

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
RURAL WATER AUTHORITY OF DOUGLAS COUNTY
HELD
March 25, 2015**

A regular meeting of the Board of Directors of the Rural Water Authority of Douglas County (RWADC) was held on March 25, 2015 at the Phillip S. Miller Building, 100 Third St. Castle Rock, CO.

Attendance

In attendance were Directors:

Charles Bucknam
Kristin Dearborn
Barry Gager
Hank Giclas
Jack LaPorte
Chris Kennedy
Commissioner Roger Partridge

Excused: Director Beane, by a **motion (Bucknam/Giclas)** that was approved unanimously.

Also in attendance was:

Geoff Withers, RWADC Administrator, Circuit Rider of Colorado,

Oath of Office

Christine Kennedy was appointed Director of District 5 by **motion of the Board** (HG/CHB), passed 7-0, and was given the Oath of Office by Commissioner Roger Partridge, and took the position of Director from District #5 on the Board of the Rural Water Authority of Douglas County until the May 2 election.

Call to Order

Director Gager called the regular meeting to order at 7:03 p.m. and declared a quorum was present.

Disclosure of Conflicts

Director Gager asked if any Board member had a conflict of interest with any item on the Agenda. Commissioner Partridge said he would be leaving the meeting prior to discussion of Douglas County Referrals in New Business, to avoid any *ex parte* discussion. Director Gager said that if his work as a petroleum geologist should create a conflict in discussions of any oil and gas development applications, he would abstain from those discussions and actions, if any.

Approval of Agenda

Director Gager presented the Agenda. An item called “2014 Application For Exemption of Audit” was added to New Business. A **motion (Partridge/Giclas)** to approve the Agenda as amended was made and unanimously approved.

Public Comments

There were none.

Approval of Minutes

A **motion (Bucknam/Giclas)** to approve the draft minutes of the January 28, 2015 Meeting. The motion was approved unanimously, by a vote of 7-0.

Officer Reports

Chairman

Director Gager informed the Board that an Executive Committee meeting was held on March 6, 2015 to take care of four items of business in lieu of the cancelled February 25 meeting: 1) the Participating Electors List was approved for use at the 2015 election; 2) Christine Kennedy was recommended to be appointed to fill the vacant Director District 5 seat; 3) two February claims were paid (Colorado Circuit Rider, LLC - \$2,658.05 for staff support and Colorado Community Media - \$36.64 for publishing public notice of the upcoming 2015 election; 4) an amendment of Article V of the Bylaws dealing a quorum for meetings. Of these, items 1, 3 and 4 will be dealt with later in the meeting for the whole Board’s approval.

Vice Chairman

Director Bucknam reported that the USGS 2014 report on groundwater in Grandview Estates Rural Water Conservation District has been completed, and was distributed to the Board via email.

Secretary

Director Giclas reported that the state House of Representatives has passed HB 1259, which would allow anyone to collect two barrels of rainwater from their roof for outdoor use.

Treasurer - Claims & Financial Statements

Claims for March. The Board was provided the list of Claims and Financial Statements for the period ending March 25, 2015. One claim was presented: \$1,513.13 from Circuit Rider of Colorado, LLC for professional staff services. The claim was approved by a **motion (LaPorte/Dearborn)** unanimous vote of 7-0.

Mr. Withers directed the Board's attention to the Schedule of Cash Position, noting that the fund balance of the Authority as of March 25, 2015 is presented as \$85,024, which includes the Claims paid this month. This includes a reimbursement of \$19,332 from the Colorado Water Conservation Board from past invoices that had not been submitted from 2011, discovered by Director Gager. The Board congratulated him on his hard work in this matter.

Claims for February. The claim from the February Agenda, approved and paid by the action of the Executive Committee at their March 6 meeting, was also **moved (Bucknam/Gielas)** and approved unanimously by a vote of 7-0.

The Treasurer's Reports for February and March were accepted by a **motion (Bucknam/Partridge)**, which was approved unanimously.

Old Business

Well Monitoring Grant

Director Gager reported that he is waiting for a revised contract from USGS, as well as a contract extension with the CWCB. Mr. Everett reported that he made February well water level readings. The next one will be in June.

