



## Minutes of the Southeast Metro Stormwater Authority Board Meeting January 28, 2009

The Board Meeting of the Southeast Metro Stormwater Authority (SEMSWA) was held on Wednesday, January 28, 2009, 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 1:35 p.m.

Directors present:        Director Bart Miller/Chair  
                                 Director Rod Bockenfeld/Vice-Chair  
                                 Director Ron Weidmann/Secretary-Treasurer  
                                 Director Jim Dyer (Called away from the Board Meeting at 2:45 p.m.)  
                                 Director Linda Lehrer  
                                 Director Andrea Suhaka  
                                 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  
                                 Andy Kuster, GIS Manager  
                                 Lanae Raymond, Water Quality and Special Projects Program Manager  
                                 Beth Bradley, Administrative Assistant and Customer Service

### **SIGN-IN SHEET SUMMARY**

<b><u>Name</u></b>	<b><u>Representing</u></b>	<b><u>Phone/E-mail</u></b>
Alan Leak	WRC Engineering	
Gary Atkin	ACWWA	

### **1. Administrative Items**

- a) Motion to approve the December 17, 2008, meeting minutes as presented:

Motion for approval: Director Weidmann  
Seconded: Director Suhaka  
In favor: All

### **2. Cash Disbursements & Summary of Financial Reports**

- a) Cash Disbursement Detail: Dave Agee commented on Lines 123 (Payment to The Rental Store / Wagner Rents for purchase of maintenance equipment), 143 (American Infrastructure: first construction payment on Pond W-4 Project) and 157 (Partnership with USGS-2008 LIDAR Data Project). Also, Line 16 was discussed which represents the payment of a garnishment on an employee.

- b) Motion to approve the Cash Disbursement Detail, as presented by Dave Agee, in the amount of \$659,828.94:

Motion for Approval: Director Weidmann  
Seconded: Director Suhaka  
Approved: All

- Mr. Agee gave a brief summary of the financial reports and noted that operating expenses were under budget for 2008 by \$650,000.00 and all programs were in the positive. Collection of stormwater fees in 2008 exceeded the budget by about \$100,000.00. Remaining 2008 delinquencies are about \$90,000.00 out of \$ 8,000,000.00 billed.

### 3. Public Comments – None

### 4. Executive Director Update

- a) John McCarty reported on SIAs and easements in 2008.
- |                      |             |
|----------------------|-------------|
| 2008 Fourth Quarter: | 2008 Total: |
| SIAs-2               | SIAs-8      |
| Easements-2          | Easements-5 |
- b) Draft Annual Report: The goal is to have the final report available to the public by the end of February. There was discussion about how to best make it available, including linking the full report on the web and possible inclusion of a summary report with City of Centennial newsletter.
- c) SEMSWA has reached an agreement with Heritage Place HOA resolving the eminent domain litigation. They have agreed to sell SEMSWA a strip of land along Arapahoe Road for the Arapahoe Road Project.
- d) Mr. McCarty read a letter from Arapahoe Parks and Recreation thanking SEMSWA for quick attention to needed repairs to a pedestrian crossing. Repair was eligible for UDFCD maintenance and repairs were performed by UDFCD.
- e) Lanae Raymond presented an update regarding the letter from the State of Colorado concerning stormwater inspections noted in drive-by reviews in September. An action plan was developed and executed which included group training, weekly staff meetings and working with a consultant for third-party inspections and training, especially focusing on enforcement. Also, inspector job descriptions were modified. Finally, a meeting with Nathan Moore from the State has been scheduled to report on these positive steps.

## 5. Designation of Public Place for Meeting Notices

- a) Motion to Approve **Resolution No. 09-01** (Designation of Public Place for Posting of Meeting Notices)

Motion for Approval: Director Suhaka  
Seconded: Director Weidmann  
In Favor: All

## 6. Public Hearing

- a) Chairman Miller opened the Public Hearing at 2:00 pm
- b) Adoption of Revised 2009 Budget and Appropriating Additional Funds

Mr. Agee reviewed the request for appropriating additional funds to reinstate appropriations which lapsed on December 31, 2008; carryover of monies for CIP Projects from 2008; encumbrances from projects started but not paid for in 2008. None of these actions has an effect on fund balances.

- c) Mr. Miller closed the Public Hearing at 2:10 pm

## 7. Adoption of Revised 2009 Budget

- a) Motion to Approve **Resolution No. 09-02** (Adoption of Revised 2009 Budget and Appropriating Additional Funds)

Motion for Approval: Director Weidmann  
Seconded: Director Suhaka  
In Favor: All

## 8. CCOERA Participation Agreement Amendment

- a) Mr. Agee reviewed the Resolution to amend the participation agreement with Colorado County Officials and Employees Retirement Association (CCOERA) concerning allowed frequency of loans from employees' 401(a) and 457 accounts. Discussion concerned reasons for loans and likelihood of increased requests for loans due to poor economy. Primary reason to limit number of loans is administrative time and expense.
- b) Motion to Approve **Resolution No. 09-03** (Authorization to Amend the Participation Agreements in regard to SEMSWA Retirement Plan Consisting of a 401(a) Retirement Plan and a 457 Deferred Compensation Plan)

Motion for Approval: Director Weidmann  
Seconded: Director Dyer  
In Favor: All

**9. Willow Creek at Otero Ave. and Newport St.**

- a) Motion to Approve **Resolution No. 09-04** (Authorization for Design and Construction of Hazard Mitigation and Creek Stabilization Measures for a Tributary to Willow Creek at Otero Ave. and Newport St.)

Motion for Approval: Director Weidmann  
Seconded: Director Suhaka  
In Favor: All

**10. Broncos Parkway Widening**

- a) Motion to Approve **Resolution No. 09-05** (Authorization for Design and Construction of Regional Drainage Improvements in Support of Broncos Parkway Widening)

Motion for Approval: Director Bockenfeld  
Seconded: Director Dyer  
In Favor: All

**11. Dove Creek Pond D-1 Project**

- a) Motion to Approve **Resolution No. 09-06** (Authorization to Fund Design Modifications and Construction of the Dove Creek Pond D-1 Project)

Motion for Approval: Director Dyer  
Seconded: Director Bockenfeld  
In Favor: All

**12. GIS Presentation by Andy Kuster**

**13. Bi-monthly CIP Update by Mike Vinson**

**14. Other Items:**

- Mike Vinson presented the SEMSWA Power Point program put together by Lanae Raymond. CDs of the presentation were made available to the Board Members. A version of the program will be posted to the SEMSWA website.
- John McCarty reminded the Board that the meeting of the Review Committee for mid-year review of the Executive Director will immediately follow the Board Meeting.

**15. Adjournment-**The Board Meeting was adjourned at 3:14 p.m.

- The next SEMSWA Board Meeting will be held on Wednesday, February 25, 2009, at 1:30 p.m.