



## Minutes of the Southeast Metro Stormwater Authority Board Meeting July 28, 2010

The Board Meeting of the Southeast Metro Stormwater Authority (SEMSWA) was held on Wednesday, July 28, 2010, at 76 Inverness Drive East, Suite A, Centennial, CO, 80112. A full and timely notice of this meeting had been posted and a quorum was present. The meeting was called to order by Chairman Bart Miller at 1:30 p.m.

Those present were:     Director Bart Miller/Chair  
                                 Director Rod Bockenfeld/Vice-Chair  
                                 Director Ron Weidmann/Secretary-Treasurer  
                                 Director Jacque Wedding-Scott/City Alternate  
                                 Director Linda Lehrer  
                                 Director Andrea Suhaka

Directors not present:   Director Jim Dyer

Also present were:     John A. McCarty, SEMSWA Executive Director  
                                 David Agee, SEMSWA Director of Finance and Administration  
                                 Ed Krisor, SEMSWA Attorney  
                                 Mike Vinson, SEMSWA CIP Program Manager  
                                 Mason Staub, SEMSWA Land Development Program Manager  
                                 Monica Bortolini, SEMSWA Floodplain Program Manager  
                                 RoxAnna Jones, SEMSWA HR Manager  
                                 Beth Bradley, SEMSWA Customer Support  
                                 Cassie Thomas, SEMSWA Land Development Technical Assistant  
                                 Tiffany Clark, SEMSWA Land Development Engineer

### **SIGN IN SHEET SUMMARY**

<b>Name</b>	<b>Representing</b>	<b>Phone/E-mail</b>
None		

*John McCarty introduced new SEMSWA Land Development Department employees, Cassie Thomas and Tiffany Clark. He noted that SEMSWA was now fully staffed.*

### **1. Public Comments for Non-Agenda Items**

There were no Public Comments.

### **2. Discussion of Cash Disbursements & Summary of Financial Reports**

- Dave Agee pointed out the expenditure on Line 120 of the Cash Disbursements and noted that Pond D-1 construction was almost complete.

- Mr. Agee gave a brief summary of the Financial Reports and noted that the last regular payment of 2010 stormwater fees had been received from Arapahoe County.
- Clarification was given to the board regarding permit fees paid by SEMSWA to other agencies.
- Director Suhaka asked if SEMSWA needed an investment policy and if SEMSWA had any other investments other than with ColoTrust. Mr. Agee explained the process for investments and that SEMSWA should not need an investment policy in the foreseeable future.
- Responding to a question from Director Suhaka, Mr. Agee reported that SEMSWA was insured through the Colorado Special Districts Property and Liability Pool.
- Director Weidmann made several comments about Financial Report revenues.
- Director Lehrer asked how the Consent Agenda items were selected. John McCarty said that the Consent Agenda is a new format for SEMSWA and that items could be removed upon request.
- Mike Vinson presented information about Piney Creek and Lonetree Pond L-1 and Mason Staub presented information about the vac truck acquisition.
- Mr. Agee answered general questions regarding the 2009 Audit.
- Mr. Agee noted that there was an error in Resolution 10-29: "\$274,889.00" should read "\$275,495.00".

### **3. Consent Agenda Items**

- a) Meetings Minutes: June 16, 1020
- b) Cash Disbursements: June 12, 2010 through July 23, 2010
- c) Resolution 10-26 (Acceptance of Audit for Year Ending December 31, 2009)
- d) Resolution 10-27 (Authorization to Increase Funding for the Piney Creek Stream Stability Improvements Project)
- e) Resolution 10-28 (Authorization for Additional Funding for the Lonetree Creek Regional Pond L-1 West)
- f) Resolution 10-29 (Authorization to Acquire Vac-Con Sewer Truck)

Although Resolutions 10-27, 28 and 29 remained on the Consent Agenda for purpose of the Board vote, those Resolutions were discussed in detail by the Board.

### **4. Adoption of Consent Agenda**

Motion for Adoption: Director Weidmann  
 Seconded: Director Suhaka  
 In Favor: All

## **5. Discussion and Consideration of Items Moved from Consent Agenda - None**

## **6. Resolution 10-30 (Opposition to Proposition 101 and Amendments 60 and 61)**

- Director Miller recused himself because he has been restricted from public voting on ballot measures due to his employment by the State of Colorado.
- Director Bockenfeld acted as Chair in Director Miller's absence.
- Director Wedding-Scott was asked to vote in Director Miller's absence.

Motion for Adoption: Director Weidmann

Seconded: Director Suhaka

Recused: Director Miller

In Favor: All

## **7. Executive Director Report**

- Mr. McCarty noted that SEMSWA received a thank you from Dave Zelenok, Centennial Public Works Director, and Jacque Wedding-Scott, Centennial City Manager, for SEMSWA's quick response to a paving project which required an emergency storm drain and inlet installation.
- *Fee Reduction Report:*
  - Single family dwelling in Antelope Neighborhood: resident installed a culvert pipe during a driveway reinstallation; \$172 fee waived.
  - South Suburban Park & Recreation District: widening of trail in Puma Park gave SEMSWA maintenance access to Lee Gulch; \$1700 fee waived.
- Mr. McCarty requested that the Budget Subcommittee meeting be moved from 1:30 pm to 12:00 pm on August 12, 2010.
- Mr. McCarty reported that the Board of Directors of ACWWA has directed its staff to move toward the transfer of the ACWWA NPDES Permit to SEMSWA. Legal Counsel for ACWWA and SEMSWA are working on the transfer documents, which may be presented to their respective boards in August. SEMSWA could take over payment of reimbursement agreements on January 1, 2011.

## **8. Legal Counsel Report**

- Ed Krisor reported that SEMSWA will receive a credit on building lease costs for property taxes that the owner should not have paid because of SEMSWA's governmental status. The total refund will be about \$50,000.00.
- Mr. Krisor presented information about United States Senate Bill 3481 concerning the payment of stormwater fees by federal agencies.

**9. Land Development Program Report-John McCarty reported for Dennis Welker**

New development cases are about the same as last year (45 vs. 47) but the scope of the projects was much less.

**10. Capital Improvement Program Report-Mike Vinson**

Mr. McCarty noted that SEMSWA had received all of the transfer of ownership documents for Lincoln Executive Center.

**11. Other Business-None**

**12. Executive Session pursuant to 24-6-402 (4)(f)(I) C.R.S. for the annual review of the Executive Director.**

Executive Session opened at 2:55 p.m.

Motion for Approval: Director Miller

Seconded: Director Weidmann

In Favor: All

Executive Session closed at 3:41 p.m.

**13. Executive Director Compensation.**

A Motion was made by Director Weidmann and seconded by Director Bockenfeld that beginning August 1, 2010, the Executive Director's salary shall be \$135,000 per year, that he should receive a one-time \$5,000 payment in recognition of his leadership of SEMSWA during the past year, and that these changes in his compensation shall be memorialized in the form of an amendment to his current employment contract.

In Favor: All

**14. Adjournment -** The Board Meeting was adjourned by Director Miller at 3:43 p.m.

Board meetings will be held at 1:30 p.m. on the following dates:

- August 25, 2010
- September 22, 2010
- October 27, 2010
- November 17, 2010
- December 15, 2010