

RECORD OF PROCEEDINGS

CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

MAY 17, 2016

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 17, 2016.

PRESENT

Paul Hanley – Chairman

Mark Lampert – Vice Chairman

Frederick Norman – Director

Bradley Rastall - Director

OTHERS PRESENT

John Warford – Manager

Chuck Buchanan – Maintenance Supervisor

Lisa Glenn – Accountant

Darryl Farrington – Semple, Farrington & Everall, P.C.

Ron Dvorak – Merrick & Company

Eric Hein – Merrick & Company

Carmine Iadarola – AquaSan Network

ABSENT

William MacPhee – Secretary/Treasurer

Mr. Hanley, Chairman of the Board, called the meeting to order at 7:05 p.m.

The Board unanimously voted in favor of excusing Mr. MacPhee's absence.

The Board unanimously voted in favor of appointing Mr. Norman as temporary Secretary/Treasurer.

Mr. Hanley asked that election of officers be added to next month's agenda and announced this may be his last term as a Board member. He would be honored to serve as chairman again this term.

The first item on the agenda was approval of the agenda. Mr. Hanley would like to pull the financial report for a question he had and Mr. Lampert asked whether the letter JM Fay sent to the Cunningham Fire Department, Arapahoe County Board of County Commissioners, Planning

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Board and Sheriff's Office should be discussed in open or executive session. The letter mentions the District. The Board would be asking for legal advice from Mr. Farrington regarding the letter; therefore, it was decided it would be discussed in executive session. The Board unanimously approved the agenda as revised.

Mr. Hanley asked about check number 26333 to Aztec Consultants for \$17,130.00. Mr. Dvorak said these were payments for surveying the capital improvement projects for the Creekside water line, the Dayton St. water line, and the sewer underneath the High Line Canal off of S. Xenia Ct. and S. Uinta Wy. There being no other questions on the items on the consent agenda, the Board unanimously approved the consent agenda consisting of the April 19, 2016 Minutes, the April 2016 Financial Report, and Payment of Bills for April 2016.

Mr. Hanley opened the meeting for public comment at 7:12 p.m. There were no members of the public present; therefore, the public comment period was closed at 7:12 p.m.

The Board discussed the Water Consultant Report from Mr. Iadarola, which included the following topics.

- Wabash Complex – AquaSan filed the required Form 7 inactive status for ALV-1 with the State Engineer's office. AquaSan and the District are working with the County Club to get the correct forms filed for their wells with the State Engineer's Office. The District has filed an objection in the Cottonwood Water and Sanitation District's water right application. Parker, Aurora, Arapahoe County Water and Wastewater Authority, Denver Water and State Parks will do most of the work in addressing the District's issues with the application, which should limit the District's financial exposure in this case.
- Denver Water – Recent snow storms pushed Colorado into a comfortable position for water supply and the wildfire season.
- Water Supply – The Director of the Inter Basin Compact Committee has suggested adding fees or taxes on all Colorado residents for the billions of dollars needed to support 5 million additional residents in Colorado over the next 35 years. The governor's office would like to issue large bonds to raise \$100 million annually to cover the costs of developing more water projects. AquaSan suggested CCV's vigilance in making sure the District does not become liable in any way for any bonds or commitments Denver may make for building these projects.

The Engineering Report from Mr. Dvorak and Mr. Hein included the following topics:

- 2016 Cured In Place Pipe Projects – Plans and specs are complete and being reviewed for the Florida sewer. Plans were submitted to Denver Water for pre-

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submittal, plans will be submitted to Arapahoe County this week, and contract plans & specs are being reviewed internally for the Dayton water line. Contract drawings and specs are being prepared for the sewer under the High Line Canal and the Creekside water line. Mr. Warford added that the District will hold off on Creekside until fall to determine how the tie in with Sky Mark will affect Creekside.

- Developer Projects - Nara Hookah is acquiring quotes from contractors. Final review points were submitted to the Sky Mark developer to incorporate into the plans, then they will submit the plans to Merrick for Denver Water pre-submittal.
- The easement for the drainage issue on the property owner next door has not been received.
- A drawing has been prepared for Metro Wastewater for the proposed High Line Uinta Sewer.
- The non-potable water supply plan will be discussed later in the meeting.

Mr. Farrington discussed the redlined changes he had made to the easement agreement from the Wabash Market Place. Mr. Farrington prepared Resolution 2016-5-17-1 for the Board to approve Mr. Warford to sign the easement once all parties involved have agreed on the language. The Board unanimously voted to approve Resolution 2016-5-17-1.

Next on the agenda was the Manager's Report from Mr. Warford.

- There are no new developments regarding the Emergency Plan. Denver Water's emergency plan will be ready in the third quarter of 2016.

The following points were made during the discussion of the District's non-potable water supply plan.

- Mr. Warford and Mr. Dvorak will contact Denver Water on the status of Denver Water's participation in the District's non-potable water supply plan.
- Mr. Warford contacted one solar company who has all solar projects on hold. Mr. Warford will contact other companies.
- Mr. Hein said the plans are finished for the Location & Extent. The application will be submitted by Friday this week and a pre-submittal conference will be assigned next week. The Board will schedule a planning session for the L&E presentation to the Arapahoe County Planning Commission.
- Merrick is reviewing the final draft of the narrative for the mining permit provided by Mr. Humphries at RPM, Inc. Mr. Humphries has provided comments on the drawings Merrick prepared.
- Mr. Farrington discussed the second draft of the non-potable rules & regulations

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he had prepared. The Board discussed more changes to be made to those rules & regulations and Mr. Farrington will prepare a third draft for next month.

- Mr. Farrington summarized the Cherry Creek Country Club contract for the new Board members.

The Board unanimously voted in favor of going into executive session at 8:36 p.m. to discuss the email JM Fay sent to the Cunningham Fire Chief and the Cherry Creek Country Club contract under CRS 24-6-402(4)(b), conference with attorney. Mr. Buchanan, Mr. Dvorak, Mr. Hein and Mr. Iadarola left the meeting at 8:36 p.m.

Mr. Hanley declared the Board out of executive session at 9:01 p.m.

There being no other business to discuss, the Board unanimously voted to adjourn. Mr. Hanley declared the meeting adjourned at 9:01 p.m.

READ AND APPROVED Freeman DATED 6/22/16