

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
RURAL WATER AUTHORITY OF DOUGLAS COUNTY
HELD
DECEMBER 15, 2010**

A regular meeting of the Board of Directors of the Rural Water Authority of Douglas County (RWADC) was held at 7:00 p.m. on December 15, 2010 at the Phillip S. Miller Building, 100 Third St., Castle Rock, CO 80104.

Attendance

In attendance were Directors:

Steve Boand
Charles Bucknam
Barry Gager (arrived at 7:15pm)
Christine Hashimoto
Charlotte Mirabella
Priscilla Queen
Joe Rottman
Geoff Withers

Jack McCormick was absent whose absence was excused.

Also in attendance were:

Conner Shepherd, Circuit Rider of Colorado, LLC, Authority
Manager
Anita Littlewolf
Tim Murrell
Mark Shively

Call to Order

Director Withers called the meeting to order at 7:00 p.m. and declared a quorum. He asked if there were any conflicts of interest needed to be disclosed. There were none.

Public Comments

none.

Approval of Agenda

The Agenda was approved by acclamation as modified to switch consideration of Outreach and Elections under the Reports of Committees.

**Approval of
November 17, 2010**

Discussion followed regarding the minutes of November 17, 2010. Upon a motion duly made by Director Mirabella with a second

Minutes

by Director Rottman, the minutes of the regular meeting of November 17, 2010 minutes were approved as presented.

Treasurer's Report

Mr. Shepherd presented the financial statements for the period ending December 14, 2010 reflecting the current claims in the amount of \$2,710.77. Taking into consideration the current claim, the balance of accounts is \$84,260. Director Withers asked to replace the "N/A's" in the Adopted 2010 Budget with zeros. Upon a motion by Commissioner Rottman with a second by Director Mirabella, the Claims were approved as presented and the financial statements were accepted.

Special Action

Board Vacancy

Director Withers reported that he received the resignation of Board member, Mike Owsiany. Discussion followed. Upon a motion by Commissioner Board with a second by Director Rottman, the Board, by unanimous vote, appointed Charles H. Bucknam to fill the vacancy created by the resignation of Mr. Owsiany. Commissioner Board administered the Oath of Office to the two recent appointees to the Board, Christine Hashimoto and Charles Bucknam.

Presentation

Mark Shively

Mr. Shively presented a report on the activities of the Douglas County Water Resource Authority (DCWRA). He said that he was returning to request that the RWADC join the DCWRA. He described the pipe distribution plan of the South Metro Water Authority and said that included in the budget for the DCWRA are engineering costs to look at distribution points for a water distribution system. Director Rottman said he believes the distribution system will benefit large water users and not the individual domestic well user. Mr. Shively said there is water available if you're willing to pay the going price. Director Rottman replied that the people from the rural areas are not going to benefit from this distribution system. He said he doesn't believe the money from this organization should be used to solve the problems of the large water users. He said he believes this organization shouldn't contribute money given to it by the County to an organization that supports large water users. Director Mirabella reminded Mr. Shively that this Board has voted in the past to not join the organization and to not discuss it further.

Director Rottman agreed. Mr. Shively said he'd like the Board to try it out now, then make its decision whether or not it would work for you. Director Rottman asked about lobbying. Mr. Shively said they are not currently sponsoring legislation, but they use a lobbyist to keep abreast of the legislation as it develops. Discussion followed. No action was taken on Mr. Shively's request to join DCWRA.

Commissioner Board

Commissioner Board presented a report on water providers. He described how the County Commissioners analyze water use in the County. There are 14 small water providers under the RWADC contract. Of the 14, there are four Districts that have not provided data. The County is still trying to determine which aquifers are providing how much of the water. Next year the County will have data on use and source of supply. This data will be used for public education.

Large water suppliers are increasing their mill levies significantly; e.g. Parker Water just increased their mill levy from 2 to 14 mills for debt on Reuter-Hess. Roxborough received a contract with Aurora for water for \$27,000,000. They'll probably add another \$10,000,000 for water treatment. Mr. Rottman reported that his community installed a monitor that will detect overuse.

