

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

A regular meeting of the Board of Directors of the Denver Southeast Suburban Water and Sanitation District was held on Wednesday December 10, 2014 at the main office, the time and place of the meeting according to the posted notices. Present were District Board Members – Robert Greene, Robert Chapman, Rod Bergholm, Heidi Tackett, and Stephan Tinnes, District Manager - Heather Beasley, General Counsel - Jim Folkestad, and District Accountant – Kevin Collins. Also present were Steve Stephenson and Ray Smith representing Glacier Construction, Patrick Koren with the Pinery Glen HOA, District residents Jim McGannon, Max and Charity Bushey, Bill Brewer, Darrel Hershey, and Chip Martin, and John Evans representing Colorado Horse Park.

Chairman Greene called the meeting to order at 6:00 pm and established that a quorum of the Board was present.

Minutes for the November 12, 2014 Regular Board Meeting were approved.

**PUBLIC RESPONSE**

- The President of the Pinery Glen HOA addressed the Board with his concern about getting trees and landscaping finished where the District did project work during the summer and had to remove landscaping as a result. Manager Beasley will be working with an HOA representative to see that the landscaping is completed.
- District resident Jim McGannon addressed the Board with a proposal to head up a water conservation task force within the District that would be run by District residents that would follow the objectives and goals of the existing District Water Conservation Master Plan. The Board asked Mr. McGannon to follow up with the District Manager and provide more information, including his background, and present it at the January 2015 Board meeting.
- Mr. and Mrs. Bushey, District residents, were present to voice their concern about the new development going on at the top of Pinery Parkway (new Timbers filings).
- District residents Darrel Hershey and Chip Martin addressed the Board with their concerns regarding the water and sewer rate increase for 2015. Chairman Greene invited the members of the public to visit the District website in January to view the adopted 2014 Rates and Fees study that will be posted there once the study is finalized. Chairman Greene stated that the District is a not for profit residential owned District whose objective is to provide service to the community without jeopardizing its obligation and ability to serve its customers.

**DIRECTOR'S BUSINESS**

Chairman Greene commended Jim Folkestad, general counsel for the District and Heather Beasley, District Manager for the exceptional job they have done in reducing legal costs for

2014. Mr. Greene also asked fellow Board members to submit any ideas they have for future Board meeting agendas to him so that he and the Manager can discuss what will be included on the monthly agendas for the District meetings going forward.

## **ITEMS FOR BOARD ACTION AND DISCUSSION:**

### **PUBLIC HEARING FOR SETTING 2015 RATES AND FEES**

A motion was entered to open the Public Hearing for setting the 2015 Rates and Fees.

Motion: Steve Tinnes

Second: Heidi Tackett

Vote: All Directors present voted in favor.

A brief discussion with comments from the Public was had, along with a statement from the Manager pointing out that a change in the sewer rate structure to a flat rate has been incorporated, a motion was entered to close the Public Hearing and re-enter into the Regular Session.

Motion: Robert Greene

Second: Rod Bergholm

Vote: All Directors present voted in favor.

### **RESOLUTION 2014-53 SETTING RATES AND FEES FOR 2015**

A discussion was had, and a motion was entered to approve Resolution 2014-53 setting Rates and Fees for the Pinery Water and Wastewater District for 2015.

Motion: Rod Bergholm

Second: Heidi Tackett

Vote: 4 Directors present voted in favor. Director Tinnes voted against.

### **RESOLUTION 2014-54 SETTING TAP FEES FOR 2015**

Based upon the new rate study, a reduction in the sewer component of the tap fees has been implemented for 2015. A motion was entered to approve Resolution 2014-54 setting tap fees for the Pinery Water and Wastewater District for 2015.

Motion: Heidi Tackett

Second: Rod Bergholm

Vote: All Directors present voted in favor.

### **APPROVAL OF THE 2015 BUDGET**

The Board was asked to approve the necessary Resolutions required to adopt the 2015 Budget.

- **RESOLUTION 2014-55 ADOPT THE BUDGET**

Motion: Robert Chapman

Second: Steve Tinnes

Vote: All Directors present voted in favor.

- **RESOLUTION 2014-56 APPROPRIATING FUNDS**

Motion: Heidi Tackett

Second: Robert Chapman

Vote: All Directors present voted in favor.

- **RESOLUTION 2014-57 CERTIFYING THE MILL LEVY**

It was noted that the mill levy for 2015 will be set at zero.

Motion: Heidi Tackett

Second: Robert Chapman

Vote: All Directors present voted in favor.

**RESOLUTION 2014-58 APPROVING LETTER OF ENGAGEMENT WITH BURNS, FIGA, & WILL, P.C. AS SPECIAL WATER COUNSEL**

The Board entered a motion for approval of this Resolution for continued legal representation to be provided by Burns, Figa,& Will, P.C. for special legal counsel related to water and environmental law matters for 2015.

**RESOLUTION 2014-59 APPROVING LETTER OF ENGAGEMENT WITH FOLKESTAD, FAZEKAS, BARRICK & PATOILE, P.C. AS GENERAL COUNSEL**

The Board entered a motion for approval of this Resolution for continued general counsel representation for 2015.

