



**Douglas County Board of
County Commissioners**

**Minutes of the Meeting of the Rural Water Authority
of Douglas County**

Wednesday, June 24, 2009

The Rural Water Authority met in the Philip S. Miller Building, 100 Third Street, Castle Rock, Colorado.

Present

Steven A. Boand, Commissioner
Anita Littlewolf
Jack McCormick
Charlotte Mirabella
Michael Owisany
Priscilla Queen
Joseph Rottman
Geoff Withers

Staff

Tim Murrell, Water Resource Planner
Judy Hammer, Planning Technician

Call to Order/Approval of Minutes

Commissioner Board called the meeting to order at 7:05 p.m. The May 27, 2009, minutes were reviewed and unanimously approved.

Section 18A Subcommittee Update

Charlotte Mirabella noted the subcommittee is currently: drafting a definition of sustainable water supply; ascertaining the complexities attached to integrating water rights, water supply and demand, and land use regulations; determining which sections of Section 18A that are still appropriate to use; proposing to change the amount of water required and allowed for use in some of the zoning districts; and working on a method in which regulations can apply to new development that will include existing water districts.

Charlotte and Commissioner Board discussed various definitions of sustainable water supply. Commissioner Board suggested reviewing definitions from some European Countries' websites, and reviewed various Denver Basin hydrology and hydrogeology studies to refer to while considering a sustainable water definition. He noted frequently, there are differences between the terms renewable and sustainable water. Charlotte noted the subcommittee will continue to research other sustainable water supply definitions.

The Authority discussed the benefits and drawbacks of aquifer storage and recovery (ASR). It was noted that Centennial Water and Sanitation District uses ASR and Britta Strother offered information about this to the subcommittee.

The Authority discussed the costs associated with importing water and the importance of water providers working together to help offset those expenses. They also discussed when in the process a developer should be required to submit proof that they have adequate, sustainable water supplies, and various subdivisions and golf courses that are using grey water for irrigation.

Citizen Comment:

Ed Fox asked how the subcommittee can find information about adequate measurements of sustainable water to use as a reference for the definition and noted whatever the criteria, it should be required that the applicant submit proof early in the process. Commissioner Board suggested the subcommittee review Denver Water's determination of both safe and minimum yields.

Jan Dixon asked at what point during the process the County will require the developer to demonstrate proof that they have a sustainable water supply and voiced concern about suspending development when it is determined that they don't in fact have water. Commissioner Board noted he is not aware of a development approved in the County under the provision of 18A that had to be suspended due their inability to provide water.

Linda Orlovski voiced concern about water contamination when water is injected into an aquifer for storage. Commissioner Board stated he was not aware of ground water contamination due to utilizing ASR, and explained that he knows of only one corporation who injects fluid into the alluvial aquifer, not the Denver Basin Aquifer.

Jan Dixon noted that she is concerned about the possibility of altering geochemical characteristics of aquifers.

By-Laws Discussion

Geoff Withers reviewed the subcommittee's memo that addresses their thought process behind alternate members, voting by proxy, and electronic "attendance" at Board meetings, i.e., by telephone/conference call. He noted the committee is working to ensure that they follow the intent of the Authority's Creation Agreement.

The Authority reviewed the complexities involved when there are alternate positions on a board including: how to structure the alternate election process; how to restrict votes cast by alternates; and various situations that might occur if alternates were designated. They also questioned what type of limits should be attached to alternates' voting rights. The Authority preliminarily voted not to have alternate positions and to table the discussion for the next meeting.

The Authority discussed the possibility of being able to vote by proxy, requiring a 2/3rds majority vote and allowing members to attend Authority meetings via conference calls. The Authority preliminarily voted not to allow voting by proxy and noted they will table the discussion for the next meeting. They also discussed changing the word “telephone” to “teleconference” and cast a non-binding vote to allow teleconference attendance.

The Authority reviewed issues that may arise if the definition of “Party” were to be changed in the bylaws. They noted that if this definition were to change, then it would not coincide with the definition in the Creation Agreement. Commissioner Board noted that the Creation Agreement cannot be overridden in the bylaws. Geoff noted the subcommittee will continue to work on the bylaws and they will review them again during the next meeting.

Charlotte noted it may be necessary to designate an Authority spokesperson in the bylaws.

Citizen comment:

Jan Dixon noted when the committee drafted the Creation Agreement they put a lot of thought into the definitions and asked the Authority to consider any proposed changes very carefully.

Officer Election

The Authority noted they will not elect officers until they adopt their bylaws.

Discuss Services of the Authority

Commissioner Board reviewed various types of water quality, potable and water supply tests that the Authority could administer through a contractor or post information on their website about who to contact to get these tests. Geoff suggested finding a cooperative purchasing group or trying to secure an “umbrella” contract in order to get lower costs for the tests. He stressed the importance of giving more than information to the Authority members. Commissioner Board also addressed providing information about contractors who provide well yield enhancement equipment, and water right adjudication. He reviewed well yield assurance policies that are covered by secondary insurance as a suggestion of another service that the Authority could provide. The Authority reviewed various methods in which they could offer these services and/or information to the public.

Discuss the Authority’s Public Outreach Program

There was not discussion about the Authority’s Public Outreach Program.

Calendar Update

Tim noted changes made to the calendar and that there will be a Chatfield South Presentation sometime in the future. He also addressed the need to discuss the equivalent residential unit definition.

Other Items

The Authority discussed inviting Commissioners Hilbert and Repella to one of their meetings.

Anita Littlewolf reviewed the course she will teach realtors about weeds, water, and waste, and offered to teach it to the Authority.

Adjournment

There being no further business, the meeting adjourned at 9:15 p.m.