

**MINUTES OF BOARD OF DIRECTORS MEETING  
CLIFTON WATER DISTRICT  
THURSDAY, JULY 7, 2016**

**BOARD MEMBERS PRESENT:** Dale Peck, Chairman; Stan Sparks: Vice-Chair; Melvin Diffendaffer, Secretary; Doralyn Genova, Treasurer

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

**GUEST PRESENT:** Edward 'Dan' McElley, Director Vacancy Candidate

**REGULAR MEETING**

Chairman Peck called the July 7, 2016 Regular Meeting to order at 5:07 p.m.

Chairman Peck recognized the attendance of the Guest, District customer Mr. Edward 'Dan' McElley, who has expressed an interest in filling the vacancy on the District's Board of Directors.

**MINUTES OF THE JUNE 2, 2016 REGULAR MEETING**

Director Genova moved to approve the June 2, 2016 Regular Meeting Minutes as submitted. Director Diffendaffer seconded and the motion passed unanimously.

**FINANCIAL REPORT AND ACCOUNTS PAYABLE**

Director Genova moved to accept the Financial Report and approve Accounts Payable Regular Checks of \$224,610.40, plus Supplemental Checks of \$14,201.99, plus Special Check of \$2,352.00, plus Benefits Checks of \$15,808.23, for a total of \$256,972.62. Director Diffendaffer seconded and the motion passed unanimously.

Staff requested Board clarification on the monthly reporting of HRA expenditures now that the new third party firm, 24 Hour Flex, disburses qualified reimbursement directly to the employees' designated institution. It was Board consensus to report the monthly HRA reimbursement as an identified total expenditure on the Board Meeting Agenda Accounts Payable entry.

**MANAGER'S REPORTS**

Manager Tooker presented the Manager's Report for May 2016. He highlighted the sale of new taps year to date, monthly and year to date overtime hours used (currently tracking at 15% less than 2015 year to date totals), and overall project costs represented on the report cost tracking sheet for Project 2008-02 MF/UF Membrane Design/Build Project.

**EXPRESS AGENDA**

Director Genova moved to approve the Express Agenda items. Director Diffendaffer seconded the motion which passed unanimously. The Express Agenda items are as follows:

1. Project 2016-01 – F ½ Road Main Line Upgrade/Replacement Project – The final alignment for the new 6” water line has been established. The final design documents and engineer’s estimate of quantities and probable costs are due Friday, July 8. Once received, an informational meeting will be held with City of Grand Junction Public Works, Mesa County Road and Bridge, and District 51 representatives to discuss the project and identify and specific construction requirements that will be incorporated into the final bid documents.
2. Project 2016-02 – 34 Road Main Line Upgrade/Replacement Project – During final design edits a conflict was identified in the 34 & F Road intersection. Changes have been made and the final design documents and engineer’s estimate of quantities and probable costs are due Friday, July 8. Bid documents will be generated with construction bid advertising scheduled to commence in mid-July.
3. Project 2016-03 – Highway 50 Crossing – The project design engineer, Tetra Tech, has completed the final design and engineer’s estimate of material quantities and probable costs. The final design drawings will be delivered to Project Realty Specialist (US Bureau of Land Management) the week of July 4 for final internal reviews. Staff will begin a concurrent design review process with the Colorado Department of Transportation that week as well.

### **UNFINISHED BUSINESS**

Colorado State Parks Lease Agreement – Manager Tooker presented the parking area lease Agreement for Board approval. The parking area lease is officially identified as, State of Colorado acting by and through the Department of Natural Resources, for the use and Benefit of the Division of Parks and Wildlife and the Parks and Wildlife Commission Real Property Lease. Manager Tooker reviewed the Lease pointing out the conditions that the Board had requested to be included in the agreement including: one-year renewable term, waterfowl and weekend only hunting, limited number of blinds and occupants, area patrolled, proper signage, provide sanitary facilities and commitment to keep free of trash. Director Genova moved to approve the Real Property Lease with the State of Colorado and authorized Manager Tooker to sign. Director Diffendaffer seconded the motion. The Board discussed and reviewed the conditions of the Lease and the motion to approve the Lease was passed unanimously.

Booshway/Midlands Village Main Line Connection – Staff presented an update regarding this waterline project. Staff is in the process of securing a waterline easement with the property owner of Midlands Village Manufactured Housing Park. Information only, no Board action required at this time.

