

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CHERRY CREEK VILLAGE WATER DISTRICT
HELD
February 8, 2011**

A regular meeting of the Board of Directors of the Cherry Creek Village Water District was held on Tuesday, February 8, 2011 at 9:00 a.m. at R. S. Wells LLC, 8390 E. Crescent Parkway, Suite 500, Greenwood Village, Colorado. The meeting was open to the public.

Attendance Directors in attendance were:

John Forney
Lou Schroeder
Phil Viseur
Joseph Ryan
Roger Baer

Also in attendance were:

Dave Peak; R.S. Wells L.L.C.
Tim Flynn; Collins Cockrel & Cole, P.C.
Greg Sekera; KennedyJenks Consultants
Mike Kosdrosky; R.S. Wells, L.L.C.
Matthew Urkoski; R.S. Wells, L.L.C.
Janece Soendker; R.S. Wells, L.L.C.

Call to Order President Forney called the meeting to order at 10:00 a.m.

**Quorum/
Qualifications/
& Disclosures**

It was noted that a quorum was present. All of the Directors are qualified and there are no conflict of interest disclosures required.

Agenda

Upon review of the Agenda and a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the Agenda as amended to include an Executive Session at the end of the meeting.

Minutes

The Board reviewed the Minutes of the January 11, 2011 Regular Meeting. Following review and discussion, upon a motion duly, seconded and, upon vote, unanimously carried, the Board approved the January 11, 2011 Minutes as presented.

**Financial
Matters**

Review the District's December 31, 2010 Financials and Cash Position as of February 8, 2011: Ms. Soendker reviewed the December 31, 2010

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financials and the cash position as of February 8, 2011 with the Board. Following review and discussion, upon a motion duly, seconded and, upon vote, unanimously carried, the Board approved a transfer of \$50,000 to the Capital Replacement Fund from the Enterprise Fund and accepted the reports as presented. The board requested Ms. Soendker verify that the payments made by Cherry Creek Schools to reimburse the District for engineering expense incurred in connection with improvements to the water system serving the Cherry Creek High School Campus are adequately reflected in the financial statements. It is believed that the District received approximately \$8,000 in reimbursed engineering expense last year from the School District.

Review District's 2011 Operating Statement: Mr. Peak reviewed the Operating Statement. Following review and discussion, the Board accepted the Operating Statement, without a motion, as presented.

Review and Consider Approval of Claims: Mr. Peak reviewed the February, 2011 claims totaling \$25,662.55, represented by check numbers 4315 through 4331. Following review and discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the February, 2011 claims as presented.

Review February 7, 2011 Delinquent Account Report: Mr. Urkoski reviewed the Delinquent Account Report with the Board. He reported that there were five shut-off notice sent out of six account which are ninety days past due. He also reported that all of the rate increases have been installed in the system and notices reflected on customer billings.

Administrative

Matters

Review Consumption Report: Mr. Urkoski reviewed the Consumption Report with the Board. The Board accepted the Consumption Report, without a motion, as presented.

Engineer's

Report

Mr. Sekera reviewed the engineering report with the Board.

Cherry Creek School Campus – Kennedy/Jenks has coordinated with Denver Water, and the District's legal counsel as well as officials at Cherry Creek Schools to complete mapping, easements, and execution of the conveyance and acceptance documents for the last several waterline projects completed on the Cherry Creek School Campus. In addition, Kennedy/Jenks has assisted the School District's engineer with pre-design information for the planned Phase 3 waterline project on the School Campus. This project will be located on the west side of the High School and design plans are expected for review in March, 2011.

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System Maintenance: Kennedy/Jenks coordinated the following maintenance items during the past month:

- 1) **Fire Hydrant and Blow-off Annual Inspections** – C&L completed the annual inspections. We are reviewing their final inspection reports.
- 2) **Valve Inspections** – C & L completed the bi-annual inspections. We are reviewing their final inspection reports.
- 3) **Fire Hydrant and Valve Repairs** – No repairs performed this past month.
- 4) **Cross-connection Control Program** – We have received various test reports and have updated the inventory list.
- 5) **Water Line Breaks** – No water line breaks this past month.
- 6) **Facility Locates** – Reviewed locate request for miscellaneous construction in the District.
- 7) **Maintenance Tracking** – A copy of the maintenance tracking/schedule is attached.

Review of Water Main Breaks: Mr. Sekera reviewed with the Board.

After discussion, the Board accepted the Engineering Report, without a motion, as presented.

Legal

Denver Water Moffat Collection System Expansion Project – Mr. Flynn reviewed the Moffat Collection memo from Denver Water. Following review and discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved supporting Denver Water Moffat Collection System Expansion Project.

C & L Water Solutions Contract for 2011 – Mr. Flynn reported the C&L Water Solution's contract had expired on December 31, 2010. He presented the Board with a new form of Agreement for 2011. Following a review and discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved and agreement with C&L Water Solutions, Inc. for emergency and non-emergency maintenance services for 2011. Mr. Flynn will send the contract to C&L Water Solutions for signature.

Cherry Creek School Campus – Status of Waterline Conveyance and Acceptance – Mr. Flynn reported that he had completed the Waterline Conveyance and Acceptance forms for the Cherry Creek Campus for

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Phases 1 and 2 with the information submitted by Kennedy/Jenks. The completed forms had been delivered to Kennedy/Jenks for processing with Cherry Creek Schools.

Directors

Items

Director Viseur inquired about the Aqua Talk (State Department of Public Health) and grant/loan programs.

Other

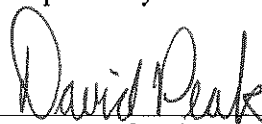
Business

Executive Session - Upon a motion duly made, seconded and, upon vote, unanimously carried, the Board went into Executive Session pursuant to Section 24-6-402(4)(e), C.R.S. for the purposed of determining position relative to mattes that may be subject to negotiation, developing strategies for negotiations, and instruction negotiators concerning administrative and management services. The Executive Session commenced at approximately 11:05 a.m. and lasted until 11:36 a.m. when the Board returned to open public meeting. The Executive Session was duly recorded as required by law.

Upon returning to open public meeting, Mr. Flynn stated for the record that during the Executive Session he had received instructions from the Board and that he would proceed accordingly.

Adjournment With no further business to come before the Board at this time, the meeting was adjourned at approximately 11:36 a.m.

Respectfully submitted,



Secretary for the Meeting