



Minutes of the Southeast Metro Stormwater Authority Board Meeting
February 24, 2010

The Board Meeting of the Southeast Metro Stormwater Authority (SEMSWA) was held on Wednesday, February 24, 2010, at 76 Inverness Drive East, Suite A, Englewood, CO 80112. A full and timely notice of this meeting had been posted and a quorum was present. The meeting was called to order by Board Chairman Bart Miller at 1:30 p.m.

Directors Present: Director Bart Miller/ Chair
 Director Rod Bockenfeld/ Vice-Chair
 Director Ron Weidmann/ Secretary-Treasurer
 Director Jim Dyer
 Director Linda Lehrer
 Director Andrea Suhaka
 Alternate Director/ Jacque Wedding-Scott (arrived at 1:37 p.m.)

Staff present: John A. McCarty, Executive Director
 David Agee, Director of Finance and Administration
 Ed Krisor, SEMSWA Attorney
 Mike Vinson, CIP Program Manager
 Dennis Welker, Land Development Program Manager
 Quang Nguyen, CIP Project Manager
 Molly Young-Trujillo, CIP Project Manager
 Scott Palmer, CIP Project Manager
 RoxAnna Jones, HR Manager

SIGN-IN-SHEET SUMMARY:

| Name | Representing | Contact Information |
|-------------|---------------------|----------------------------|
| Gary Atkin | ACWWA | 303-790-4830 x 312 |
| Alan Leak | ACWWA | None given |

1. Public Comments for Non-Agenda Items

- Gary Atkin, ACWWA General Manager, expressed appreciation to John McCarty for his presentation of the SEMSWA Annual Report to the ACWWA Board and complimented SEMSWA on their progress last year.
- Mr. Atkin asked that the Board contact him if they had any questions regarding ACWWA's water acquisition project.

2. Discussion of Cash Disbursements and Financial Reports

- Dave Agee noted the disbursement on Line 66 for \$84,200.27 to Edge Contracting for Pond D-1.
- The February financial reports indicate no loan balance for SEMSWA.
- The financial reports show on page three that SEMSWA received \$100,000 from UDFCD for the Goldsmith Gulch Project.
- Mr. Agee responded to Director Suhaka's question regarding SEMSWA's ability to assess fines. SEMSWA has not assessed fines, but does charge re-inspection fees, which are shown in the financial report under review fees.
- Mr. Agee clarified for Director Weidmann that the cash disbursement on Line 67 reflected a \$282.00 refund for a ratepayer who had paid twice.

3. Public Hearing

- Director Miller opened the Public Hearing at 1:40 p.m.
- Mr. Agee gave a short explanation of the carryover detail and encumbrances noted in Resolution No. 10-11.
- Board and staff discussion followed.
- There were no Public Comments.
- The Public Hearing was closed at 1:44.

4. Consent Agenda Items

- Meeting Minutes – January 27, 2010
- Cash Disbursements – January 20, 2010 to February 19, 2010
- **Resolution No. 10-11** (Adoption of Revised 2010 Budget and Appropriating Additional Funds)
- Indefinite postponement of **Resolution No. 09-47** (Authorization to Enter Into a Three Party Reimbursement Agreement for Construction of Pond L1 East – SEMSWA/ACWWA & Sunborne 16 XVI LTD)

5. Approval of Consent Agenda

Motion to Approve Consent Agenda: Director Bockenfeld

Second: Director Weidmann

In Favor: All

6. Discussion and Vote on Items Moved from Consent Agenda - None

7. Resolution No. 10-12 (Authorization to Award the Construction Contract for the Cherrywood Circle Storm Sewer Project)

Motion to approve: Director Dyer
Second: Director Weidmann
In Favor: All

8. Resolution No. 10-13 (Authorization to Fund the Design of the Gun Club Road Pond in the East Toll Gate Creek Basin)

Motion to approve: Director Bockenfeld
Second: Director Dyer
In Favor: All

9. Resolution No. 10-14 (Authorization to Fund the Design of a Drop Structure on Piney Creek at Parker Road)

Motion to approve: Director Weidmann
Second: Director Suhaka
In Favor: All

10. Resolution No. 10-15 (Authorization to Fund the Design of the Cherrybrook Pond in the Piney Creek Basin)

Motion to approve: Director Bockenfeld
Second: Director Weidmann
In Favor: All

11. Executive Director Report

- UDFCD has asked SEMSWA to evaluate the possibility of assuming ownership of the Holly and Englewood Dams. Each party will hire independent counsel to look into this matter.
- John McCarty will be assuming the signatory role for the annual MS4 Permit Report, replacing the Board Chairman.
- Mr. McCarty thanked the board members for their input and comments on the 2009 Annual Report.
- The SEMSWA website will be going through a construction phase for the next several weeks. Please call the main office if you have any website access issues.
- SEMSWA partners with CDPHE, which won the 2010 Sustainability Champion Award from Connected Organizations for a Responsible Economy (CORE) for its Colorado Medication Take-Back Pilot Project.
- The June board meeting was rescheduled to Wednesday, June 16, 2010.
- The November board meeting was rescheduled to Wednesday, November 17, 2010.
- The December board meeting was rescheduled to Wednesday, December 15, 2010.

- Mr. McCarty reported that the development review fee recommendations have been sent to the Task Force and Budget Committee. The Budget Committee will meet in March to discuss those recommendations and this item will be on the March Board Meeting Agenda.

12. Legal Counsel Update

- Ed Krisor gave a brief update on his progress with the post office fee collection.
- Mr. Krisor complimented the SEMSWA staff in their efforts to recover legal fees for projects that require his time on legal issues.

13. Land Development Presentation by Denny Welker

- Mr. Welker reported that SEMSWA processed twelve subdivision improvement agreements and nine easements for the last quarter of 2009.

14. CIP Presentation by Mike Vinson

- Mr. Vinson presented a brief 2009 CIP summary.
- Quang Nguyen, Molly Trujillo, and Scott Palmer, CIP Project Managers, were introduced to the Board. Mr. Vinson gave a short presentation of their respective CIP projects.
- Director Suhaka complimented the CIP group for the Arapahoe Road at Dry Creek project.

15. Other Items - None

16. Adjournment - The Board Meeting was adjourned by Director Miller at 2:58 p.m.

Board meetings will be held at 1:30 p.m. on the following dates:

- April 28, 2010
- May 26, 2010
- June 16, 2010