

**MINUTES OF BOARD OF DIRECTORS MEETING  
CLIFTON WATER DISTRICT  
THURSDAY, FEBRUARY 4, 2010**

**BOARD MEMBERS PRESENT:** John Ballagh, Chairman; Doralyn Genova, Vice-Chairman; Robert Burger, Secretary; Brian Woods, Treasurer; Alan Hassler, Director

**STAFF MEMBERS PRESENT:** Dale Tooker; David Reinertsen; Kelly McLaughlin; David Foster

**GUEST PRESENT:** Peter Ware, Gould Construction

**REGULAR MEETING**

Chairman Ballagh called the regular Board meeting to order at 5:03 p.m. Project 2008-04 Colorado River Intake Structure was moved from Unfinished Business to the first item on the Agenda.

**PROJECT 2008-04 COLORADO RIVER INTAKE STRUCTURE**

Assistant Manager Reinertsen introduced Peter Ware of Gould Construction, Inc. and presented the Design Build Agreement (*Project 2008-04 Colorado River Intake Structure Design Build Agreement File, 2/4/10 File*) between the District and Gould Construction, Inc. for the 30% Design Phase of modifications to the Colorado River Intake Structure. Gould Construction will be performing the services in conjunction with McLaughlin Water Engineers Ltd. The Scope of Services was reviewed. Director Hassler moved to approve and authorize the Chairperson's execution of the Design Build Agreement for Project 2008-04 Colorado River Intake Modifications at the not to exceed amount of \$75,212. Director Woods seconded and the motion passed unanimously.

Peter Ware exited the meeting at 5:15 p.m.

**MINUTES OF THE JANUARY 7, 2010 MEETING**

Director Genova moved to approve the January 7, 2010 Minutes as submitted. Director Burger seconded and the motion passed unanimously.

**FINANCIAL REPORT AND ACCOUNTS PAYABLE**

Director Genova moved to accept the Financial Report and approve Accounts Payable in the amount of \$ 85,941.28 Regular Check Run plus \$418.12 HRA Disbursement plus \$26,285.14 Benefits Check Run plus \$31,448.44 Supplemental Check Run for a total of \$144,092.98. Director Woods seconded the motion. Several questions were asked and answered regarding

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details of the Financial Reports, and corrected Financial Reports were prepared based on observations made by the Board. Staff provided details related to customer refunds and the Board suggested the development of a refund policy. The motion passed unanimously.

David Foster exited the meeting at 5:40 p.m.

### **MANAGER'S REPORTS**

The Board reviewed the Manager's Reports. Manager Tooker particularly noted the year-end totals indicating tap sales were down 59% and water sales were down 4% for 2009. Water quality issues related to the Shoshone Call were discussed.

### **STAFF REPORTS**

Denver Water's Moffat Tunnel Firming Project Draft Environmental Impact Study (EIS) – Manager Tooker provided an Executive Summary regarding the Moffat Collection System Project Draft EIS and announcement of the March 1, 2010 comment deadline. Tooker will send a letter from the District commenting on water quality issues and noting the insufficient coverage of water quality issues in the EIS.

Project 2008-04 North Raw Water Settling Pond – Manager Tooker reported that District and Grand Valley Drainage District staff members met with engineers from URS Corporation to discuss groundwater issues on the property designated for the North Raw Water Settling Pond. Additional design engineering is needed and a meeting with the Construction Committee will be scheduled for further discussion.

Account Corrections Report – Manager Tooker summarized corrections made to accounts as a result of investigating the recent large gap between plant outflows and water sales. Multiple accounts were back-billed for consumption that was not previously billed due to errors in account codes within the Springbrook software. In addition, Senate Bill 09-087 requiring an updated District boundary map resulted in the correction of approximately twenty accounts that were misidentified as In-District or Out-of-District properties.

### **EXPRESS AGENDA**

The Board reviewed the Express Agenda and accepted the following items as presented:

1. 2010 Election
  - a. Call for Nominations by Publication – This legal notice will be published in The Daily Sentinel between the statutorily required dates of February 3 and February 18.
  - b. Self-Nomination and Acceptance Forms – These Forms have been updated and are available to eligible electors and will be available at the Board Meeting.
2. 2009 Audit – Mary Brenes has initiated the Audit and performed an inventory inspection. Ms Brenes will be onsite performing the 2009 Audit March 8 – 12, 2010 with an anticipated presentation to the Board May 6, 2010.

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3. Project 2008-02 Pilot Testing Program – The design engineer, Burns and McDonnell, notified staff that they have corrected the future energy use cost factor that was used in the net present worth calculations. This revision affected the projected net present worth values from 11% to 23%, however, the original recommendations were not changed by the recalculations.

### **UNFINISHED BUSINESS**

Project 2009-04 Colorado River Intake Modifications Contract – This agenda item was completed at the beginning of the meeting.

Bill Print and Mail Services Agreement with InfoSend – Manager Tooker presented the agreement with InfoSend (*Infosend Agreement, 2/4/10 File*) regarding the outsourcing of bill print and mailing services that has been reviewed with attorney Betty Bechtel. Termination, confidentiality and Red Flag provisions were particularly noted. The Board requested additional language requiring prompt notification to the District of any breach in security potentially affecting District accounts. Director Burger moved to authorize the Chairperson's execution of the agreement with InfoSend for bill print and mail services with the changes requested. Director Woods seconded and the motion passed unanimously.

Vehicle Use Policy #21 – Manager Tooker presented draft revisions to the District's Policy #21 – Vehicle Use, as reviewed by attorney Betty Bechtel and the Policy Committee. In addition, Manager Tooker and Director Ballagh have identified that additional changes are necessary since the draft language prohibiting the use of all electronic devices in a vehicle would interfere with the ability of staff to use meter reading, radio and other equipment essential to the performance of job duties. Types of licensing, employer notification of license violations, and annual review of licenses will be further clarified. Action was deferred to the March 4, 2010 meeting.

### **NEW BUSINESS**

Family Medical Leave Policy #19 – Manager Tooker presented draft revisions to District Policy #19 – Family Medical Leave to identify the existence of and provisions of the Family Medical Leave Act of 1993 and clarify that unless/until the District has fifty or more employees that the Family Medical Leave Act of 1993 does not apply to District employees. Attorney Betty Bechtel was consulted regarding the draft revisions. Director Genova moved and Director Burger seconded to adopt the revisions to Policy #19 – Family Medical Leave, Sections 19.1.1 and 19.1.2 as presented. Motion passed unanimously

Cooperative Purchase of New Front Loader with Clifton Sanitation District – Manager Tooker advised the Board that the District has budgeted funds for the purchase of a front loader. A 2005 model Case loader has been tested and is recommended for purchase. The Clifton Sanitation District also has need for a front loader and the two District Managers are proposing a shared purchase. The Board stated concurrence with the concept to share a front loader if cost sharing is agreed upon for maintenance, insurance, operations and depreciation in addition to the purchase price. Staff will develop an Intergovernmental Agreement to specify cost-sharing details.

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**ADJOURNMENT**

Director Burger moved to adjourn the meeting. Director Hassler seconded and the motion passed unanimously. The meeting was adjourned at 7:20 p.m.

**ATTEST:**

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John L. Ballagh

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Doralyn Genova

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Brian Woods

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Alan Hassler

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Robert Burger