

# RECORD OF PROCEEDINGS

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## CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

### REGULAR MEETING OF THE BOARD OF DIRECTORS

November 17, 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 November 17, 2009.

#### PRESENT

Sheldon K. Ginsberg – Chairman  
Paul Hanley – Vice Chairman  
Paul Thayer – Secretary/Treasurer

#### OTHERS PRESENT

John R. Warford – Manager  
Lisa Desmond – Administrative Assistant  
Chuck Buchanan – Maintenance Supervisor  
Ron Dvorak – McLaughlin Rincon  
Carmine Iadarola – AquaSan Network  
Pam Powell – Black & Veatch for Verizon Wireless  
RC Powell – Pam's Guest

#### ABSENT

Louis D. Halsell Jr. - Director  
Jorge-Ayn Riley – Director  
Darryl Farrington – Semple, Miller, Mooney & Farrington P.C.

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

Mr. Ginsberg made a motion to excuse Mr. Halsell and Mrs. Riley for their absence. Mr. Thayer seconded. Motion was carried.

Mr. Ginsberg asked if there were any corrections or additions to the minutes of the October 20, 2009, Board meeting. There were none. Mr. Thayer made a motion to approve the board meeting minutes as presented. Mr. Hanley seconded the motion. Motion carried.

Next on the agenda was the Treasurer's Report and Bills Payable. Mr. Warford discussed check# 21096 and 21132 to National Meter & Automation. He stated that the district continues to replace meters. Check# 21099 covers truck repairs. Moreno's lawn service check#21131 is the annual charge for mowing. Mr. Ginsberg asked about Escrow check# 1533. John explained that those were funds Prospect village deposited with us to cover inspection and review fees. Mr. Ginsberg asked if there were any other questions regarding the bills. There were none. Mr. Hanley made a motion to receive the Treasurer's Report and to pay the Bills. Mr. Thayer seconded the motion. The motion carried.

Mr. Ginsberg then opened the meeting to the public for any comments. There were no public comments.

Mr. Warford then asked if Pam Powell with Black & Veatch could address the board regarding a license agreement to cross the District's easement at 2111 S Trenton Way. The agreement had been prepared and approved by Darryl Farrington. Mr. Thayer made a motion to authorize John Warford to sign the license agreement. Mr. Hanley second. The motion was carried.

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MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT OF NOVEMBER 17, 2009 CONT.

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:

- Wabash Complex – September was the second highest month for Wabash Complex diversions this year. 2009 was a very wet year. With several summer months requiring little or no diversions. CCV well had a problem with the sensor in the well that has now been replaced and is working fine. CCCC wells have seen significant decline which is being closely monitored.
- DW has issued no increase to master meter districts. Holding the cost on rates is primarily due to the TAC Committee involvement and review of DWB rate making policies. DW continues to look at cooperative water supplies.
- California passed historical water legislation in October after 40 year so debate. The agreement hinges on approval by the public of a \$40B bond issue which would pay for storage, conservation, environmental programs and the peripheral canal.
- South Platte Reservoir opened in 2008 and is full after only 6 months due to the wet weather. ACWWA, CWSD, Inverness, and Lone Tree are working on a water reuse facility on the Cherry Creek.

Mr. Ginsberg 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 that he felt that the decision by Denver water not to increase master meter rates was a political one.

Mr. Warford asked that the Board delay the approval of the agreement with Arapahoe County regarding the Denver Campus for Jewish Education drainage project until Darryl Farrington was present. The Board agreed to table it until next meeting.

Mr. Ginsberg then opened the meeting for public comment on the budget. Seeing and hearing no one the meeting was then closed for public comments. Mr. Ginsberg asked that the budget be changed to reflect no increase to the water rates from Denver Water. Ms. Desmond said that the rate did not increase but the service charge did. Mr. Ginsberg then said he felt that should be reflected some where other then the rate. Mr. Warford and the other Board members agreed. Mr. Ginsberg then asked the board if there were any other questions on the budget. Mr. Hanley asked whether they could approve the budget with the beginning funds available and ending fund available blank on the first page. Mr. Warford said that we need to make the adjustments and we will look at it again and do the approval and resolutions at the next meeting.

Mr. Warford stated that Jonathan Fung with Bernstein would like to come in to review the investments. Mr. Hanley stated that he didn't feel that was necessary at this time.

Mr. Ginsberg asked if anyone had anything else.

Ron Dvorak stated that we are still working on Prospect Village. John said we are still working with Prospect village and two residents in Huntington to get an easement for the line. The only cost we will most likely incur for this are the legal fees for writing up the easements.

There being no further matters to come before the Board Mr. Ginsberg called for the Board to adjourn. Mr. Thayer moved to adjourn, seconded by Mr. Hanley. Motion carried. Mr. Ginsberg declared meeting adjourned at 7:53 p.m.

READ AND APPROVED Paul R Thayer DATED 12/15/09