Open Board Position – Chairman Peck asked Mr. McElley if he still had interest in filling the current vacancy on the District’s Board of Directors. Mr. McElley stated that he would like to serve in that position. Director Genova moved to appoint Mr. Edward ‘Dan’ McElley to the vacant Board position until the next regularly scheduled District election to be held in May 2018. Director Sparks seconded the motion which passed unanimously. The Oath of Office will be administered at the start of the August 4, 2016, Regular Board Meeting.

## NEW BUSINESS

Project MF/UF 2008-02 – Final Completion Request – Manager Tooker presented a Memorandum identifying that Carollo Design Build Group had requested consideration of Final Completion of Project 2008-02 MF/UF. Manager Tooker reported Carollo Design Build Group has satisfactorily completed Project 2008-02 MF/UF and recommended Board approval by Resolution 2016-05. Director Genova moved to approve Resolution 2016-05 of the Clifton Water District Board of Directors Acting by and through its Water Activity Enterprise Accepting Water Project 2008-02 MF/UF Improvements as Constructed and further identifying the conditions set forth in the Resolution and authorizing Staff to advertise for Final Contractor Settlement in compliance with C.R.S. 38-26-107(1). Director Diffendaffer seconded the motion which passed unanimously.

Text of Resolution 2016-05:

**RESOLUTION 2016-05**  
**RESOLUTION**  
**OF THE CLIFTON WATER DISTRICT BOARD OF DIRECTORS**  
**ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE**  
**ACCEPTING WATER PROJECT 2008-02 MFUF IMPROVEMENTS AS**  
**CONSTRUCTED**

***WHEREAS**, the Clifton Water District, Acting by and Through Its Water Activity Enterprise (“District”), in the County of Mesa and the State of Colorado (“State”), is a political subdivision duly organized and existing pursuant to the constitution and laws of the State, in particular Title 32 of the Colorado Revised Statutes; and*

***WHEREAS**, the Board of Directors of the District is the governing body of the District and have been duly elected and qualified; and*

***WHEREAS**, on June 5, 2014, after appropriate bidding procedures were followed, the Board of Directors approved the Final Design/Build and Construction Contract (“Contract”) with Carollo Design Build Group (“CDBG”) for the construction of Project 2008-02 MF/UF as described in the Contract; and*

***WHEREAS**, Carollo Design Build Group (CDBG) has performed the design and construction pursuant to the Contract; and:*

***WHEREAS**, CDBG has officially requested Final Completion and Final Payment; and*

***WHEREAS**, CDBG design engineer has submitted certification stating Project 2008-02 MF/UF has been constructed consistent with the design documents; and*

***WHEREAS**, Project 2008-02 MFUF construction and installation of improvements is deemed complete and the District desires to accept Project 2008-02 MFUF improvements subject to the conditions set forth herein.*

***NOW THEREFORE BE IT RESOLVED** that the Clifton Water District Board of Directors resolve as follows:*

1. **ACCEPTANCE OF PROJECT 2008-02 MFUF.** *The District hereby accepts Project 2008-02 MFUF as complete for ownership, operation and maintenance subject to the following conditions:*
  - a. *Satisfactory completion of any punchlist items provided by the District or Engineer to the Contract.*
  - b. *Satisfactory proving an affidavit of all CDBG obligations to subcontractors, laborers, materialmen, suppliers, or other third parties in connection with the project, have been paid or otherwise satisfied.*

- c. *Subject to the warranty periods set forth in the Contract, satisfactory addressing items that CDBG has an obligation to repair and/or replace any defective work or materials, all as set forth in the Contract.*
2. **FINAL PAYMENT AND SETTLEMENT UNDER CONTRACT.** *The District's acceptance of Project 2008-02 MFUF shall not waive in any way the District's rights or obligations to enforce the payment or penalties due under the Contract and shall not be deemed to be a waiver of any supplemental conditions or requirements of CDGB after the date of this acceptance. Any surviving provisions set forth in the Contract shall continue to be in full force and effect. Further, the District shall issue final payment to CDBG in accordance with Colorado law, after proper publication and provided there are no verified statements of claim received by the District prior to such date. Further, Final Payment shall remain subject to negotiations between the District and CDBG pursuant to and with regards to change orders, liquidated damages and other rights, obligations and penalties of the District pursuant to the Contract.*

Board Members Recognition, Alan Hassler and Bob Burger – Director Diffendaffer moved to Recognize the service of former Board Member Alan N. Hassler through Resolution 2016-06 Resolution in Honor of Alan N. Hassler (*File 7/7/2016, Resolutions*). Chairman Peck read the Resolution aloud. Director Genova seconded the motion which passed unanimously. Chairman Peck signed the Resolution.

