

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

COLUMBINE WATER AND SANITATION DISTRICT

Held: November 8, 2019 at 7:30 a.m. at Lucile's Creole Café,
2852 W. Bowles Avenue, Littleton, Colorado 80120.

Attendance:

A special meeting of the Board of Directors of the Columbine Water and Sanitation District was scheduled in compliance with the laws of the State of Colorado, with the following directors in attendance:

Lee Schiller
Brian Mackey
Paul Robinson
Steven Nichols

The following director was absent (*absence excused*):

Steve Reister

Also present were: Pat Fitzgerald and Cynthia Lane, District Management; Jennifer Ivey, Icenogle Seaver Pogue, P.C.; and Jamie Overgaard, Kennedy/Jenks Consultants, Inc.

Call to Order:

Director Schiller, noting the presence of a quorum, called to order the special meeting of the Board of Directors of the Columbine Water and Sanitation District.

Director Matters/Disclosure
Matters:

Ms. Ivey advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

Director Nichols noted that he has an ownership interest (50%) in his residence at 32 Niblick Lane and his son, Steven P.

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Nichols, has begun working for Taylor Morrison and therefore he believes he has a personal conflict of interest regarding any matters related to Taylor Morrison.

A written disclosure of these interests had been filed with the Secretary of State and the Board prior to the meeting.

Approval of/Additions
To/Deletions From the Agenda:

After review and discussion, and upon motion by Director Robinson, second by Director Mackey and unanimous vote, the Board approved the agenda as presented.

Public Comment For Matters
Not on Agenda:

There were no public comments regarding items not on the agenda.

Approval of Minutes:

After review and discussion, upon motion by Director Nichols and second by Director Mackey, the Board unanimously approved the August 9, 2019 special meeting minutes for the Columbine Water and Sanitation District.

Legal Matters – 2019
Coordinated Election Unofficial
Results:

Ms. Ivey reported that Arapahoe County has not yet certified final election results but as of this morning the District's ballot question had received 560 votes in favor and 455 votes in opposition. After review and discussion, the Board directed that, contingent upon the ballot questioning passing once final election results are certified, Ms. Ivey work with Valley Sanitation District to prepare a multi-fiscal year intergovernmental agreement setting forth the funding obligation for the remainder of the 20 year term for the capital improvements to Valley Sanitation District's outfall sewer line. Ms. Lane noted that the 2020 budget that will be discussed later in the agenda already contemplates the additional mill levy and the payment of the \$14,900 for 2020.

Legal Matters – 2020 Annual
Administrative Resolution and
Election of Officers:

Ms. Ivey presented the Board with a resolution adopting administrative, operational, election, meeting, directors, officers and related items for the calendar year 2020. Following Ms. Ivey's presentation, after discussion and review, upon the motion of Director Mackey and second of Director Robinson the Board voted unanimously to approve the 2020 Annual Administrative Resolution including the election of the following officers for the Board of Directors:

President/Chairman: Lee E. Schiller

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Secretary: Paul Robinson
Treasurer: Stephen A. Reister
Assistant Secretary: Steven Nichols
Assistant Secretary: Brian Mackey

Legal Matters – 2020 Election Resolution Adoption:

Ms. Ivey presented the Board of Directors with and reviewed a Resolution Concerning 2020 Election for the District. Following discussion and upon motion by Director Schiller, second by Director Nichols and unanimous vote the Board of Directors adopted and approved the 2020 Election Resolution.

Financial Matters – Statements & Claims:

Ms. Lane and Mr. Fitzgerald reviewed the current and interim claims with the Board. After review and discussion, upon motion by Director Nichols and second by Director Robinson, the Board unanimously accepted the financial statement and claims as presented.

Financial Matters – 2020 Budget Hearing and Action:

Upon motion by Director Robinson, second by Director Nichols and unanimous vote the Board of Directors opened a public hearing on the proposed 2020 budget consistent with published notice. There appearing no member of the public wishing to speak on the budget, upon motion by Director Schiller, second by Director Nichols and unanimous vote the Board of Directors closed the public hearing.

Ms. Ivey presented to the Board of Directors a Resolution for approval and adoption of the 2020 budget, appropriating funds therefore and certification of a mill levy thereunder. After review and discussion of the proposed 2020 budget and upon motion by Director Nichols and second by Director Mackey, the Board unanimously approved the Resolution adopting the year 2020 budget, appropriating the expenditures therefore and certifying the mill levy thereunder.

Other Business:

2019 Auditor Engagement:

Mr. Schiller presented an audit engagement for preparation of the audited financial statements by Simmons & Wheeler, P.C. for 2019 for the Board's approval. After discussion and review, and upon motion of Director Nichols and second of Director Mackey, the Board unanimously approved the engagement of the 2019 Auditor as presented.

2020 Legal Counsel

Ms. Ivey presented an engagement of Icenogle Seaver Pogue,

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Engagement: P.C. for legal services for 2020 for the Board's approval. Following discussion, upon motion by Director Nichols and second of Director Mackey, the Board approved the engagement for 2020 legal services.

Manager's Items: None.

Engineer's Report: Ms. Overgaard reviewed her memorandum dated October 29, 2019 regarding the February 9, 1987 Maintenance Cost Allocation Agreement with Valley Sanitation District and the request for a recalculation of the cost sharing.

Mr. Fitzgerald and Ms. Lane departed the meeting at this time.

Executive Session: Upon motion by Director Mackey and second by Director Nichols, the Board unanimously voted to enter into an Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for purposes of conferences with an attorney for the purposes of receiving legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to February 9, 1987 Maintenance Cost Allocation Agreement with Valley Sanitation District.

Upon motion by Director Mackey and second by Director Nichols the Board unanimously voted to exit the Executive Session and reconvene the special meeting.

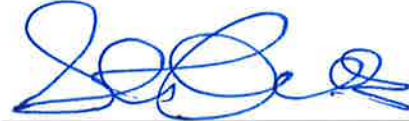
Following discussion, upon motion by Director Robinson and second of Director Nichols, the Board directed Mss. Ivey and Overgaard to prepare an amended and restated intergovernmental agreement with Valley Sanitation District for operations and maintenance expenses consistent with the recommendations set forth in Ms. Overgaard's October 29, 2019 memorandum, requiring annual re-calculation of the cost sharing, additional reporting requirements, and which is in compliance with laws, such as TABOR, which have been passed since the original agreement was approved in 1987.

Other Business: Following discussion, upon motion by Director Nichols and second of Director Mackey, the Board canceled its December 6, 2019 regular meeting.

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Adjournment:

There being no further business to come before the Board, and upon motion by Director Mackey, second by Director Nichols and unanimous vote, the meeting was adjourned.



Acad.

Secretary of the Meeting