being no further business to come before the Board, at 12:15 p.m., a motion to adjourn the meeting was made by Director Henderson and seconded by Director Leak. Motion passed 5 to 0.

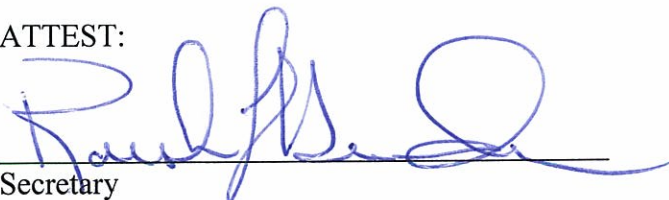
Approved: 8-11 2010.

ARAPAHOE COUNTY WATER AND
WASTEWATER AUTHORITY



Doyle Tinkey, First Vice President

ATTEST:



Secretary