

**MINUTES OF THE BOARD MEETING  
OF THE BOARD OF DIRECTORS OF THE  
DENVER SOUTHEAST SUBURBAN WATER  
AND SANITATION DISTRICT**

A special meeting of the Board of Directors of the Denver Southeast Suburban Water and Sanitation District was held on Tuesday, October 16, 2012 at the main office, the time and place of the meeting according to the posted notices. Present were Chairman Robert Chapman (arrived at 5:12PM), and Directors Walt Partridge, Heidi Tackett, Rod Bergholm and Robert Greene. Also present were District General Counsel-Jim Folkestad and District staff Bill Morgan and Susan Saint Vincent.

Director Greene called the meeting to order at 5:04 PM and established the presence of a quorum. Ms. Saint Vincent recorded minutes. Per Director Greene, the approval of Minutes from the prior meeting was waived.

**DISCUSSION OF THE SKYWAY TOWERS LEASE AGREEMENT**

Mr. Folkestad distributed a revised "Option and Lease Agreement" between the District and Skyway Towers, LLC for the Board's review and led a discussion regarding the various revisions since the last meeting. Specifically, he noted that the maximum height of the tree tower is 45', as opposed to the 35' previously stated. Details regarding maintenance of the site and the building are included in the document.

Mr. Morgan provided copies of the site plan to the Board and stated that he will continue to work on additional details of the building. The Directors asked Mr. Morgan to provide photographs of previously constructed tree towers and to confirm that additional mature, natural trees will be planted in the area. The height of the tree tower, in relation to natural trees presently in the area, was discussed as an area of concern.

A clean version of the Agreement will be finalized by Mr. Folkestad for the next Board meeting.

**PONDEROSA HIGH SCHOOL PROJECT**

Ms. Saint Vincent provided an update from the water staff regarding the progress on replacing the water meter at Ponderosa High School during their fall break. To date, the demolition work is complete and overall the project is ahead of schedule. The school has requested additional cases of bottled water for the football team.

**EXECUTIVE SESSION:**

At 5:16PM a motion was made by Director Greene and seconded by Director Tackett to enter into Executive Session pursuant to C.R.S. §24-6-402 (4)(b), a conference with the attorney for the District for the purpose of receiving specific legal advice relative to the District's contract with the District Manager, (e) to determine the District's position relative to an employment matter involving the District Manager that is subject to negotiations and (f) to discuss personnel

matter relating to the District. The motion was approved 5-0. In attendance were the Directors and Mr. Folkestad.

Director Tackett exited the Executive Session at approximately 6:05PM, and Mr. Folkestad exited the meeting at approximately 6:10PM.

At 6:35PM, a motion was made, seconded and approved to exit the Executive Session. For the record, Mr. Folkestad stated that no decisions were reached and that no formal action was taken by the Board during the Executive Session.

At the direction of the Board, Mr. Folkestad will be responsible for the safe keeping and future disposal of the Executive Session digital recording file.

There being no further business to come before the Board, Chairman Chapman closed the meeting on Tuesday, October 16, 2012 at 6:36PM.

  
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ROBERT W. CHAPMAN, CHAIRMAN OF THE  
BOARD OF DIRECTORS, DENVER SOUTHEAST  
SUBURBAN WATER & SANITATION DISTRICT

ATTEST:

  
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WALTER PARTRIDGE, SECRETARY