

RECORD OF PROCEEDINGS

CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

April 21, 2009

The regular meeting of the Board of Directors of the Cherry Creek Valley Water and Sanitation District was held at the District Offices, 2325 S. Wabash Street, Arapahoe County, Colorado at 7:00 P.M. on April 21, 2009.

PRESENT

Sheldon K. Ginsberg – Chairman
Paul Hanley – Vice Chairman
Paul Thayer – Secretary/Treasurer
Louis D. Halsell Jr. - Director

OTHERS PRESENT

John R. Warford – Manager
Rita Hiller - Bookkeeper
Chuck Buchanan – Maintenance Supervisor
Darryl Farrington – Semple, Miller, Mooney & Farrington P.C.
Carmine Iadarola – AquaSan Network
Jacob James - Engineer - McLaughlinRincon
J.M. Fay – Resident

ABSENT

Jorge-Ayn Riley – Director

Mr. Ginsberg, Chairman of the Board, called the meeting to order at 7:00 p.m., with a quorum present.

Mr. Warford informed the Board that Mrs. Riley would not be attending the meeting. Mr. Ginsberg asked the Board to excuse Mrs. Riley's absence. Mr. Thayer made the motion. Mr. Hanley seconded the motion to excuse the absence. Motion passed unanimously.

Mr. Ginsberg asked if there were any corrections or changes to the minutes of the March 17, 2009, Board meeting or to the Special Board Meeting held on March 31, 2009. Mr. Hanley made a motion to approve both board meeting minutes as presented. Mr. Thayer seconded the motion. Motion passed unanimously.

Next on the agenda was the Treasurer's Report and Bills Payable. Mr. Warford mentioned there were three invoices to National Meter which pertain to the replacement of meters in the District. He stated that check #20593 covers part of Mr. Iadarola's time spent in drafting a water conservation plan. Mr. Ginsberg asked if there were any other comments. There were none. Mr. Halsell made a motion to receive the Treasurer's Report and to pay the Bills as presented and Mr. Thayer seconded the motion. The motion passed unanimously.

Mr. Ginsberg then opened the meeting to the public for any comments. Ms. Fay offered written comments which Mr. Farrington read to the Board, which are summarized as follows:

- There is still time to put a good conservation plan in place, including getting people to stop watering during rain or after a heavy rainfall.
- The Board needs a motion to approve the posting place of board meetings be changed to the Library.

Mr. Iadarola's report was next on the agenda. He presented his water report, which was also submitted in written form to the Board. Highlights included:

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT OF APRIL 21, 2009 CON'T.

- He said it is important for the District to keep the water pumping information on the Cherry Creek Country Club up to date. The CCCC has returned via the flume 45 acre-feet of water to the Cherry Creek.
- Denver Water is considering options for water service to separate structures from one tap.
- Denver Water is engaged in mediation with the West Slope to try and develop water for its Moffat system expansion.
- Water districts are fighting the plan by Aaron Million for a pipeline to divert water from Wyoming to Colorado's Front Range without knowing who would use the water.

Mr. Iadarola asked the Board to review his draft Conservation Plan and he is in hopes that it will be finalized at the June meeting. He reviewed some of the goals and objectives which are summarized as follows:

- Goals: Keep water rates as low as possible
- Reduce overall potable water consumption per SFE from 142.7 gcd (per capita per day) to 115 gcd by 2015.
- Objectives: Identify 20 largest residential and commercial water users and offer water conservation audits.
- Build non-potable water system to replace expensive potable water with more reasonable non-potable water.
- Work with Homeowners Associations to reduce irrigated turf by 25%.
- Develop web-site to disseminate information.

Mr. Iadarola continued by reviewing the proposed conservation measures and programs. After a brief discussion Mr. Iadarola asked the Board if they had any comments. Mr. Hanley asked that the plan be more concise.

Next on the agenda was the Manager's Report. Mr. Warford asked Mr. Farrington to report on the progress with the Denver Campus. Mr. Farrington said he had not heard anything this month. Mr. James, engineer, said the County has all the information about the crossing of the creek. The County and the school are still trying to agree on the cost sharing. Mr. Hanley asked what is supposed to occur next. Mr. Warford said once the infrastructure is agreed upon the construction of the bridge will begin. The configuration and new alignment has been finalized. Mr. Hanley asked when the District would start construction on the reservoir. Mr. Warford said the District needs to get the County to approve the detention pond before the District can finalize its deal with the school. Mr. Warford said we will still have to go through the permitting process which will take some time. Mr. Hanley asked, once the County finishes the work on the road the District can then start the process on the Wabash Reservoir? Mr. Warford said he is still negotiating with the school on the amount of property the District will be getting.

Next item on the agenda was the District's investments. Mr. Warford said he met with Smith Barney and he is going to be meeting with the Bernstein Company tomorrow. Mr. Warford has instructed Smith Barney to invest in \$100,000.00 increments. Therefore if there are losses they will be limited. The interest currently is between 2.3% to 3.4%. Mr. Warford stated the market is looking a little better. Mr. Warford asked the Board to increase the investments from 5 million to 6 million, 3 million with each firm. Mr. Hanley made a motion to increase limits on the amount of investment as requested. Mr. Halsell seconded. Motion carried.

Mr. Warford then asked the Board if they would go into Executive Session to discuss a personnel matter involving complaints by office staff members concerning co-workers and related issues. Mr. Farrington said the motion would be to enter executive session pursuant to CRS 24-6-402(4)(f) to discuss a personnel matter referenced by Mr. Warford.. Motion to go into executive

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT OF APRIL 21, 2009
CON'T.

session was made by Mr. Hanley, seconded by Mr. Halsell. Motion carried. Executive Session began at 8:32 P.M. All present left the room except the Board and Mr. Farrington.

The Board came out of Executive Session at 8:55 P.M.

There being no further matters to come before the Board, Mr. Thayer made a motion to adjourn. Mr. Halsell seconded the motion. The motion passed unanimously. Chairman Ginsberg declared the meeting adjourned at 8:56 P.M.

READ AND APPROVED Per Thayer DATED May 19 / 09