**RESOLUTION 2014-60 APPROVING LETTER OF ENGAGEMENT WITH CLIFTON, LARSON & ALLEN, LLP FOR ACCOUNTING SERVICES**

The Board entered a motion for approval of this Resolution for continued accounting services in 2015.

**RESOLUTION 2014-61 APPROVING LETTER OF ENGAGEMENT WITH PAUL GOEDECKE, FOR AUDITING SERVICES**

The Board entered a motion for approval of this Resolution for continued auditing services in 2015.

*\*\*One motion was entered to approve Resolutions 2014-58, 59, 60 and 61 approving Letters of Engagement\*\**

Motion: Robert Greene

Second: Robert Chapman

Vote: All Directors present voted in favor.

**RESOLUTION 2014-62 APPROVING AN EASEMENT FROM COLORADO HORSE PARK**

A motion was entered to approve Resolution 2014-62 for the Easement Deed and Agreement with the Colorado Horse Park so that the District has access to the waterline for maintenance that was constructed within the District's boundaries.

Motion: Rod Bergholm

Second: Robert Chapman

Vote: All Directors present voted in favor.

**RESOLUTION 2014-63 APPROVING A GOLF COURSE WATER SUPPLY AGREEMENT WITH COLORADO GOLF, INC. AND REATA SOUTH METROPOLITAN DISTRICT**

The Board entered a motion to approve Resolution 2014-63 approving the Golf Course water supply Agreement with Colorado Golf Club.

Motion: Heidi Tackett

Second: Robert Chapman

Vote: All Directors present voted in favor.

**RESOLUTION 2014-64 APPROVING TASK ORDER WITH GOLDER AND ASSOCIATES FOR SERVICES RELATED TO THE WELL H COMPLEX**

After a brief discussion, Director Chapman requested that Manager Beasley provide the Board with an updated Vulnerability Evaluation of the District, this being prompted by the fact that the District has SCADA equipment tied to all of its facilities. The Board entered a motion to approve Resolution 2014-64 for services to be completed by Golder and Associates related to the Well H Complex in the amount of \$33,900 with a \$2,000 contingency.

Motion: Steve Tinnes

Second: Robert Chapman

Vote: All Directors present voted in favor.

**RESOLUTION 2014-65 APPROVING A CONSTRUCTION CONTRACT WITH VELOCITY FOR SITE IMPROVEMENTS AT THE WELL 4 SITE**

The Board entered a motion to approve Resolution 2014-65 awarding Velocity Plant Services, LLC with the contract to provide construction services for the Well 4 site in the amount of \$44,431 with a \$2,300 contingency.

Motion: Robert Chapman

Second: Rod Bergholm

Vote: All Directors present voted in favor.

**RESOLUTION 2014-66 APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH GROUND ENGINEERING**

The Board entered a motion to approve Resolution 2014-66 approving the Professional Services Agreement with Ground Engineering for providing on-call construction services to the District for 2015.

Motion: Robert Greene

Second: Steve Tinnes

Vote: All Directors present voted in favor.

**RESOLUTION 2014-67 APPROVING REVISED DISTRICT RULES AND REGULATIONS**

***\*\* This item has been tabled and moved to the January 2015 Board meeting agenda\*\****

**RESOLUTION 2014-68 APPROVING REVISED DISTRICT EMPLOYEE HANDBOOK**

***\*\* This item has been tabled and moved to the January 2015 Board meeting agenda\*\****

Chairman Greene proposed that 2 items that are to be revised be adopted effective immediately. The remainder will be addressed at the January 2015 Board meeting. He asked that the Board consider adopting the 90 day Probationary Period Policy for new hires, and the addition of Email as a Public Information and Right to Monitor. After a brief discussion regarding the amount of time that should be allowed to evaluate a new employee, it was agreed by all to change the 90 day Probationary Period to 120 days. A motion was entered to adopt the two above mentioned items into the Employee Handbook effective immediately.

Motion: Robert Greene

Second: Heidi Tackett  
Vote: All Directors present voted in favor.

**ATTORNEY'S REPORT**

Mr. Folkestad presented active matters of interest to the Board included in his report.

**ACCOUNTANT'S REPORT**

Accountant Kevin Collins presented the October 31, 2014 financials.

**TREASURER'S REPORT**

Treasurer Rod Bergholm presented the Treasurer's Report for Board approval for the month of November, 2014. He noted that included in the disbursements is a \$297,963 tap fee reimbursement, and a \$427,976 payment tied to the Reservoir 2B project. A motion was entered to issue checks as written in the amount of \$1,080,146.60 for disbursements and \$8,244.83 for the interim report.

Motion: Rod Bergholm

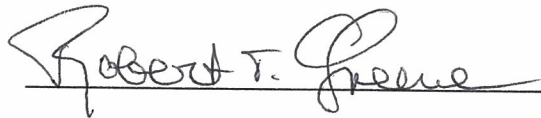
Second: Heidi Tackett

Vote: All Directors present voted in favor.

**DISTRICT MANAGER'S REPORT**

Manager Beasley updated the Board on items of importance to the District.

There being no additional business to come before the Board Chairman Greene adjourned the meeting at 8:30 pm.



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ROBERT GREENE, CHAIRMAN, DENVER SOUTHEAST SUBURBAN  
WATER & SANITATION DISTRICT

ATTEST:



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HEIDI TACKETT, SECRETARY