



Minutes of the Southeast Metro Stormwater Authority Board Meeting
February 25, 2015

A Board Meeting of Southeast Metro Stormwater Authority (SEMSWA) was held on Wednesday, February 25, 2015 at 7437 S. Fairplay Street, Centennial, Colorado, 80112. A full and timely notice of this meeting was posted and a quorum was present. The meeting was called to order by Chairman Bart Miller at 1:59 p.m.

Board Directors Present: Bart Miller/Chair
Ron Weidmann/Sec-Treasurer
Nancy Doty
Stephanie Piko
Linda Lehrer

SEMSWA Staff Present: John McCarty, Executive Director
Dave Agee, Finance and Administration Division Director
Ed Krisor, SEMSWA Legal Counsel
Lanae Raymond, Environmental Resources Division Director
Paul Danley, Engineering and Construction Division Director
Mason Staub, Maintenance Division Director
RoxAnna Jones, HR Manager

OTHERS PRESENT

None

1. Public Comments for Non-Agenda Items – None

2. Public Hearing – Adoption of Revised 2015 Budget and Appropriating Additional Funds

- Director Miller opened the Public Hearing at 2:00 p.m.
- Dave Agee explained that the purpose of the resolution is to authorize additional spending that will occur in 2015 as a result of projects not completed in 2014.
 - Total Carryover Appropriations: \$2,960,265.00
 - Resolution requests that the board increase 2015 appropriations from \$10,848,849.00 to \$13,809,114.00
- There were no public comments.
- Director Miller closed the Public Hearing at 2:04 p.m.

3. Resolution 15-03 Adoption of Revised 2015 Budget and Appropriating Additional Funds

Motion for Adoption: Director Doty
Second: Director Piko
Approved: All

4. Finance Director Report – Dave Agee

- Line 18, Matrix Design Group, Design – Caley West Pond, \$25,696.66
- Line 60, CH2MHill, Design – Cherry Creek Reach 2, \$18,471.50
- Line 77, Tyler Technologies, Inc., Energov Implementation, \$19,791.50
- Separate tracking for legal fees regarding the Cherry Creek School District lawsuit are shown on page 2 of the Financial Report.
- The Planned Projects Expenditures are now shown as individual projects on the Financial Report.
- Discussion was held regarding check signing procedures and other accounting processes. A follow-up discussion will be held at the March 25, 2015 Board Meeting regarding these issues.

5. Consent Agenda

- Meeting Minutes – January 28, 2015

Motion for Adoption: Director Weidmann

Second: Director Piko

Aye: All

6. Legal Counsel Report – Ed Krisor

- Adams County Stormwater Fee Court Decision: Ed Krisor reported that the lawsuit against Adams County in regard to the stormwater fees it was charging has been dismissed by the District Court. The decision is very favorable to SEMSWA in regard to how SEMSWA calculates the fees it charges based upon the impervious area of each property ownership. The Court held that as long as the charge is reasonably related to the overall cost of providing service and is imposed on those who are reasonably likely to benefit from or use the service, the fee is legally justified.

7. Executive Director Report – John McCarty

- John McCarty presented the year-end outreach numbers.
- Director Piko brought up a citizen/property issue and John McCarty will review that information with her after the meeting.
- Ed Krisor reported on the status of the State Engineer's water rights issue.

8. Annual Report Presentation – Raymond

(Due to time constraints, this item was presented at 1:35 p.m. – before the Call to Order at 1:59 p.m.)

9. Executive Session pursuant to 24-6-402 (4)(b) C.R.S. / Legal Counsel Report – Cherry Creek School District Litigation

- Chairman Miller opened Executive Session at 2:39 p.m.
- Discussion
- Chairman Miller closed Executive Session at 2:59 p.m.

10. Adjournment - The Board Meeting was adjourned by Director Miller at 3:00 p.m.

- Next SEMSWA Board Meeting, Wednesday, March 25, 2015 at 1:30 p.m.