

## RECORD OF PROCEEDINGS

### CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

#### REGULAR MEETING OF THE BOARD OF DIRECTORS

May 18, 2010

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 May 18, 2010.

#### PRESENT

Paul Hanley – Chairman  
Sheldon K. Ginsberg – Vice Chairman  
Paul Thayer – Secretary/Treasurer  
Jorge-Ayn Riley – Director

#### OTHERS PRESENT

John R. Warford – Manager  
Lisa Desmond – Administrative Assistant  
Chuck Buchanan – Maintenance Supervisor  
Ron Dvorak – McLaughlin Rincon  
Darryl Farrington – Semple, Farrington & Everall P.C  
Carmine Iadarola – AquaSan Network  
J.M. Fay – Resident  
Paul Morgan - Resident

#### ABSENT

Louis D. Halsell Jr. - Director

Ms. Fay presented Mr. Farrington with a note which he read. It stated that the election is being contested.

Mr. Hanley, Chairman of the Board, called the meeting to order at 7:00 p.m.

Mr. Hanley asked that the oaths of office be signed by Mr. Thayer and Mr. Ginsberg, then be presented to him for his signature.

Mr. Hanley then stated that with a quorum present we can proceed with the meeting.

Mr. Hanley stated Mr. Halsell was absent this evening and asked if there was a motion to excuse. Mr. Thayer made a motion to excuse Mr. Halsell for his absence. Mrs. Riley seconded. Motion was carried.

Mr. Hanley asked if there were any corrections or additions to the minutes of the April 19, 2010, Board meeting. There were none. Mr. Ginsberg made a motion to approve the minutes as presented. Mrs. Riley seconded the motion. Motion carried.

Next on the agenda was the Treasurer's Report and Bills Payable. Mr. Warford reported that check # 21493 to Labor Ready is contract labor for clean up of the lots. Check # 21527 to Petrock & Fendel for water-related legal is a little larger than usual due to the involvement in negotiations with City of Aurora. Check #s 21535 & 21539 are to Jamie Redmond and Georgiana Starzel for their work as election judges. The cost of the election is going to be somewhere between \$7,500.00 and \$10,000.00. However we don't have all the bills yet for the

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### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT OF MAY 18, 2010 CON'T.

election. Mr. Hanley asked if there were any other questions regarding the Treasurer's Report and Bills Payable. There were none. Mrs. Riley made a motion to receive the Treasurer's Report and to pay the Bills. Mr. Thayer seconded the motion. The motion carried.

Mr. Hanley then opened the meeting for public comments. There being no public comments Mr. Hanley went to the next item on the agenda Mr. Iadarola's report.

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

- **Wabash Complex** – Aurora filed an engineering report regarding our decree. They had four main objections. They would like to see 1) Daily replacements. This is the norm for new decrees and a very common request. 2) Backup calculation based on the Glover Model. This information is available and will be provided. This is also not an unusual request. 3) Locations of the wells. Two were easily explainable. The third could be a problem due to drilling done in the wrong location. This may cause some additional administrative work and expenses to get a decree cleanup. 4) Measure the Cherry Creek below Cherry Creek Dam to get the Lawn Irrigation Return Flows. When Aurora's engineer was asked to do the same in their decree he was quoted saying that this was "neither practical nor possible". AquaSan Network asked to meet with them in the next week, however their Engineer was not available. Matt Poznanovic has recommended settlement of the Aurora exchange case provided certain District objectives can be met.
- **Conservation** – It seems that the DW Board and the CWCB have come to an agreement that distributors will be covered entities. However, Master Meter Districts are required to have a Leak Detection Programs and water conservation rates. DW Staff had a meeting with Mr. Warford and Mr. Iadarola. They have agreed to look at Community Based Social Marketing as our conservation measures that could allow us to be covered by DW's conservation plan if we met a criterion requiring 18% Savings Since 2002. The District is collecting information to finish this calculation. Mr. Farrington gave the board a page of the distributor's contract between CCV and DW that discusses conservation. It basically states that the district will be supportive of DW's conservation efforts. Neither this page nor the section on rates includes any reference to the DWB's ability to impose tiered rates.
- **DW** – With the loss of Chips Berry, Robert Mahoney, Director of Engineering, will be the acting director until Mr. Jim Lohead starts his term on June 1<sup>st</sup>. David LaFrance, Finance Director, has resigned to take the Executive Director Position at American Water Works association. Mr. Todd Christiano, who was very active on the TAC Committee, has been appointed as DW Manager of Rates.
- **Water Rates** – The clean up of sediment in rivers is a major contributor to increased maintenance costs and increased rates.

Mr. Hanley asked if there were any comments regarding Mr. Iadarola's report. There were none so they moved on to the Manager's Report.

Mr. Warford said there has not been a lot going on with the Wabash Bridge Project. Mr. Warford has talked to Ron Dvorak about doing a study regarding the permitting and costs of building the reservoir. Mr. Dvorak said they had just started on this process. The Denver Campus has started tearing down the buildings for their portion of the Wabash Bridge Project. Mr. Warford will be meeting with Arapahoe County regarding bids on Thursday.

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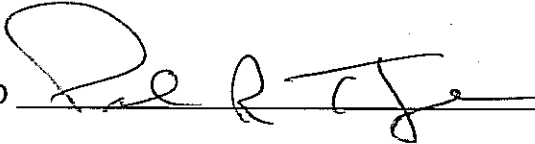
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Mr. Ginsberg told the Board he would be moving out of the District. He would like to continue to be on the Board until such time that his home sells. Mr. Farrington stated the eligibility is based on either property ownership or residency.

There being no further matters to come before the Board Mr. Hanley called for the Board to adjourn. Mr. Riley moved to adjourn, seconded by Mr. Thayer. Motion carried. Mr. Hanley declared meeting adjourned at 7:45 p.m.

READ AND APPROVED

A handwritten signature in black ink, appearing to be "D. R. T. J.", written over a horizontal line.

DATED

6-15-10