

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

COLUMBINE WATER AND SANITATION DISTRICT

Held: August 9, 2019 at 7:30 a.m. at The Egg and I, 2630 W.
Bellevue 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; 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. 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 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 Robinson, the Board unanimously approved the June 7, 2019 regular meeting minutes for the Columbine Water and Sanitation District.
Manager's Items:	<p>Mr. Fitzgerald reviewed the results of the video inspection of the Willowcroft Manor Sewer Line. Mr. Fitzgerald reported that the sewer system deficiencies have been alleviated and it now meets design standards. Mr. Fitzgerald reported that due to the design of the system being at a minimal grade that the lines may require some additional maintenance and cleanings. After further review and discussion, upon motion by Director Robinson and second by Director Mackey, the Board unanimously approved, with Director Nichols abstaining, Final Acceptance and release of the bond.</p> <p>Ms. Lane provided an update on the cost of the capital improvements to Valley Sanitation District's Main Outfall Sewer Line and reported that initial work has begun. The cost of the project is still estimated to be between \$2,700,000 and \$3,000,000 dollars.</p> <p>Mr. Fitzgerald reported on an issue regarding the water service in the Columbine Lakes Subdivision and the request from the District to Denver Water Board to address these issues with the homeowners association that owns the water lines.</p>
Legal Matters – Ballot Question:	Ms. Ivey presented to and reviewed with the proposed form of ballot question for the coordinated election for November 5, 2019 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 reported that currently the ballot question has a blank for the dollar amount and corresponding millage in order for the Board to provide direction on that and reminded the Board that originally Valley Sanitation District requested for the Board to ask the voters for a capital contribution of \$14,900 annually (which is 12.4% of the

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projected cost of the project and matches the District's current contribution for operations and maintenance costs) but had at the last Board meeting asked for the District to consider increasing that amount. Mr. Fitzgerald reported that the Valley Sanitation District had considered the concern the Board had expressed that increasing the amount of tax increase/debt authorization may decrease the likelihood that the ballot question would be approved and was comfortable with the District asking the voters for the \$14,900 that was originally requested.

After review and discussion, upon motion by Director Mackey and second by Director Reister, the Board unanimously approved certification of the ballot question presented with the addition of "and maintaining" after the "replacing" and inserting \$14,900 as the dollar amount and the corresponding millage which would be confirmed by the District's accountant.

Financial Matters – Statements & Claims:

Mr. Fitzgerald reviewed the current and interim claims with the Board. After review and discussion, upon motion by Director Nichols and second by Director Mackey, the Board unanimously approved the claims as presented.

Engineer's Report:

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. Ms. Overgaard reviewed her memorandum dated August 2, 2019 which was included in the Board packet. Ms. Lane reviewed her memorandum dated August 1, 2019 which was included in the meeting packet

Executive Session:

Upon motion by Director Reister 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 the purpose of conferencing with an attorney to receive legal advice on specific legal questions and 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.

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

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

The Board directed Ms. Overgaard to request additional information regarding the SDFs attributable to each tap, the costs of maintenance per section of pipe, and provide updates to the proposed schedule.

Other Business:

The Board determined to cancel its September 6, 2019 regular meeting. The Board set a special meeting for November 8, 2019 at 7:30 a.m. and directed that its public hearing on the 20~~3~~²⁰ budget occur at that time.

Adjournment:

There being no further business to come before the Board, and upon motion by Director Mackey, second by Director Reister and unanimous vote, the meeting was adjourned at 9:02 a.m.

Secretary of the Meeting