



Minutes of the Southeast Metro Stormwater Authority Board Meeting
January 27, 2010

The Board Meeting of the Southeast Metro Stormwater Authority (SEMSWA) was held on Wednesday, January 27, 2010, at 76 Inverness Drive East, Suite A, Englewood, 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 Board Chairman Bart Miller at 1:30 p.m.

Directors Present: Director Bart Miller/ Chair
 Director Rod Bockenfeld/Vice-Chair
 Director Ron Weidmann/Secretary-Treasurer
 Director Jim Dyer (arrived @ 1:34 p.m.)
 Director Linda Lehrer (arrived @ 1:32 p.m.)
 Director Andrea Suhaka
 Alternate Director/Jacque Wedding-Scott

Staff present: John A. McCarty, Executive Director
 David Agee, Director of Finance and Administration
 Ed Krisor, SEMSWA Attorney
 Mike Vinson, CIP Program Manager
 Mason Staub, Maintenance Program Manager
 Andy Kuster, GIS Program Manager
 Ashley Byerley, Water Quality and Special Projects Coordinator
 RoxAnna Jones, HR Manager

SIGN-IN-SHEET SUMMARY:

Name	Representing	Contact Information
Jennie Achee	ACWWA	303-790-4830 x 312

1. Public Comments for Non-Agenda Items - None

2. Discussion of Cash Disbursements and Financial Reports

- Dave Agee noted that the payments to Colorado Business Bank on Lines 33 and 77 of the Cash Disbursements List represented SEMSWA's loan prepayments and that SEMSWA was officially debt free.
- As per the IGA with IWSD, Line 51 was a \$27,385 payment to IWSD for reimbursement of drainage costs.
- Mr. Agee reported that the SEMSWA cash disbursements would now reflect Colorado payroll tax payments bi-weekly rather than monthly.

- The Budget Committee met on January 21, 2010 to review the revised 2010 budget. This item is scheduled for public hearing and adoption at the February 24, 2010 Board Meeting.

3. Consent Agenda

- December 16, 2009 Meeting Minutes
- Cash Disbursements
- **Resolution No. 10-01** (Designation of Public Place for Posting of Meeting Notices)
- **Resolution No. 10-02** (Amendment to Resolution No. 2, Series of 2006, Addition of *The Denver Post* as a Legal Newspaper for Publication of Notices)
- **Resolution No. 10-03** (Authorization for the Executive Director to Liquidate Surplus Inventory and Unusable or Retired Equipment and Used Vehicles)
- Defer to February Board Meeting – **Resolution No. 09-47** (Authorization to Enter Into a Three Party Reimbursement Agreement for Construction of Pond L1 East – SEMSWA/ACWWA & Sunborne 16 XVI LTD)

4. Approval of Consent Agenda

Motion to Approve: Director Weidmann
 Second: Director Bockenfeld
 In Favor: All

5. Discussion and Vote on Items Moved from Consent Agenda - None

6. **Resolution No. 10-04** (Authorization to Award the Construction Contract for the Windmill Creek Pond W – 5 Project)

Motion to approve: Director Dyer
 Second: Director Weidmann
 In Favor: All

7. **Resolution No. 10-05** (Authorization to Fund the Design and Construction of Wetlands Along Windmill Creek)

Motion to approve: Director Weidmann
 Second: Director Suhaka
 In Favor: All

8. Resolution No. 10-06 (Authorization to Fund the Design of the Windmill Creek Pond W – 1 Project)

Motion to approve: Director Weidmann
Second: Director Dyer
In Favor: All

9. Resolution No. 10-07 (Authorization for Engineering Services for the Design of a Storm Sewer at Euclid Place and Oneida Court)

Motion to approve: Director Suhaka
Second: Director Weidmann
In Favor: All

10. Resolution No. 10-08 (Authorization to Enter Into an Intergovernmental Agreement with Arapahoe County for Design of Cherry Creek Stabilization Through the Ecological Park)

Motion to approve: Director Dyer
Second: Director Suhaka
In Favor: All

11. Resolution No. 10-09 (Authorization to Accept a Property Conveyance of Tract A, Block 1, Arapahoe Highlands) to SEMSWA

Motion to approve: Director Weidmann
Second: Director Suhaka
In Favor: All

12. Resolution No. 10-10 (Approval of a Non-Standard Stormwater Facility Maintenance Agreement – Huntington-Smoky Hill Park N Ride)

Motion to approve: Director Weidmann
Second: Director Suhaka
In Favor: All

13. Executive Director Update

- John McCarty asked if the board would like to schedule a mid-year performance review of the Executive Director position. The board indicated that an annual review was sufficient.

- On January 25, 2010, the EPA held a listening session in Denver. They were asking for input regarding a mandatory questionnaire for MS4 permit holders, contractors, and developers. The EPA's stated goal is that the new regulations are approved by November of 2012. Mr. McCarty submitted verbal and written testimony regarding this new questionnaire and sent the board a copy of that testimony.
- Mr. McCarty discussed proposed Amendment 60 and gave a brief power point presentation. Lanae Raymond has been assigned to examine the issues and possible actions relating to Amendment 60. The board discussed preparing a resolution for adoption opposing Amendment 60 later in the year.
- Board comments on the 2009 Annual Report are due to Lanae Raymond by February 3, 2010.
- SEMSWA has purchased three AED's, one for the office and one in each field crew vehicle. Training will be provided to 10 staff members in February of 2010.

14. Legal Counsel Update

- Ed Krisor reported on the status of the Post Office's nonpayment of stormwater fees. Mr. Krisor said that Director Miller had suggested amending the federal statute regarding this issue. Mr. Krisor proposed that the stormwater fee could possibly be billed on the property's water bill. Further discussion is needed on this issue.
- Proposed Amendment 60, if approved, would be effective January 1, 2011.

15. GIS Program Presentation by Andrew Kuster

16. Maintenance Program Presentation by Mason Staub

17. Other Items - None

18. Adjournment - The Board Meeting was adjourned by Director Miller at 3:05 p.m.

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

- February 24, 2010
- March 24, 2010
- April 28, 2010
- May 26, 2010