

**MINUTES OF BOARD OF DIRECTORS MEETING
CLIFTON WATER DISTRICT
THURSDAY, SEPTEMBER 4, 2014**

BOARD MEMBERS PRESENT: Dale Peck, Vice-Chairman; Doralyn Genova, Treasurer; Robert Norman, Secretary, Director Robert Burger. Chairman Hassler was identified as a late arrival.

STAFF MEMBERS PRESENT: Dale Tooker; David Reinertsen; Angie Beebe; Brian Sheley

REGULAR MEETING

Vice-Chairman Peck called the Regular Meeting to order at 5:05 p.m. Two items were added to the Agenda: Cochran Exclusion Status – Express Agenda, and Customer Refund Request 4199 Highway 50 – New Business.

MINUTES OF THE AUGUST 7, 2014 REGULAR MEETING

Director Genova moved to approve the August 7, 2014 Regular Meeting Minutes as submitted. Director Norman seconded the motion. The motion to approve passed unanimously.

FINANCIAL REPORT AND ACCOUNTS PAYABLE

Director Genova moved to accept the Financial Report and approve Accounts Payable Regular Checks of \$136,011.12 plus Benefits Checks of \$18,957.99 plus Supplemental Checks of \$1,045,290.38 for a total of \$1,200,259.49. Director Norman seconded the motion. Manager Tooker noted the Supplemental Check amount includes progress payment for the Carollo Design Build Group and a large customer reimbursement for an overpayment entered electronically by the customer. The Board asked Staff to clarify that the expenses for insurance and bonds for equipment provided by the District will be expensed in the MF/UF Project costs. The motion passed unanimously.

MANAGER'S REPORT

Manager Tooker presented the Manager's Report (9/4/14 File) for July 2014. Water quality and year to date tap sales were highlighted during the discussion.

INFORMATIONAL REPORTS

Highway 50 Bore Project – Assistant Manager Reinertsen provided a status summary (9/7/14 File, 2014 Informational Reports) of the progress of the project permitting process through the local offices of the United States Bureau of Land Management. The District's consultant, ERO Resources, Inc. has completed the comment revisions to the Plan of Development and has begun responses for the modified Environmental Assessment. Issuance of necessary permits and construction authorizations are now anticipated by the end of Calendar Year 2014.

Chairman Hassler entered the meeting at 5:32 and Vice-Chairman Peck transferred control of the meeting to Chairman Hassler at that time.

EXPRESS AGENDA

Director Burger moved to approve the Express Agenda items along with the added Cochran Exclusion Request. Director Genova seconded the motion. The motion passed unanimously approving the Express Agenda items as follows:

Colorado River District – Annual Water Seminar, September 19, 2014 – The Annual Water Seminar presented by the Colorado River District will be held at the Two Rivers Convention Center. For those interested in attending, please notify the office by Tuesday, September 16th. An informational flyer is included in the Board Packet.

466 32 1/8 Road (Account #016532000) – Customer Complaint/Water Damage to Rental Unit – Staff has submitted the Complaint to the District’s insurance representative and notified the customer that the complaint has been submitted to the District’s insurance representative.

Cochran Exclusion Request – Roger Cochran (Tax Parcel #2967-133-00-195) – Staff has received the final paperwork from the District Court showing the ordered Exclusion of Real Property from the Boundaries of the Clifton Water District effective September 2, 2014.

UNFINISHED BUSINESS

Certification of Past Due Water Balance to Mesa County Treasurer - Account #009191000 - 3178 ½ E Road, Grand Junction, Colorado 81504 - Tax Parcel ID 2943-104-03-018 – Manager Tooker reviewed the Staff Report (9/7/14 File, 2014 Staff Reports, Account 009191000) identifying actions taken thus far regarding this account. Director Norman moved to adopt Resolution 2014-05, Certify Past Due Water Balance To Mesa County Treasurer For 3178 ½ E Road – Tax ID 2943-104-03-018. Director Genova seconded the motion as amended by discussion. The amended motion was passed unanimously. The Resolution text is as follows:

WHEREAS Pursuant to C.R.S 32-1-1101(1)(e), the District, at a Regular Meeting of the Board of Directors, September 4, 2014 shall Certify the Past Due Water Balance to the Mesa County Treasurer for 3178 ½ E Road, Grand Junction Colorado 81504, Tax ID 2943-104-03-018 and,

WHEREAS, Notice of Lien was provided to the affected parties by Certified Mail on August 15, 2014 and as First Class Mailing on August 26, 2014; and

WHEREAS, the amount due shall be calculated as of September 4, 2014; and

WHEREAS, the District made a good faith effort in May 2014 to propose a Workout Agreement that was declined by the property owner; and

WHEREAS the Board of Directors of the Clifton Water District has determined that traditional methods to collect the Past Due Water Balance have failed and it is in the District’s best interest to collect the Past Due Water Balance Pursuant to C.R.S 32-1-1101(1)(e); and

NOW THEREFORE BE IT RESOLVED that the Clifton Water District Board of Director's approve the action to Certify the calculated past due amount plus a ten percent administrative fee to the Mesa County Treasurer for collection by the Mesa County Treasurer in the same manner as property taxes are authorized to be collected and paid over pursuant to C.R.S 39-10-107.

