

# RECORD OF PROCEEDINGS

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**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  
FEBRUARY 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, February 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  
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 9:16 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 – Mail Solicitation for Water Leak Warranty and III. Item B – Water Rate Article in The Villager.

Minutes: The minutes of the January 8, 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 January 8,

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2013 minutes as presented.

## FINANCIAL ITEMS

Review and Approve Payment of Claims – Ms. Noon reviewed the January 2013 claims totaling \$36,625.46, represented by check numbers 4615 – 4625. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved the January 2013 claims as presented.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending February 6, 2013. The Board directed Ms. Noon to transfer \$150,000 from the checking account to the Colotrust interest-bearing account. Following review and discussion, the Board accepted the cash position as presented.

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

Consider Approval of 2012 Audit Engagement with Schilling & Company - Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved engaging Schilling & Company to conduct the 2012 audit for a cost not to exceed \$4,100.

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

## DIRECTOR MATTERS

Discussion Regarding Water Leak Warranty Solicitation – Director Viseur indicated that a resident of the District had received a solicitation from a private company offering a warranty on the water line from the meter to their home. Director Viseur did some investigation about the company and following discussion, the Board decided no further action was necessary by the District.

Water Rate Article in The Villager - Director Forney referenced an article in The Villager newspaper regarding Denver Water customers with either total service or master meter contracts in regard to audits that might be done by Denver Water. It is believed that audits currently offered are for read & bill or total service Denver Water customers. It was discussed that Denver Water has done audits in the past for customers in master meter districts, but most savings were normally found for

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commercial customers.

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

MAINTENANCE AND OPERATIONAL MATTERS Engineering Report – Mr. Sekera reviewed his report with the Board.

Update on Stenciling District Hydrants Regarding District Ownership – Mr. Sekera indicated he had spoken with C & L Water Solutions regarding stenciling the hydrants in the District and they noted they have not had good results with this option. **He will discuss a possible decal for the hydrants with C & L and report back at the next Board meeting.**

LEGAL

Update on Greenwood Village/Marina Water Tap – Mr. Sekera indicated he had notified the Greenwood Village City Engineer, Derek Slack, that based on the most current information provided for the reconfiguration of the taps and service lines, the District would charge the City a tap fee separate from Denver Water. **Mr. Sekera will work with Mr. Slack on the park water needs to determine the tap size needed by Greenwood Village.**

Mr. Sekera distributed a Summary of Documents for the Cherry Creek Reservoir 4-inch Water Tap to the Board for their information.

Discussion of Policy Regarding Email Communications Among Board Members – **This item was postponed until the March Board meeting.**

Consider Approval of 2013 Kennedy/Jenks Consultants Contract – Mr. Flynn presented said contract to the Board for their consideration noting that it reflected a rate increase of 3.4% to all clients. Following discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the 2013 Kennedy/Jenks contract as presented.

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## 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 10:20 a.m.

Respectfully submitted,



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Secretary for the Meeting