

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
THE CHERRY CREEK VILLAGE WATER DISTRICT AND
THE BOARD OF DIRECTORS OF ITS WATER UTILITY ENTERPRISE
HELD
MARCH 12, 2013**

A regular meeting of the Board of Directors of the Cherry Creek Village Water District and the Board of Directors of its Water Utility Enterprise (referred to hereafter as "Board") was held on Tuesday, March 12, 2013 at 9:00 a.m., at the offices of Community Resource Services, 7995 E. Prentice Avenue, Suite 103E, Greenwood Village, Colorado. This meeting was open to the public.

ATTENDANCE

The regular meeting of the Board was called and held, as shown, in accordance with Colorado law. The following directors were present:

John Forney
Lou Schroeder
Joseph Ryan (left at 10:10 a.m.)
Phil Viseur
Roger Baer

Also present were:

Cathy Noon; Community Resource Services (CRS)
Tim Flynn, Esq.; Collins Cockrel & Cole P.C.
Greg Sekera; Kennedy/Jenks Consultants

CALL TO ORDER

Director Forney called the meeting to order at 9:25 a.m.

QUORUM/QUALIFICATIONS/& DISCLOSURES

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

ADMINISTRATIVE ITEMS

Agenda: Upon review and discussion of the Agenda and a motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the agenda as amended to include III. Item A – Formatting of Meeting Notice and IV. Item C – Update on Water Citizens Advisory Committee.

Minutes: The minutes of the February 12, 2013 regular Board meeting were presented to the Board. Following review and discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the February

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12, 2013 minutes as presented.

FINANCIAL ITEMS

Review and Approve Payment of Claims – Ms. Noon reviewed the February 2013 claims totaling \$184,474.66, represented by check numbers 4626 – 4638. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved the February 2013 claims as presented.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending March 6, 2013. Following review and discussion, the Board accepted the cash position as presented.

Review Financial Statements: Ms. Noon distributed the financial statements dated March 6, 2013. After review, the Board accepted the financial statements.

Review Delinquent Account Report – Ms. Noon presented the report to the Board for their review.

Discussion of Transfers of Funds between Financial Institutions – Ms. Noon discussed with the Board the current monthly fees being charged by US Bank, where the District has its checking account and noted the process for transferring funds from the this bank in comparison to other financial institutions. Following discussion, the Board asked that **staff prepare a comparison of banks for the April Board meeting.**

DIRECTOR MATTERS

Discussion Regarding Format of Monthly Meeting Notice – Director Shroeder indicated he would like to have included on the notice the date it was posted within the District. Mr. Flynn reviewed the compliance necessary according to state statutes with the Board. Following discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board voted as follows:

- To include the posting date on the bottom of the monthly meeting notice;
- To post the monthly meeting agenda notice (24-hour notice) only at the King Soopers on Bellevue and Yosemite;
- To physically post the Notice of Regular Meetings (year to be filled in) one time per year in the three approved posting locations within the District and in the office of

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the Arapahoe County Clerk and Recorder;

- To post all special meeting notices at the three approved posting locations within the District and in the office of the Arapahoe County Clerk and Recorder.

MANAGEMENT MATTERS Review Consumption Report – Ms. Noon reviewed the Consumption Report with the Board.

Discussion on Water Leak at 4993/95 S. Akron Street – Ms. Noon reviewed the action taken by staff after the monthly meter reading determined a usage of 1,000,000 gallons at this location. She indicated that the owner was very grateful for the proactive measures taken to ensure no further water was used and their efforts to contact him regarding the problem and to apprise him of the large bill he would be receiving due to the usage. The Board expressed their appreciation of the professional manner in which this was handled by staff.

Discussion on Invitation from Denver Water on Water Use Education and Enforcement – Following discussion, the Board indicated they were not interested in participating at this time, but would **monitor the District's consumption based on Denver Water drought measures.**

Notification of Upcoming Denver Water Meeting Regarding Conservation – Said notification was duly noted by the Board. Mr. Flynn relayed information that Denver Water will discuss, and may impose, a drought surcharge on master meter districts that could impact the District.

MAINTENANCE AND
OPERATIONAL MATTERS

Engineering Report – Mr. Sekera reviewed his report with the Board. He discussed the master meter/PRV adjustments indicating that when the water flow increases **in late spring, an adjustment will be made so that the volume flows more evenly through both meters rather than just one.** In regard to the cross-connection control program, **Mr. Sekera indicated he and CRS would work with those tenants from Belleview Square who are impacted and continue monitoring their compliance.**

Update on Decal on District Hydrants Regarding District Ownership – Mr. Sekera brought a sample of a decal from another district for the Board consideration. Following discussion, the Board indicated support for this approach and

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asked **Mr. Sekera to work with staff from CRS to order the decals.** It was noted that C & L Water Solutions will install and maintain the decals on the hydrants.

LEGAL

Update on Greenwood Village/Marina Water Tap – Discussion ensued in regard to a letter received from the City of Greenwood Village City Manager outlining their request concerning tap fees. Following discussion, the Board requested that **Ms. Noon prepare a response and forward same to Mr. Sekera and Mr. Flynn for their review prior to sending to the City.**

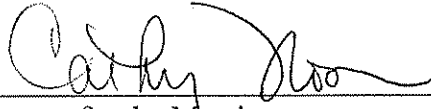
Discussion of Policy Regarding Email Communications Among Board Members – Mr. Flynn reviewed best practices for email between Board members.

Update on Denver Water Citizen Advisory Committee – Mr. Flynn updated the Board on the Committee's latest discussion regarding tap fees and drought planning.

ADJOURNMENT

There being no further business to come before the Board, upon a motion made, seconded and upon vote, unanimously carried, the meeting was adjourned at 10:55 a.m.

Respectfully submitted,



Secretary for the Meeting