

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
May 13, 2014**

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, May 13, 2014 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
Lou Schroeder
Phil Viseur
Joseph Ryan was excused by a vote of the Board
Roger Baer attended by phone

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

CALL TO ORDER

Director 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 conflicts of interest disclosures required.

ADMINISTRATIVE ITEMS

Agenda: Following a motion, second and a unanimous vote, the agenda was approved as amended: Administrative Matters, items D-Oath of Office, E- Election of Officers; Director Matters, item A –Organizational Chart; and Legal Matters, item B-Resolution R2014-5-1.

Minutes: The minutes of the April 8, 2014 Regular Board meeting were presented to the Board and unanimously

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approved.

Oath of Office: Director Forney administered the oath office to Phil Viseur and Roger Baer.

Board Officers: It was moved and seconded and unanimously carried to re-affirm Board Officers as follows: John Forney, President; Lou Schreder, Vice-President; Phil Viseur, Secretary; Joseph Ryan, Assistant Secretary; and Roger Baer, Treasurer/Assistant Secretary.

FINANCIAL ITEMS

Review and Approve Payment of Claims – Ms. Noon reviewed the May 8, 2014 claims totaling \$35,729.64 represented by check numbers 4795 – 4805. Check number 4800 was voided as Joseph Ryan did not attend this meeting. Following review and discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board approved the May 8, 2014 claims as amended.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending May 6, 2014. Following review and discussion, the Board accepted the cash position as presented.

Review Financial Statements: Ms. Noon reviewed the financial statements dated May 8, 2014. After review, the Board accepted the financial statements.

Review Delinquent Account Report: Ms. Noon presented the report to the Board for their review. After review, the Board accepted the Delinquent Account report.

DIRECTOR MATTERS

Organizational Chart: Director Viseur asked Mr. Flynn to review the District contracts and create an organizational chart reflecting who is responsible for what duties and who reports to whom. Motion made, seconded and unanimously approved for Mr. Flynn along with Mr. Sekera and Ms. Noon to create an organization chart of responsibilities for the Board's review.

MANAGEMENT ITEMS

Review Consumption Report: Ms. Noon reviewed the Consumption Report showing the January - April 2014 total

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usage. After review, the Board accepted the Consumption report.

Denver Water Residential Irrigation Conservation: Ms. Noon reviewed the Denver Water Residential Conservation Program customer billing insert with the Board.

Review Updates to CCVWD Website: Ms. Noon reviewed the updates to the CCVWD Website. After review, the Board accepted the updates. Director Visuer asked that the online customer consumption data reflect the date of usage versus the billing date. Ms. Noon and Ms. Hirshbrunner explained that the data comes directly from the customer's bill and due to meter reading at the end of a month, utility bills are may be generated in the following month. Following discussion, no changes are necessary. Ms. Noon was asked to find the average SFE residential usage for irrigation season (May – October) and have that information on customer bills so customers can compare their usage to average usage in the District.

MAINTENANCE AND OPERATIONAL MATTERS

Engineering Report: – Mr. Sekera gave a report on the “Study of Consumption”, accompanied with document titled as “Water Loss Investigation Action Plan”. Denver water tested both master meters which are reading accurately. Customer meters are 13-17 years old and Mr. Sekera's recommendation is that if any further meter testing be done, address commercial and school meter before testing residential. A leak detection site survey was completed 4 years ago and two small leaks were found and repaired. Leak detection is recommended every 10 to 15 years. The Board wishes to continue monitoring and not move forward with any further study of “Cost to Replace” or testing of meters.

LEGAL

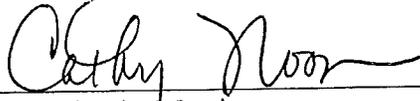
- A. Denver Water Distributors Contract: As follow up to the April meeting, Mr. Flynn reviewed the Cherry Creek Village Water and Denver Water contract for meter testing requirements. While the contract does not address meter testing, the Denver Water Operation Rules do and Denver Water will test master meters at their cost.
- B. Resolution R-2014-5-1: Board moved, seconded, and voted unanimously to approve. Resolution R-2014-5-1 to establish 2014 Irrigation season watering rules.

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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 10:24 a.m.

