



Minutes of the Southeast Metro Stormwater Authority Board Meeting
February 26, 2014

A Board Meeting of the Southeast Metro Stormwater Authority (SEMSWA) was held on Wednesday, February 26, 2014 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 Chairman Bart Miller at 1:30 p.m.

Directors Present: Bart Miller/Chair
 Rod Bockenfeld/Vice-Chair
 Ron Weidmann/Sec-Treasurer
 Nancy Doty
 Stephanie Piko (by phone)
 Linda Lehrer
 Andrea Suhaka/Alternate

SEMSWA Staff Present: John A. McCarty, Executive Director
 Ed Krisor, SEMSWA Attorney
 Dave Agee, Director of Finance and Administration
 Mason Staub, Maintenance Program Manager
 Paul Danley, Land Development Program Manager
 Scott Palmer, Capital Improvements Project Manager
 Andy Kuster, GIS Manager
 RoxAnna Jones, HR Manager

SIGN IN SHEET SUMMARY

Rhonda Livingston – Observe Only

1. Public Comments for Non-Agenda Items – None

2. Public Hearing – Adoption of Revised 2014 Budget and Appropriating Additional Funds

- Director Miller opened the Public Hearing at 1:32 p.m.
- Dave Agee explained that the purpose of the resolution is to authorize additional spending that will occur in 2014 as a result of projects not completed in 2013.
 - ✓ \$3,832,794.00 of Carryover Projects
 - ✓ \$500,000.00 unanticipated revenue from UDFCD for the Goldsmith Gulch Project
 - ✓ Total Carryover Appropriations of \$4,332,794.00
- There were no public comments.
- Director Miller closed the Public Hearing at 1:40 p.m.

3. Resolution 14-05 Adoption of Revised 2014 Budget and Appropriating Additional Funds

Motion for Adoption: Director Bockenfeld
Second: Director Weidmann
Approved: All

4. Finance Director Report

- Dave Agee discussed the Arapahoe County Comparative Fee Collection Analysis report, which shows that by June of each year, stormwater fees from Arapahoe County are approximately 97% collected.

5. Adoption of Consent Agenda including Resolutions 14-06 and 14-07

- January 22, 2014 Meeting Minutes
- Resolution 14-06 Authorization to Fund and Award Contracts in Regard to the Construction of the Landscape Restoration Associated with Walnut Hills Outfall Improvements
- Resolution 14-07 Authorization to Execute a Consent to a PSC Easement

Motion for Adoption: Director Weidmann

Second: Director Doty

Aye: All

6. Committee Assignments/Schedule

- Finance Committee – Meets the 2nd Wednesday of the month at 1:30: Directors Weidmann, Piko, Doty, Lehrer, and Suhaka
- Private Property Committee – Meets the 3rd Thursday of the month at 11:30: Directors Miller, Bockenfeld, Lehrer, and Suhaka
- Executive Director Review Committee – Meets in June and July: Directors Bockenfeld, Weidmann, Piko, and Lehrer

7. Executive Director Report

- John McCarty reported that SEMSWA was featured in the November/December issue of Land and Water Magazine.
- Water Quality staff prepared the 2013 SPLASH Annual Report, which passed around at the meeting.
- John McCarty presented photos showing the recent progress on the new building. Weather permitting, there will be a short tour of the new building site after the March board meeting.

8. GIS Projects Update – Andy Kuster

9. Maintenance Presentation – Mason Staub

10. Other Items – Executive Session pursuant to 24-6-401(4)(b) C.R.S. to receive legal advice in regard to possible litigation.

Motion for Executive Session: Director Miller

Second: Director Weidmann

Aye: All

- Director Miller opened the Executive Session at 2:45 p.m.
- Director Miller closed the Executive Session at 3:10 p.m.
- Following the closure of the Executive Session:
- Director Piko made a statement regarding her participation in regard to the legal action the Board is considering. As she has been an employee of Cherry Creek School District for 10 years, she recused herself and appointed Alternate Director Suhaka to cover this issue in her stead.

- Director Miller made a motion to authorize Ed Krisor to file a lawsuit against the Cherry Creek School District for the collection of SEMSWA's 2013 stormwater fees and all future fees.
- Director Suhaka seconded this motion and it was approved by all.

11. Adjournment - The Board Meeting was adjourned by Director Miller at 3:13 p.m.

- Next Board Meeting – March 26, 2014 at 1:30 p.m.