ADOPTED AND APPROVED this 4th day of September, 2014.

Project 2008-02 MF/UF – Manager Tooker briefed the Board regarding the construction and demolition activities underway. The Carollo Design Build Group's contractor, PCL, has experienced difficulty in securing local subcontractors to perform various components of the project. PCL is moving forward to 'self-perform' much of the planned work activities. Information only, no Board action required.

Project 2014-02 - Design GVICo Check Structure – Manager Tooker and Assistant Manager Reinertsen met with GVICo Staff on Tuesday, August 26, 2014 to discuss the project. At that meeting Staff requested clarification of a statement made by the GVICo Manager regarding a 20 cfs limitation of the amount of water delivery available through the canal. Until GVICo clarifies the stated diversion limitation, Manager Tooker did not accept a proposed Easement from GVICo to install a drain on District property for an upcoming canal lining project. It was determined that the need for continued design and construction of a check structure at a new District delivery head gate would not be beneficial at this time but, to proceed to clarify delivery amounts. No Board action required at this time. Staff will provide project updates as they become available.

Project 2014-01 F 5/8 Road Main Line Upgrade – Assistant Manager Reinertsen identified that construction is approximately 95% complete. Director Peck moved to authorize Staff to advertise for Final Payment at the October 2, 2014 Board Meeting once all construction has been completed. Director Burger seconded the motion which carried unanimously. A Final Project Cost Summary will be presented at that meeting.

Colorado Mesa University Out-of-District Service Request – Manager Tooker presented a Staff Report (9/7/14 File, 2014 Staff Reports) addressing the recent request by Colorado Mesa University for the District to provide Out-of-District water service to the new Colorado Law Enforcement Training Center located on Orchard Mesa. This request was accompanied with preliminary water demand and use projections. Manager Tooker reviewed his discussions with Mr. Brett Guillory of the City of Grand Junction Public Works Department regarding preliminary water delivery design options being considered.

It was the consensus of the Board that Out-of-District water service is available utilizing the estimated water usage information provided in Colorado Mesa University Kent Marsh's letter dated June 25, 2014. The Board further directed Staff to continue working with the entities involved to develop a more detailed plan for future Board considerations.

NEW BUSINESS

Designate Person to Prepare 2015 Budget – Director Peck moved to designate Manager Dale Tooker as the person to prepare the 2015 Budget. Director Burger seconded and the carried unanimously.

Manager's Evaluation – Director Genova moved to table discussion regarding the Manager's Evaluation until the October 2, 2014 Regular Board Meeting. Director Burger seconded the motion which carried unanimously.

Customer Refund Request 4199 Highway 50 (Account 020434-000) – Staff has received a request from Karen Schultz, property owner of 4199 Highway 50, Whitewater, to refund an overpayment made via a bank initiated electronic payment. Staff identified that the District is seeing a small increase in mistaken payments processed by the customer electronically. Typically, the customer has made a typing error and paid additional amount and is requesting a refund. Payments are received by a third party vendor contracted by the financial institutions. Staff has developed a process to work directly with the third party vendor to refund the full payment and to identify the situation to the Board. It was Board consensus for Staff to continue the process and receive confirmation from the financial institution that a Stop Payment has not been processed before proceeding with customer reimbursement.

Accounting Technician Beebe exited the meeting at 7:10 pm.

EXECUTIVE SESSION – Developing Strategy for Negotiations 24-6-402(4)(e) C.R.S

Director Genova moved to enter into Executive Session for the purpose of Developing Strategy for Negotiations under 24-6-402(4)(e) C.R.S.. Director Peck seconded the motion. The motion passed unanimously. The Board entered Executive Session at 7:12 pm.

Director Genova moved to exit the Executive Session. Director Peck seconded the motion. The motion passed unanimously. The Board exited Executive Session at 7:55 pm

It was the consensus of the Board to limit potential District or third-party liability that Staff should proceed to secure Construction Inspection Services with Carollo Design Build Group and develop a Scope and Contract to be processed as a Change Order to include the services in the MF UF Project Engineering Scope.

ADJOURNMENT

Director Burger moved to adjourn the Regular Meeting at 7:57 pm. Director Norman seconded the motion which carried unanimously.

ATTEST:

Alan Hassler

Dale Peck

Doralyn Genova

Robert Norman

Robert K. Burger