Text of Resolution 2016-06:

*Resolution in Honor of Alan N. Hassler*

**WHEREAS**, *Alan Hassler served as a member of the Clifton Water District Board of Directors from September 4, 2008 to July 2, 2015; and*

**WHEREAS**, *Alan Hassler provided respected administrative and governmental insight and guidance that was valuable during the planning, design, bidding and construction of the District's Microfiltration/Ultrafiltration Water Treatment Project; and*

**WHEREAS**, *Alan Hassler's service as the Board's President and Chairman was instrumental in the preparation of the annual budget, reviews of engineering and construction contractual agreements, evaluation of Cost-of-Service Analysis and Scenario Testing for establishing effective water rates; and*

**WHEREAS**, *Alan Hassler's extensive knowledge and understanding of the operation and management of local, county, and state governmental entities helped to guide District decisions and development of District policies in accordance with Title 32 Special District rules and regulations; and*

**NOW THEREFORE BE IT RESOLVED** *that the Clifton Water District and Board of Directors express their gratitude for Alan Hassler's commitment;*

**BE IT FURTHER RESOLVED** *that this Resolution is presented to Alan Hassler in appreciation of his dedication and service to the Clifton Water District.*

Director Genova then moved to Recognize the service of former Board Member Robert K. Burger through Resolution 2016-07 Resolution in Honor of Robert K. Burger (*File 7/7/2016,*

*Resolutions*). Chairman Peck read the Resolution aloud. Director Diffendaffer seconded the motion which passed unanimously. Chairman Peck signed the Resolution.

Text of Resolution 2016-07:

*Resolution in Honor of Robert K. Burger*

**WHEREAS**, Robert Burger served as a member of the Clifton Water District Board of Directors from June 7, 2007 to May 5, 2016; and

**WHEREAS**, Robert Burger provided respected financial insight and guidance that was valuable during the planning, design, financing, bidding and construction of the District's Microfiltration/Ultrafiltration Water Treatment Project; and

**WHEREAS**, Robert Burger's financial leadership was instrumental in the preparation of the annual budget, the evaluation and eventual early retirement of the 1996 Revenue Bond, the evaluation of Cost-of-Service Analysis in establishing effective water rates to not only fund operational expense but to also fund the District's capital depreciation replacement plan; and

**WHEREAS**, Robert Burger's ideas and principles were incorporated into the decisions and policies of the Water District; and

**NOW THEREFORE BE IT RESOLVED** that the Clifton Water District and Board of Directors express their gratitude for Robert Burger's commitment;

**BE IT FURTHER RESOLVED** that this Resolution is presented to Robert Burger in appreciation of his dedication and service to the Clifton Water District.

It was the consensus of the Board to extend invitations to both Alan Hassler and Bob Burger to attend a future Board Meeting so that formal presentation of the resolutions and District service recognitions can be made.

**EXECUTIVE SESSION**

At 6:30 p.m. Staff members Beebe and Sheley exited the meeting.

At 6:37 p.m., Director Genova moved to go into Executive Session, as per C.R.S. 24-6-402 (4)(f) for the purposes of discussing personnel matters. Director Sparks seconded and the motion passed unanimously. Directors Peck, Diffendaffer, Genova, and Sparks were present along with Manager Tooker and Assistant Manager Reinertsen.

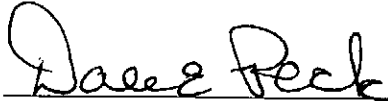
The Board adjourned the Executive Session at 7:13 p.m.

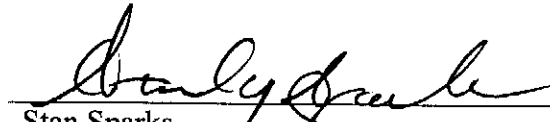
It was the consensus of the Board for Manager Tooker to proceed with implementing the District's succession plan as discussed.

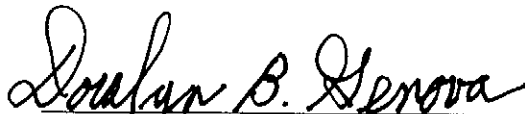
**ADJOURNMENT**


The meeting was adjourned at 7:15 p.m. by the Chairman.

**ATTEST:**

  
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Dale Peck

  
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Stan Sparks

  
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Doralyn Genova

  
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Melvin Diffendaffer

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