

Addition to Meeting Minutes of February 27, 2008

Gary Atkin comments regarding Item 8 of the February 27, 2008 SEMSWA Board Meeting:

Mr. Atkin stated that his comments were related to the consideration by the Board of the transfer to SEMSWA of ACWWA's NPDES Permit as well as construction of projects W-4, D-1 and D-2. Mr. Atkin wanted to publicly acknowledge being able to work with Scott (Tucker) and that Scott has been a tremendous asset from Mr. Atkin's perspective. He stated that the IIGA that was being considered by the Board includes the previous Amendment No. 1 to a prior draft. Amendment No. 1 has been incorporated into the current draft of the IIGA.

Mr. Atkin informed the Board that the Arapahoe County Attorney's opinion in regard to the formation of SEMSWA is being reviewed by ACWWA's legal counsel. ACWWA's legal counsel will report to the ACWWA Board on March 12th, when the ACWWA Board next meets, on how the opinion relates to ACWWA.

Mr. Atkin continued his remarks by discussing SEMSWA's commitment to build D1 and D2 as referred to in the IIGA. He was concerned that if the SEMSWA CIP is going to be revised after the ACWWA Board considers the IIGA on March 12, 2008, the ACWWA Board might ask what commitment of funding SEMSWA will provide for the D1 and D2 ponds.