

# 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  
March 8, 2016**

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, March 8, 2016 at 8:45 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  
Phil Viseur  
Joseph Ryan  
Lou Schroeder  
Roger Baer

Also present were:  
Tim Flynn, Esq.; Collins Cockrel & Cole P.C.  
Greg Sekera; Kennedy/Jenks  
Cathy Noon, CRS of Colorado

**CALL TO ORDER**

Director Forney called the meeting to order at 9:02 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 add V.A Statement Regarding Water Quality on Customer Bills. And V.B Discussion on Recordkeeping.

Minutes: The minutes of the February 9, 2016 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 February 9, 2016

# RECORD OF PROCEEDINGS

---

minutes.

## PUBLIC COMMENT

None.

## FINANCIAL ITEMS

Review and Approve Payment of Claims: Ms. Noon reviewed the March 8, 2016 claims totaling \$27,103.17, represented by check numbers 5048-5052. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved the March 8 2016 claims as amended.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending March 8, 2016. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the cash position as presented.

Review Financial Statements: Ms. Noon reviewed the financial statements dated March 8, 2016. After review, upon motion duly made, seconded and, upon vote, unanimously carried, the Board accepted the financial statements.

2015 Audit Exemption: For 2015, statute changes raised the revenue/expenditure limit requiring a full Audit to \$750,000, which allowed the District to file an Audit Exemption rather than perform a full Audit. Ms. Noon reported the 2015 Audit Exemption (long form) would be filed as required by March 31, 2016. Following discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board authorized Board members to sign and CRS of Colorado to file the audit exemption. Future years may require a full Audit depending on yearly revenues/expenditures or a full Audit can be done at the Board's direction.

Delinquent Accounts: There was a brief discussion concerning the delinquent accounts, Ms. Noon advised that delinquent account letters will be going out later this week. The letters were delayed slightly to avoid the District's letters and customer payments crossing in the mail.

## DIRECTOR MATTERS

Statement on Bill Regrading Water Quality: Director Visuer brought up placing a statement on customer bills regarding the District water quality. The Board discussed that as a master meter District with Denver Water, each year a full water quality report is mailed to each District customer by Denver Water, therefore no additional action is deemed necessary.

# RECORD OF PROCEEDINGS

---

Record Keeping: Director Schroder inquired as the location and redundancy of the District's files. Ms. Noon reported that the District's documents are stored electronically with redundant storage and that Mr. Flynn also has legal documents filed stored at his location. The Board directed Ms. Noon to give Director Baer copies of the District's files on a flash drive for additional back-up.

## MANAGEMENT ITEMS

Review Consumption Report: Ms. Noon reviewed the Consumption Report showing the January –March - 2016 total usage. After review, the Board accepted the Consumption report.

## MAINTENANCE AND OPERATIONAL MATTERS

Engineering Report: Mr. Sekera reviewed the Engineering Report which is made a part of these minutes.

2016 Fire Hydrant Replacement Project.: At last month's meeting the Board, based upon the Engineer's recommendation, awarded a contract for the District's 2016 Fire Hydrant Replacement Project to Diaz Construction Group upon the express condition that Kennedy/Jenks finish its investigation into the Contractor's qualifications and; provided, further, that Kennedy/Jenks does not discover any questions or concerns as to the Contractor's qualifications. Mr. Sekera reported that Kennedy/Jenks completed its investigation, and that no problems or concerns were discovered and that Kennedy/Jenks continues to recommend Diaz Group for the Project and that a Notice of Award was issued.

Mr. Sekera then presented a complete set of contract documents for execution, including a Notice to Proceed which will be issued shortly.

Greenwood Village Contractor use of Fire Hydrant: On February 17, Director Visuer reported to Ms. Noon his interaction with Quality Pipe Services while they were filling up their truck at the fire hydrant at Radcliff and Yosemite Ct. He spoke to the driver who stated they were working for Greenwood Village (GWV). Ms. Noon followed up with GWV and Quality Pipe is a subcontractor doing work in the Village. Ms. Noon discussed the unauthorized use of the fire hydrant with Director of Public Works, John Sheldon, who apologized and offered to work on solutions for notification to contractors working in City. One possibility is to provide notification at the time of permitting that contractors need to look for the CCWVD sticker on fire hydrants in the District.

## RECORD OF PROCEEDINGS

---

Duplex Meter Splitting, Sub-Metering & Subdivision of Units: At this point, Cathy Noon had to leave the meeting in order to catch a plane for a previously scheduled business matter. The Board then considered the request submitted by the owner of a duplex unit at 4693/95 South Akron Court to allow a single water meter and service line for both units which are in the process of being subdivided into two lots. Water supplied to the second unit would be measured by a sub-meter that would be installed within that unit instead of requiring a separate outside tap and service line for the unit. The Board discussed the matter at some length considering the additional cost that the owner would be put to in the event the Board requires a separate service line and meter. The Board also considered the administrative difficulties and the legal problems that could arise in the future if the duplex unit is served by a single service line and water meter. At the conclusion of the discussion, the Board determined that it was in the best interest of the District to require a separate meter and service line for each unit in the duplex. A motion to that effect was made, seconded and unanimously adopted. Legal Counsel was instructed to advise Cathy Noon as to the Board's decision. She and/or the District's Engineer will notify the property owner and the City of Greenwood Village as to the District's separate service line and meter requirement.

### LEGAL

Timothy J. Flynn reported to the Board as follows:

May 2016 Election: The District's May 3, 2016 Election has been cancelled and Directors Forney, Schroeder and Ryan have been deemed elected, each for another four-year term. The Oaths of Office will be administered to the newly elected Directors at the Board's May 10, 2016 Board of Director's meeting.

Denver Water Drought Response Plan.: Denver Water is in the process of revising its Drought Response Plan, as required by the Colorado Water Conservation Board. Legal Counsel reviewed the most recent draft version of Denver Water's Drought Response Plan for 2016, highlighting the important areas of the plan and noting that Denver Water's water use restrictions, which remain in effect permanently, are separate and apart from its Drought Response Plan. The permanent water use restrictions, among other things, preclude outside lawn irrigation from April through October after 10:00 am in the morning and before 6:00 pm at night. Mr. Flynn will keep the Board apprised as to any future changes that Denver Water makes to its Drought Response Plan.

## RECORD OF PROCEEDINGS

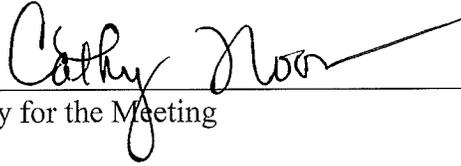
---

The District is obligated to comply with the Drought Response Plan as a result of the District's Master Meter Contract with Denver Water because the Drought Response Plan has been made a part of Denver's Operating Rules.

### 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 10:53 a.m.

Respectfully submitted,



---

Secretary for the Meeting