Respectfully submitted,



Secretary for the Meeting

Water Loss Investigation Action Plan

Cherry Creek Village Water District

<i>Work Item</i>	<i>Action</i>	<i>Proposed Time Line</i>	<i>Complete</i>	<i>Report to Board</i>
Consumption Reports	Review trends and water loss history for past 10 years.	April, 2014	Yes	May, 2014
Commercial Account Review	Review water usage for large commercial accounts.	May, 2014	Yes	May, 2014
Meter Read Audit	Check for discrepancies from historical usage to current. Check if the same number of meters are being read.	May, 2014	Yes	June, 2014
Boundary Valve	C&L to confirm valve is closed.	May, 2014		June, 2014
Meter Read Timing	Check date of months meters are being read; master meters by C&L, service meters by National.	May, 2014		May, 2014
Master Meter Calibration	Test meter calibration; Denver Water to perform.	May, 2014	Yes	May, 2014
Customer Meters:				
- Age	Determine approximate age of meters	May, 2014	Yes	May, 2014
- Field check large meters	C&L to review school and large commercial meters in field for leaks and confirm by-passes are closed.	June, 2014		
- Accuracy	Bench test sampling of meters			
- Cost to Replace	Prepare estimate of cost to replace meters			
Leak Detection Survey	Perform leak survey of all water lines. Get cost estimate from UTS, Dave Anderson.			

CHERRY CREEK VILLAGE WATER DISTRICT Consumption Report for 2012 (in 1,000's)										
CUSTOMER TYPE (No. of customers)	Usage Fee / Service Fee	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	2012		
								TOTALS		
RESIDENTIAL (DUP1) DUPLEX (34)	6W-1/75 1 METER	784	898	1,231	1,416	937	631	5,897	RESIDENTIAL (DUP1) DUPLEX	
RESIDENTIAL (DUP2) DUPLEX (34)	6W-1/75 2 METERS	377	387	649	757	462	302	2,934	RESIDENTIAL (DUP2) DUPLEX	
RESIDENTIAL (RES-I) SFD (326)	6W-1/75 IN DIST	3,113	7,168	19,938	24,686	12,415	3,030	70,350	RESIDENTIAL (RES-I) SFD	
RESIDENTIAL (RES-O) SFD (36)	6W-1/75 OUT DIST	435	775	2,018	2,449	1,475	394	7,546	RESIDENTIAL (RES-O) SFD	
COMMERCIAL (COM15) (1.0") (10)	6W-2/100 COMM/GV	0	208	1,349	1,597	654	5	3,813	COMMERCIAL (COM15) (1.0)	
COMMERCIAL (COM16) (1.0") (13)	6W-6/100 CCS/GV	886	945	1,967	2,214	1,487	764	8,263	COMMERCIAL (COM16) (1.0)	
COMMERCIAL (COM17) (1.5") (3)	6W-2/150 COMM	1,083	1,230	2,652	2,076	1,554	1,117	9,712	COMMERCIAL (COM17) (1.5)	
COMMERCIAL (COM18) (2.0") (5)	6W-2/200 CCS/GV	90	776	2,318	2,813	1,462	120	7,579	COMMERCIAL (COM18) (2.0)	
COMMERCIAL (COM19) (3.0") (5)	6W-2/300 CCS	688	1,524	4,874	6,180	3,714	1,100	18,080	COMMERCIAL (COM19) (3.0)	
COMMERCIAL (COM20) (4.0") (2)	6W-2/400 CCS/GV	378	3,063	11,431	10,670	4,436	418	30,396	COMMERCIAL (COM20) (4.0)	
Adjusted usage		7	0	26	207	3	9	252	Adjusted usage	
TOTAL GALLONS BILLED TO CUSTOMERS		7,841	16,974	48,453	55,065	28,599	7,890	164,822		
TOTAL GALLONS PURCHASED FROM DENVER WATER		8,393	15,161	50,396	52,384	34,384	9,447	170,165		

