

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CHERRY CREEK VILLAGE WATER DISTRICT
HELD
March 8, 2011**

A regular meeting of the Board of Directors of the Cherry Creek Village Water District was held on Tuesday, March 8, 2011 at 9:00 a.m. at R. S. Wells LLC, 8390 E. Crescent Parkway, Suite 500, Greenwood Village, Colorado. The meeting was open to the public.

Attendance Directors in attendance were:

John Forney
Lou Schroeder
Phil Viseur
Joseph Ryan
Roger Baer

Also in attendance were:

Dave Peak; R.S. Wells L.L.C.
Tim Flynn; Collins Cockrel & Cole, P.C.
Greg Sekera; KennedyJenks Consultants
Mike Kosdrosky; R.S. Wells, L.L.C.
Joel Meggers; Community Resources Services, Inc.
Eileen Eckert; Community Resources Services, Inc
Carolyn Radcliffe; Community Resources Services, Inc
Kathy Noon; Community Resources Services, Inc
Kathy Fromm; Community Resources Services, Inc
Ron Rakowsky, Mayor; City of Greenwood Village
Tom Bishop; Greenwood Village City Council, District 4
John Wannigman; City of Greenwood Village, Dept. of Public Works

Call to Order President Forney called the meeting to order at 9:00 a.m.

**Quorum/
Qualifications/
& Disclosures**

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

**Public
Comment**

Ron Rakowsky, Mayor of Greenwood Village, appeared and introduced Tom Bishop who was recently appointed to fill a vacancy on the Greenwood Village City Council for Council District 4, noting that a number of Board member reside within Council District 4. After Mr. Bishop gave a few opening remarks, the Mayor gave a brief overview on the activities the Greenwood Village City Councils is currently involved

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with. Further, the Mayor pledged the City's cooperation in helping the District resolve any District issues that may arise from time-to-time, including, but not limited to assistance when it comes to obtaining street cut permits within the City of Greenwood Village.

Agenda Upon review and discussion of the Agenda and a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the Agenda as amended to include an Executive Session as Item "A" under Director Items.

Management Services

Presentation Mr. Meggers introduced his staff to the Board – Kathy Fromm, Carolyn Radcliff, Eileen Eckert and Kathy noon. ("CRS") currently has approximately 70 clients, 50 of which receive accounting as well as management services from CRS. Mr. Meggers explained in greater detail the management, accounting and utility billing services proposal CRS submitted to the Board for consideration. For a flat monthly rate of \$3,500 or \$42,000 annually, CRS will provide the District with management and administration, utility billing and finance accounting and budget services. The Board thanked Mr. Meggers and his staff for their presentation. At the conclusion of the presentation, the CRS personnel left the meeting.

Mr. Peak then presented R.S. Wells; new management, accounting and utility billing services proposal to the Board for consideration. R.S. Wells is proposing to provide management, utility billing and accounting services to the District for the rate of \$45,000 annually, itemized as follows: \$16,000 for management, \$16,000 for utility billing, and \$13,000 for accounting. Mr. Peak stressed the long history that R.S. Wells has had with the District and the commitment that R.S. Wells has to serve the Cherry Creek Village Board and its citizens. Mr. Peak also stressed that R.S. Wells would very much like to keep the District as a client.

Both CRS and R.S. Wells committed to keep their prices fixed for the next five years.

Minutes The Board reviewed the Minutes of the February 8, 2011 Regular Meeting. Following review and discussion, upon a motion duly, seconded and, upon vote, unanimously carried, the Board approved the February 8, 2011 Minutes as presented.

Financial Matters

Review the District's Cash Position as of March 8, 2011: Mr. Peak reviewed the cash position as of March 8, 2011 with the Board. Following review and discussion, the Board accepted the cash position, without a motion, as presented.

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Review District's 2011 Operating Statement: Mr. Peak reviewed the Operating Statement. Following review and discussion, the Board accepted the Operating Statement, without a motion, as presented.

Review and Consider Approval of Claims: Mr. Peak reviewed the March, 2011 claims totaling \$15,482.04, represented by check numbers 4332 through 4340. Following review and discussion, upon a motion duly made, seconded and, upon vote, unanimously carried, the Board approved the February, 2011 claims as presented.

Review February 7, 2011 Delinquent Account Report: Director Ryan reviewed the Delinquent Account Report with the Board. He reported that there were two shut-off notices sent out of twelve accounts which are ninety days past due.

Administrative

Matters

Review Consumption Report: Mr. Peak reviewed the Consumption Report with the Board. The Board accepted the Consumption Report, without a motion, as presented.

Engineer's

Report

Mr. Sekera reviewed Kennedy/Jenks engineering memorandum dated March 1, 2011. As part of this review, he highlighted the following matters:

Cherry Creek School Campus – Kennedy/Jenks is overseeing the completion of the Cherry Creek School Phase 1 and Phase 2 improvements. The Phase 3 improvements are scheduled for construction this summer. The first submittal of improvements has been submitted by the School District to Denver Water following review and comment by Kennedy/Jenks.

Mr. Sekera reported that Cherry Creek Schools has reviewed Kennedy/Jenks estimated plan review fees for the Phase 3 project and has provided verbal agreement. Kennedy/Jenks estimate for plan review and construction observation services for the project is \$9,000. The School District will reimburse Cherry Creek Village Water District at the end of the project for actual costs billed by Kennedy/Jenks.

System Maintenance - Kennedy/Jenks is coordinating the maintenance of the District's water distribution system. Mr. Sekera noted that no fire hydrant or valve repairs were performed during the last month. Mr. Sekera is in the process of reviewing and prioritizing repairs for fire hydrant and valves for the upcoming year based on C&L Water Solution, Inc.'s inspection reports.

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As far as the District's cross connection/control program is concerned, Kennedy/Jenks has received various test reports and has updated the District's inventory of commercial backflow preventers and inspection reports.

No waterline breaks service interruptions occurred during the month.

Mr. Sekera noted that his office reviewed various locate requests for miscellaneous construction that is ongoing within the District.

Finally, he briefly reviewed the maintenance tracking chart which is attached to Kennedy/Jenks engineering memorandum.

After discussion, the Board accepted the Engineering Report, without a motion, as presented.

Legal

Attorney's Report – In the interest of saving the Board's time, legal counsel differed discussion of legal items until the April meeting.

Directors

Items

Executive Session - Upon a motion duly made, seconded and, upon vote, unanimously carried, the Board went into Executive Session pursuant to Section 24-6-402(4)(e), C.R.S. for the purposes of determining position relative to matters that may be subject to negotiation, developing strategies for negotiations, and instructing negotiators concerning the administrative and management service proposals that were received by the Board earlier in the meeting. The Executive Session commenced at approximately 10:35 a.m. and lasted until approximately 11:55 a.m. when the Board returned to open public meeting. The Executive Session was duly recorded as required by law.

Upon returning to open public meeting, the Board announced that no decision was going to be made at this time on the management, accounting and utility billing service proposals presented to the Board earlier in the meeting. The chairman requested that an Executive Session be placed on the Board's April meeting agenda to continue the matters discussed earlier in this meeting in Executive Session. At the conclusion of the April Executive Session, it is the intent of the Board to accept either the proposal from Community Resources Services, Inc. or the proposal from R.S. Wells, LLC

Other

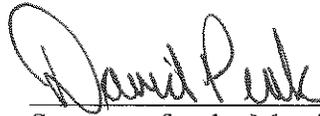
Business

None

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Adjournment With no further business to come before the Board at this time, the meeting was adjourned at approximately 11:57 a.m.

Respectfully submitted,



Secretary for the Meeting