

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
STONEGATE VILLAGE METROPOLITAN DISTRICT
HELD
December 7, 2011

A special meeting of the Board of Directors of the Stonegate Village Metropolitan District was held on Wednesday, December 7, 2011, at the Stonegate Community Center, 10326 Stonegate Parkway, Parker, CO at 6:00 p.m.

Attendance:

In Attendance were Directors:

Chris Kannawin
Joe Maus
Norman Shaw
Mike Sjobakken

Dennis Jackson was absent and excused

Also in attendance were:

Mitch Chambers and Niki Bussey; Mulhern MRE, Inc.
Jim Hunsaker; Grimshaw and Haring, P.C
John Simmons; Simmons and Wheeler, P.C.
Ger Whelan and Bill Goetz; Colorado Water Systems, LLC
Matt Mendisco; Clifton Gunderson
7 Stonegate residents

Call to Order:

The meeting was called to order by Director Kannawin. Director Kannawin announced that this meeting would combine the Continued Budget Public Hearing and the regularly scheduled December Public Hearing as one and there will not be a meeting on December 21, 2011 as previously scheduled.

Disclosure of
Potential Conflicts
of Interest:

Directors Kannawin, Maus, Shaw and Sjobakken declared that they had no conflicts of interest.

Agenda Change:

Director Shaw would like to add election of board members and an executive session to the Agenda.

Items from Citizens

Mr. Glenn Hathaway had some questions about the draft minutes and proposed budget. Director Kannawin directed him to bring up his questions when they come up on the agenda.

Mr. Dale Stebbens asked to delay his comments until Director Jackson is present.

Election of Officers: Director Shaw made a motion to hold a board officer election at this meeting. This motion was tabled until Director Jackson is present.

Letter from Bill Owens: Mr. Chambers presented a letter from Mr. Bill Owens asking to meet with the Board regarding future water opportunities. The board directed Mr. Chambers to schedule Mr. Owens at the January board meeting.

Colorado Water Systems Presentation: Mr. Ger Whelan and Mr. Bill Goetz presented an updated about Colorado Water Systems to the Board. They presented the Board with written information about their company. They are the current water and wastewater operators for the District and would like to continue their relationship with the District.

2012 Budget Continued Public Hearing: The public hearing was opened by Director Kannawin. It was noted that the Notice for the Public Hearing was published in the Douglas County News Press as required.

Mr. Glenn Hathaway asked for clarification on several points in the draft budget including total costs for management, legal and accounting.

Mr. Dan Schmick asked that a list of payables be available for public view. The board directed District staff to have these added to the District website each month. Mr. Schmick asked that contracts be competitively bid on a regular basis to insure that the District is getting the best rates possible. Mr. Schmick also asked that the District make sure that other districts served by Stonegate be held accountable for their fair share of all costs.

After all public comment was heard, Director Kannawin closed the public hearing portion of the Budget hearing.

Director Maus asked for clarification and discussion on several points. Several changes were made to the draft budget.

Director Sjobakken made some comments on the draft budget.

After discussion, upon a motion made by Director Shaw, seconded by Director Maus and, upon vote, unanimously carried, the 2012 budget was adopted, subject to changes discussed at the meeting, funds were appropriated and the mill levy was approved.

Minutes: The Board reviewed the Minutes of the November 16, 2011 meeting. After review, the Board directed staff to redraft portions of the Minutes and they will be considered for adoption at the January meeting.

Contracts and Purchases:

After review and discussion, Director Shaw made a motion to approve the contracts and purchases listed on the attached spreadsheet. Director Maus seconded the motion and, upon vote, it was unanimously approved.

Legal Discussion:

Mr. Hunsaker presented a Resolution to set the May 2012 election as a mail ballot election with Leslie Larson the Designated Election Official. The resolution was tabled at this time and Mr. Hunsaker will include the Resolution in the January board packet for approval at the January board meeting.

Mr. Hunsaker asked for additional guidance on the extension of the Colorado Water Systems contract. The board asked to discuss this contract in executive session.

District Manager's Report:

Mr. Chambers presented the District manager's report and asked for direction on several issues.

WISE has asked all parties to sign an Intent to Participate letter. This letter is not binding, but shows the District has a real interest in project. Mr. Chambers asked the board to consider this letter for signature at the next board meeting.

Mr. Chambers asked the board to sign a letter of support for SMWSA to send to the Corps of Engineers. The board directed Mr. Hunsaker to draft the letter.

The board indicated that they are in favor of participating in the South Platte water rights case 2004CW309.

The board directed staff to schedule Mr. Karl Nyquist, ACWWA and United Water to make presentations to the District for renewable water supply.

The board indicated that Mr. Chambers should schedule SMWSA, Denver and Aurora to attend a board meeting to update the District on the WISE project.

The Board directed staff to begin updating the District Rules and Regulations.

The Board directed staff to begin to develop a District policy manual.

The Board directed staff to begin developing Board Bylaws.

Executive Session:

Director Kannawin made a motion to go into executive session pursuant to CRS Section 24-6-402(4)(b) and (e) to consult with and receive legal advice from the District's attorney and to develop negotiating positions and instruct negotiators on matters related to the South Metro Water Supply Authority

WISE negotiations with Denver Water and Aurora Water and the Colorado Watery Systems contract. The motion was seconded by Director Shaw and, upon vote, unanimously carried.

The Board adjourned executive session. The Board took no action during the executive session

WISE “Intent to Participate” Document:

Director Shaw made a motion to sign the WISE “Intent to Participate” document for 350 acre feet. Director Kannawin seconded the motion and, upon vote, it was unanimously approved.

Adjournment:

Upon a motion duly made and seconded, the Board voted unanimously to adjourn the meeting.

Respectfully submitted,

Secretary for the Meeting

For approval at Current Board Meeting							12/7/2011	Contractor	Description	Current Amount	Date Approved	Status
Item	Project	Item										
1	District	Water Counsel	Lyons, Gaddis & Kahn	Continuation of contract for water counsel.	Time and Materials	12/7/2011						
2	District	Community Center	Mulhern MRE, Inc.	2012 Community Center and Activity Rooms reservations and scheduling.	NTE \$30,000 Time and Materials	12/7/11						
3	District	District Management Services	Mulhern MRE, Inc.	2012 District Management.	\$250,000.00	12/7/2011						Billing rates will remain the same as 2011
4	District	Billing Services	Mulhern MRE, Inc.	2012 Billing Services.	\$36/Account Annually	12/7/2011						Billing rates will remain the same as 2011
5	District	District Engineering Services	Mulhern MRE, Inc.	2012 General Engineering Services.	NTE \$45,000 Time and Materials	12/7/2011						
6	District	Consulting Services	TC Consulting Services	On-call consulting services.	Avg. 4 hrs./day, 4 days/week @ \$60/hr.	12/7/2011						
7	Public Outreach	Website	Hughes & Stewart	Monthly website maintenance 2012.	\$450/qtr. paid in advance	12/7/2011						Advertise for Stonegate Resident to maintain website
8	Security Testing	Cyber Security Evaluation	Browns Hill Engineering & Control	Result to be included in MMRE vulnerability assessment completed in 2011.	\$6,670.00	12/7/2011						
9	Water	Annual Contract	Bishop Brogden Associates, Inc.	2012 Water rights and water supply planning	\$24,000.00	12/7/2011						
10	WWTP	Blowers	B.A. Lawrence	Semi-annual service on 3 Lamson blowers.	\$1,012.50	12/7/2011						
11	WWTP	Odor Control	MARC	Odor suppressant - 55 gallon drum. (Digester odor control)	\$1,130.25	12/7/2011						