Report of Committees

Elections – Director Withers directed the Board's attention to the election committee report. Director Districts 3 and 4 must hold a regular Individual Water Provider Director election in 2011. Director District 5 must hold an Individual Water Provider Director election in 2011 for the unexpired portion of the 4-year term, after a vacancy was filled by appointment. And, Small Water System Providers must hold a regular election for Small Water System Provider Directors 2 and 3 in 2011.

Director Withers directed the Board's attention to the recommendations listed by the Election committee.

1. The Board should designate an Election Official to carry out the various election duties on behalf of the Board. We recommend designating Sarah Shepherd, of Colorado Circuit Rider, LLC, as that person, since she has a great deal of experience in this sort of work. Upon a motion by Director Bucknam with a second by Commissioner Board the Board appointed Cicuit Rider of Colorado as the DEO, with Sarah Shepherd serving in that capacity.

2. A large meeting room has been reserved at the Phillip S. Miller Library in Castle Rock on May 7, 2011, from 9:00 a.m. to noon, for the purpose of holding our first Biennial Meeting, as is required by the Creation Agreement and Bylaws, and to hold our first Board election, which is required by both those documents to be held at the Biennial Meeting. We recommend designation of that date, time and location for those purposes by Board Resolution. Upon a motion by Director Rottman, with a second by Director Bucknam the Board adopted the Biennial meeting date, time, and location as recommended by the Election Committee.

Director Withers said that due to some uncertainty on a few specific issues relative to elections, the Election Committee posed the following questions to Bob Cole, the Authority Attorney:

1. Do we need to de-Bruce? 2. Should we amend the Bylaws to eliminate the requirement for a mail ballot to all well owners in our service area? 3. Do SWSP Directors have to be on the Board of a SWSP that has "signed up"?

Since the election calendar begins the first week of February, Director Withers encouraged swift action on these matters. Commissioner Board urged the Board to get a written opinion from your attorney. Director Withers said that Mr. Cole says if we are subject to TABOR especially as it relates to grant funding, we would need to hold an election in November. Upon a motion by Commissioner Board with a second by Director Mirabella, the Board unanimously approved the expenditure of up to \$2,000 for an opinion regarding whether or not we are subject to TABOR. Director Mirabella said she would like the opinion prior to the next Board meeting. Director Withers said that if an election is necessary, he doesn't think the Authority will be able to coordinate the election with the County.

Regarding changing the by-laws, Director Mirabella suggested changing by-laws to change the election of officers after the May election. Director Withers explained how the by-laws can be changed. BG asks? (See handwritten changes). Item L. "which shall lists the R. remove "each" remove the second "two" Motion to approve as amended: 1st SB accept recommended changes on first reading; final approval will be on second reading at the next meeting. 2nd CM suggests getting rid of mailed ballots. GW - may need a by-laws committee meeting? IF there are only two items, just send me your comments. By the 15th of January

Outreach Program Development – Director Withers began the discussion regarding an outreach program.

Draft “fulfillment” brochure – Director Withers directed the Board’s attention to the brochure included in the Board packet. He said in order to meet the timeline necessary for the annual meeting, that the brochure needs to be published and mailed by January 1.

Fact Sheet – Director Hashimoto distributed a FACT sheet illustrating typical individual indoor and outdoor water use.. Ms. Littlewolf asks about fractured granite issues outside of the basin and how that affects our aquifers. Discussion followed on each talking point.

Meetings – Director Queen presented the schedule for the upcoming Town Meetings. The RWADC will be conducting a listening tour at four locations in Douglas County during February and March. The meetings will be held from 6:30 pm to 8:00 pm on the following dates: Feb. 2, Larkspur Fire Station; Feb. 9, Louviers Village Club House; Feb. 16, Franktown Fire Station; and March 2, Legend High School, Parker.

Budget & Finance: (See Treasurer’s Report above).

Old Business

Tabled the motion on hiring consultant, Carla Schnitker.

Director Withers asked for the Board to bring back for consideration the retention of Carla Schnitker, Consultant- Coach to assist the Authority in its outreach program. Discussion followed. By consensus, the Board determined that it would not retain an outside consultant at this time.

Adjournment

Upon a motion by Director Withers with a second by Director Hashimoto, the meeting was adjourned at 9:23 pm. The next regular meeting of the Rural Water Authority of Douglas County shall be held January 26, 2011.