CHERRY CREEK VILLAGE WATER DISTRICT Consumption Report for 2013 (in 1,000's)										
CUSTOMER TYPE (No. of customers)	Usage Fee / Service Fee	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	2013		
								TOTALS		
RESIDENTIAL (DUP1) DUPLEX (34)	6W-1/75 1 METER	1,767 *	625	873	1,067	917	630	5,879	RESIDENTIAL (DUP1) DUPLEX	
RESIDENTIAL (DUP2) DUPLEX (34)	6W-1/75 2 METERS	357	318	485	666	458	329	2,613	RESIDENTIAL (DUP2) DUPLEX	
RESIDENTIAL (RES-I) SFD (326)	6W-1/75 IN DIST	3,051	3,136	13,698	19,843	8,953	3,032	51,713	RESIDENTIAL (RES-I) SFD	
RESIDENTIAL (RES-O) SFD (36)	6W-1/75 OUT DIST	429	420	1,651	1,959	878	388	5,725	RESIDENTIAL (RES-O) SFD	
COMMERCIAL (COM15) (1.0") (10)	6W-2/100 COMM/GV	0	6	760	1,073	224	0	2,063	COMMERCIAL (COM15) (1.0)	
COMMERCIAL (COM16) (1.0") (13)	6W-6/100 CCS/GV	874	1,072	1,273	1,783	1,331	933	7,266	COMMERCIAL (COM16) (1.0)	
COMMERCIAL (COM17) (1.5") (3)	6W-2/150 COMM	1,208	1,241	1,465	2,061	1,354	1,063	8,392	COMMERCIAL (COM17) (1.5)	
COMMERCIAL (COM18) (2.0") (5)	6W-2/200 CCS/GV	85	175	1,580	1,953	938	111	4,842	COMMERCIAL (COM18) (2.0)	
COMMERCIAL (COM19) (3.0") (5)	6W-2/300 CCS	1,230	1,466	3,234	5,950	2,185	1,227	15,292	COMMERCIAL (COM19) (3.0)	
COMMERCIAL (COM20) (4.0") (2)	6W-2/400 CCS/GV	1,236	486	5,708	8,199	2,134	369	18,132	COMMERCIAL (COM20) (4.0)	
Adjusted usage		5	3	70	188	115	13	394	Adjusted usage	
TOTAL GALLONS BILLED TO CUSTOMERS		10,242	8,948	30,797	44,742	19,487	8,095	122,311		
TOTAL GALLONS PURCHASED FROM DENVER WATER		11,088	9,150	30,257	44,520	25,000	9,615	129,630		

* 4693/95 S Akron St = water leak

CHERRY CREEK VILLAGE WATER DISTRICT Consumption Report for 2014 (in 1,000's)										
CUSTOMER TYPE (No. of customers)	Usage Fee / Service Fee	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC	2014		
								TOTALS		
RESIDENTIAL (DUP1) DUPLEX (34)	6W-1/75 1 METER	581	602					1,183	RESIDENTIAL (DUP1) DUPLEX	
RESIDENTIAL (DUP2) DUPLEX (34)	6W-1/75 2 METERS	333	340					673	RESIDENTIAL (DUP2) DUPLEX	
RESIDENTIAL (RES-I) SFD (326)	6W-1/75 IN DIST	2,791	4,163					6,954	RESIDENTIAL (RES-I) SFD	
RESIDENTIAL (RES-O) SFD (36)	6W-1/75 OUT DIST	380	472					852	RESIDENTIAL (RES-O) SFD	
COMMERCIAL (COM15) (1.0") (10)	6W-2/100 COMM/GV	0	68	239				307	COMMERCIAL (COM15) (1.0)	

COMMERCIAL (COM16) (1.0") (13)	6W-6/100	CCS/GV	5.57 / 9.97	999	1,049	778				2,826	COMMERCIAL (COM16) (1.0)
COMMERCIAL (COM17) (1.5") (3)	6W-2/150	COMM	4.86 / 15.96	1,052	1,216	743				3,011	COMMERCIAL (COM17) (1.5)
COMMERCIAL (COM18) (2.0") (5)	6W-2/200	CCS/GV	5.57 / 23.95	88	304	430				822	COMMERCIAL (COM18) (2.0)
COMMERCIAL (COM19) (3.0") (5)	6W-2/300	CCS	5.57 / 59.87	1,193	1,439	1,211				3,843	COMMERCIAL (COM19) (3.0)
COMMERCIAL (COM20) (4.0") (3)	6W-2/400	CCS/GV	5.57 / 87.81	364	578	390				1,332	COMMERCIAL (COM20) (4.0)
Adjusted usage				0		10					10 Adjusted usage
TOTAL GALLONS BILLED TO CUSTOMERS				7,781	10,231	3,801	0	0	0	21,813	
TOTAL GALLONS PURCHASED FROM DENVER WATER				9,358	10,332	10,987				30,677	

Adjusted usage = final or corrected bill usage amount

Total gallons purchased from Denver water = Denver water bills that they send to us (on the master meter report)

