

RECORD OF PROCEEDINGS

**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
SEPTEMBER 10, 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, September, 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

CALL TO ORDER

Director Forney called the meeting to order at 9:03 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 B – Discuss New Meeting Time.

Minutes: The minutes of the August 13, 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 August 13, 2013 minutes as presented.

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FINANCIAL ITEMS

Review and Approve Payment of Claims – Ms. Noon reviewed the August 2013 claims totaling \$94,344.80 represented by check numbers 4697 – 4707. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved the August 2013 claims as presented.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending September 5, 2013. Following review and discussion, the Board accepted the cash position as presented.

Review Financial Statements: Ms. Noon distributed the financial statements dated September 5, 2013. After review, the Board accepted the financial statements.

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

Subcommittee for Water Rates and 2014 Budget – Following discussion, it was decided that Directors Viseur and Baer, Ms. Noon and Mr. Flynn will form this committee. **Ms. Noon will email the other participants to set the dates and times.**

DIRECTOR MATTERS

Update from Director Schroeder on Alternate Meeting Notice Posting Sites – Director Schroeder contacted the current posting site, King Soopers, and they stated they would have a flyer holder available at the service desk where notices may be posted.

Discuss New Meeting Time for Monthly Board Meeting – Following discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved a new Board meeting start time of 8:45 a.m., beginning with the October 8, 2013 meeting. **Staff will repost all meeting notices and notify all required entities.**

MANAGEMENT MATTERS

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

Update on Electronic Payment Options for Utility Customers – Ms. Noon updated the Board on the progress for accepting electronic payments through the District's website.

MAINTENANCE AND OPERATIONAL MATTERS

Engineering Report – Mr. Sekera reviewed the engineering report with the Board, said report attached and made a part of these minutes. He further briefed the Board as follows:

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- **Village Green Park/Marina Service Meter** – Denver Water required Greenwood Village to do a full plan review. Bids will go out this month with construction slated to begin during Fall break in October;
- **Remote Meter Readout** – Badger Meter is working on a new “reader” available sometime in late 2014. No estimated costs are currently available;
- **Fire Hydrant and Valve Repairs** – The District paid for the new boxes and the paving company installed them at their cost;
- **Cross-connection Control Program (Back Flow Device)** – Denver Water has been provided with all the information necessary to perform the program, but have not begun yet.

LEGAL

Update on Greenwood Village/Marina Water Tap – Mr. Sekera noted that Denver Water discovered the Marina did not have a back flow device on their meter and is working with them to get it installed. **Mr. Flynn asked that Denver Water keep the District informed.**

Discussion of Executive Sessions – Director Schroeder expressed his concerns about the District’s use of Executive Session noting he would like the most transparent governing possible. It was noted that although this option was used in a recent meeting regarding a customer’s bill dispute, proper procedure was followed. Mr. Flynn informed the Board that Executive Session preserves the Attorney-Client privilege to receive legal advice and that Executive Session negotiations are important to protect the District. He further noted that decisions are not made in Executive Session so actions by the Board are transparent. Mr. Flynn noted that anything discussed in Executive Session is to be kept confidential by Board members further clarifying that if Board members are absent, but filled in by the attorney, they should still keep the matter confidential.

Participation in Denver Water Survey Regarding Master Meter Areas – Following discussion, the Board determined no action would be taken at this time.

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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 10:05 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cathy Noon". The signature is written in black ink and is positioned above a horizontal line.

Secretary for the Meeting