

COLUMBINE WATER AND SANITATION DISTRICT  
AUGUST 9, 2019 SPECIAL MEETING

MEETING PACKET

ITEM NO. 5

June 7, 2019 Minutes for approval

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

COLUMBINE WATER AND SANITATION DISTRICT

Held: June 7, 2019 at 7:30 a.m. at The Egg and I, 2630 W. Belleview Avenue, Littleton, Colorado 80123.

**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  
Steve Reister

Also present were: Pat Fitzgerald and Cynthia Lane, District Management; and Jennifer Ivey, Icenogle Seaver Pogue, P.C.

**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. 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.

Written disclosures of these interests had been filed with the Secretary of State and the Board prior to the meeting.

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- Approval of/Additions To/Deletions From the Agenda      After review and discussion, and upon motion by Director Nichols, second by Director Mackey and unanimous vote, the Board approved the agenda with the addition of a discussion under Other Business of the letter dated June 3, 2019 from Valley Sanitation District.
- 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 Reister, the Board unanimously approved the March 15, 2019 special meeting minutes for the Columbine Water and Sanitation District.
- Manager's Items:      Ms. Lane provided an update on the cost of the capital improvements to Valley Sanitation District's Main Outfall Sewer Line and stated that four bids were received on the project and the lowest qualified bidder, Iron Woman Construction and Environmental Services, LLC, was awarded the contract. Construction will be being in September 2019 and is scheduled to be completed in February 2020. The cost of the project is still estimated to be between \$2,700,000 and \$3,000,000 dollars.
- Mr. Fitzgerald stated that the video inspection of the Willowcroft Manor Sewer Line would be completed in the next two weeks in advance of the final acceptance deadline of August 30, 2019.
- Legal Matters – Election Resolution:      Ms. Ivey presented to and reviewed with the Board a Resolution calling a coordinated election for November 5, 2019 to present the voters with ballot questions regarding funding and entering into an intergovernmental agreement with Valley Sanitation District to contribute to the cost of capital improvements for the main outfall sewer line that services the District. Ms. Ivey also reviewed with the Board a draft election calendar showing the dates of various election deadlines. Finally, Ms. Ivey presented to and reviewed with the Board a working draft of the ballot question.
- After review and discussion, upon motion by Director Nichols and second by Director Mackey, the Board unanimously approved the Resolution calling a coordinated election for November 5, 2019 which approved coordinating with Arapahoe County and authorized the Designated Election Official for the District to enter into an intergovernmental agreement with Arapahoe County to conduct such election.

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Ms. Ivey noted that the request for Valley Sanitation District contained a request for the Board to reconsider its previous direction that the ballot question ask the voters for a capital contribution of \$14,900 annually (which is 12.4% of the projected cost of the project and matches the District's current contribution for operations and maintenance costs). The Board expressed concerns that increasing the amount of tax increase/debt authorization may decrease the likelihood that the ballot question would be approved. After further discussion and review the Board tabled further consideration of the ballot question until its next meeting.

Tap Permit Requests: None.

Financial Matters – Statements & Claims: Mr. Fitzgerald reviewed the current and interim claims with the Board. After review and discussion, upon motion by Director Schiller and second by Director Nichols, the Board unanimously approved the claims as presented.

Other Business: Mss. Ivey and Lane and Mr. Fitzgerald reviewed with the Board the letter dated June 3, 2019 from Valley Sanitation District requesting a reevaluation of the District's maintenance share under its February 9, 1987 intergovernmental agreement with Valley Sanitation District and requesting the Board to reconsider the share of its capital contribution to the Main Outfall Sewer Line project. Ms. Ivey reviewed with the Board the terms of the February 9, 1987 intergovernmental agreement and explained that the letter sets in motion the process set forth in the intergovernmental agreement whereby a qualified engineer for Valley meets with a qualified engineer for the District to (1) establish criteria for evaluating the maintenance share, (2) evaluate the maintenance share in light of such criteria, and (3) establish a new maintenance share if their evaluation so dictates.

Upon motion by Director Nichols and second by Director Mackey, the Board unanimously voted to enter into an Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. for the purpose of conferencing with an attorney to receive legal advice on specific legal questions related to the June 3, 2019 request from Valley Sanitation District.

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

Upon motion by Director Robinson and second by Director Reister the Board unanimously voted to exit the Executive

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Session and reconvene the regular meeting.

After review and discussion, upon motion by Director Robinson and second by Director Nichols, the Board unanimously directed Ms. Ivey to secure two proposals from qualified engineers to be engaged by the District to perform the work required under the February 9, 1987 intergovernmental agreement with Valley Sanitation District and delegated the authority to Directors Schiller and Nichols to review the proposals and engage an engineer on behalf of the District.

Adjournment:

There being no further business to come before the Board, and upon motion by Director Robinson, second by Director Mackey and unanimous vote, the meeting was adjourned at 8:36 a.m.

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Secretary of the Meeting