Print up last year and current year report and give to Pam for the packet

RESOLUTION 2014-5-1

**CHERRY CREEK VILLAGE WATER DISTRICT
ARAPAHOE COUNTY, COLORADO**

**A RESOLUTION REAFFIRMING THE DISTRICT'S WATER USE RULES FOR
THE 2014 IRRIGATION SEASON**

WHEREAS, after responding to multiple years of serious drought conditions, Denver Water continues to stress the importance of using water efficiently, regardless of the weather; and

WHEREAS, even though the metropolitan area is no longer in a serious drought condition, Denver Water continues to implement annual summer water use rules, effective May 1, 2014; and

WHEREAS, the Cherry Creek Village Water District ("District") is a contract distributor of Denver Water; and

WHEREAS, the District is obligated by the terms of its contract with Denver Water to follow and enforce, within its water service area, Denver Water's annual mandatory watering use rules and restrictions, which are set forth in Chapter 14 of Denver Water's Operating Rules; and

WHEREAS, in May of 2008 the District adopted Denver Water's water conservation rules and determined that it was appropriate and necessary to implement those same rules inside the District; and

WHEREAS, the District's Board has determined that it desires to reaffirm, by this Resolution, the action taken by the Board in 2008, and reaffirm that Denver Water's Operating Rules, as recently announced shall apply to the District during the 2014 irrigation season.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cherry Creek Village Water District, Arapahoe County, Colorado that:

Section 1. 2014 Water Use Rules. In accordance with the District's prohibition against water waste as adopted by Resolution 2008-5-1, the District hereby implements the following annual summer water use rules, which began May 1, 2014:

- a. The routine watering of turf shall be limited to three days per week (no assigned days), except for watering up to 21 days to establish

new turf from sod or seed, provided an appropriate permit has been obtained from the District.

- b. Watering with spray irrigation between the hours of 10:00 a.m. and 6:00 p.m. during the period from May 1 to October 1 is prohibited. Watering should only be conducted during the cooler times of the day and, accordingly is not allowed between 10:00 a.m. and 6:00 p.m.
- c. Do not waste water by applying it to impervious surface, such as a street, parking lot, alley, sidewalk or driveway, to the extent reasonably practical.
- d. Do not allow water to pool or flow across the ground or into any drainage way, such as gutters, streets, alleys or storm drains.
- e. Repair leaking or damaged irrigation systems or components, service lines or other irrigation fixtures within 10 days from the date a leak is first discovered.
- f. Do not irrigate landscaped areas during rain or times of high wind.
- g. Do not wash vehicles with a hose that lacks an automatic shutoff valve.
- h. Exercise diligence in adjusting sprinkler heads for their intended use.

Section 2. Enforcement. The owner or occupant of the licensed premises shall be responsible for complying with the District's and Denver Water's Rules, Regulations and Restrictions. Those who violate any of the Rules and Regulations as set forth in this Resolution and prior resolutions shall be subject to the penalties in force at the time of the violation, which may be added to the customer's next water bill.

Section 3. Interpretation. The District reserves the right to interpret and change or rescind, the 2014 Water Use Program at any time, as well as the right to determine the meaning, purpose and effect of any terms or provisions set forth in the program and in this Resolution.

Section 4. Modification of Rules and Regulations. The District reserves the right to adopt, amend or rescind the above-referenced Resolution and/or any particular provision thereof, at any time and for any reason. The District also reserves the right to interpret and determine the meaning, purpose and effect of any terms or provisions set forth in the aforementioned Resolution.

Section 5. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such Judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

Section 6. Repeal. All Acts, Orders, and Resolutions or parts thereof, of the District's Board of Directors, which are inconsistent or in conflict with this Resolution, are hereby repealed to the extent, but only to the extent of such inconsistency or conflict.

Section 7. Denver's Operating Rules. In the event of a conflict between any term or provision of this Resolution and Denver Water's Operating Rules, Denver Water's Operating Rules shall control and govern, unless any particular term or provision of this Resolution is more restrictive than the more restrictive provision of this Rule and of this Resolution shall control.

Section 8. Effective Date. Unless otherwise stated, the provisions of this Resolution shall take effect as of May 13, 2014.

ADOPTED as of May 13, 2014.

CHERRY CREEK VILLAGE WATER
DISTRICT

By: _____
John Forney, President

Attest:

Philip E. Viseur, Secretary