2015 Election and Biennial Meeting

Director Gager reported that Rhett Everett of the USGS has not yet committed to making a presentation at the Board's Biennial Meeting on the RWADC Well-Monitoring program. The funds for his time to do that are not included in the current contract for services. A second speaker from Red Rocks Community College might be invited to speak on their water/wastewater operator certification program. Director Kennedy suggested Hope Dalton might come and speak on well water quality, as well as septic tank maintenance. This latter subject may not be within the direct mission of the RWADC, but it is one in which well owners have a natural interest.

The Board reviewed the 2015 Participating Electors List, which the Executive Committee recommended be approved. It was suggested that the Individual Water Providers that excluded themselves from the RWADC Service Area should be noted, and specifically excluded from the list. With that change, there was a **motion to approve the list (Bucknam/Dearborn)**, which was **approved** on a vote of 7-0. Mr. Withers said he would circulate a new copy of the list for the Board's review.

Regarding the Election, it will be held at the Biennial meeting from 9:30 to noon. Director Kennedy has talked to someone she knows in Franktown about serving as Director from District 2, for which a

write-in nomination form must be submitted by April 2. There still has not been a candidate for District #3.

Strategic Planning

Director Gager asked Director Kennedy to review the current plan, to see what opportunities might exist to take advantage of her professional experience in communication and outreach. She said she would do so and transmit any ideas she might have to the Board.

New Business:

Application For Audit Exemption

The Board reviewed the draft Application, which was approved by a **motion (Bucknam/Dearborn)** by a vote of 7-0.

Bylaws Amendment

The Board considered the Executive Committee's recommendation of a Bylaws change to the Quorum requirement in Article V, Section 5. After a lengthy discussion, it was proposed to amend that Article of the Bylaws by a **motion (Gielas/Dearborn)** to read

Section 5. Quorum

Only when a quorum of more than half of the sitting members of the Board is present shall Board business be conducted.

The motion passed on a vote of 7-0.

Election Rules Amendment

The Board considered a recommendation by Director Bucknam of a change to the Election Rules. A proposal to amend the election rules by adding a new paragraph:

(d.1)(a) Any discrepancy between the Participating Voters List and the claim of qualification as a Participating Elector by a prospective voter, will be resolved by validation of both of the following two tests:

- Residence in the RWADC service area district by physical address - same as needed for identification for the purpose of voter registration in a Colorado General Election 1-1-104 (19.5) C.R.S. (a valid Colorado driver's license, valid identification card issued by the Department of Revenue, valid U.S. Passport, valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the United States, or current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the elector, etc.)*
- Land ownership within RWADC Service Area with a well permitted for household or domestic purposes on owned parcel – (1) Douglas County Assessor records, showing land ownership at a physical address and (2) household or domestic permit for well in the records of the Colorado Division of Water Resources or decree of well adjudication.*

(b) If these records do not resolve the discrepancy, and the prospective voter insists upon his/her qualification as a Participating Elector, a ballot will be issued, clearly

marked "Challenged Ballot." All Challenged Ballots will be set aside during the ballot counting, and used only when (1) it is determined by the election judge that their number could clearly affect the outcome of the election, and (2) the qualification of the prospective voters have been determined to be valid as to residency and well ownership.

[the preceding paragraph (d.1) was added by a Board Amendment on March 25, 2015]

The **motion (Bucknam/Giclas)** passed on a vote of 7-0.

Colorado Oil & Gas Conservation Commission Applications

No applications have been received to date for exploration within the RWADC service area.

Douglas County Referrals

There was a brief discussion of the proposed SB2012-053 Highlands Ranch Filing, no water issued were identified. Also discussed was 7007 Daniels Park Road event center use by special review.

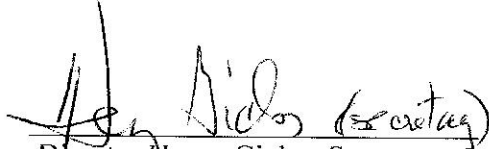
Directors Bucknam and LaPorte said they would develop a response in keeping with the Board's priorities for documentation requirements.

Adjournment

Upon a motion by Director Giclas, with a second by Director Beane, the meeting was adjourned at 9:40 p.m.

The next regular meeting of the Rural Water Authority of Douglas County shall be held at 7:00 on April 22, 2015 at the Miller Building, 100 Third St., Castle Rock, in Conference Rooms A & B.

Minutes approved on April 22, 2015


Director Henry Giclas, Secretary