

**EAST CHERRY CREEK VALLEY
WATER & SANITATION DISTRICT**

**MINUTES OF A MEETING OF
THE BOARD OF DIRECTORS**

A special meeting of the Board of Directors of East Cherry Creek Valley Water & Sanitation District was held at 8:30 a.m. on Saturday, October 29, 2022 at the offices of the East Cherry Creek Valley Water and Sanitation District located in Aurora, Colorado at 6201 South Gun Club Road, Aurora, Colorado 80016.

ATTENDANCE

Directors in Attendance

Monica Holland, Chair
E. Peter Elzi, Jr., Vice Chair
Martin Hill, Jr., Treasurer
Mark Vagnerini, Asst. Secretary

Director Absent (Excused)

O. Karl Kasch, Secretary

Staff in Attendance

David J. Kaunisto, District Manager
Rick Clark, Senior Engineering Advisor
Scott Niebur, Operations Manager
Lauren Florman, Customer Service Manager
Tawna Scalese, Business Services Manager
Michelle Probasco, Project Manager

Others in Attendance

Tamara Seaver, Icenogle Seaver Pogue, P.C.
Gordon Meurer, Kennedy Jenks Consultants, Inc.
Brian Nazarenus, Nazarenus Stack Wombacher, LLC
Bill Wombacher, Nazarenus Stack Wombacher, LLC
Andy Cohen, Clermont Eliot, LLC
Carrie Bartow, CliftonLarsonAllen, LLP
Mallorie Hanson, CliftonLarsonAllen, LLP
Kelly DiNatale, DiNatale Water Consultants
Chris Newton, DiNatale Water Consultants
Tim Rynders, CDM Smith

CALL TO ORDER,
CONFIRMATION OF
QUORUM AND
APPROVAL OF AGENDA

Upon motion by Director Holland, seconded by Director Elzi...
The Board of Directors meeting was called to order, a quorum confirmed, and the agenda approved.

CONFLICTS OF
INTEREST

Legal counsel advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosures previously made, as applicable, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

Director Elzi disclosed his interests and association with The Bromley Companies. This disclosure is associated with approval of items on the agenda that may affect his interests.

Legal counsel advised that written disclosure of this interests had been filed with the Secretary of State at least seventy-two hours prior to the meeting.

MINUTES

October 13, 2022

Upon motion by Director Holland, seconded by Director Elzi, and unanimously adopted, and approved...

The minutes of the October 13, 2022, Board Meeting.

PAYMENT OF CLAIMS

Upon motion by Director Holland, seconded by Director Hill, and unanimously adopted, and ratified...

The payables and ACH transactions dated October 27, 2022, for \$539,195.56.

Upon motion by Director Hill, seconded by Director Elzi, and unanimously adopted, and ratified...

The ACH transactions dated October 19, 2022, for \$233,154.81.

BOARD MEMBER
ITEMS

The Board of Directors recognized and renamed the District Board Room and presented a plaque to long time Board of Director member Allan H. Tenenbaum.

CONSIDERATION OF
NORTHERN PIPELINE
OVERLAP CONSENT
AGREEMENT WITH
AEROTROPOLIS AREA
COORDINATING
METROPOLITAN
DISTRICT OF AURORA
HIGHLANDS
SUBDIVISION FILING
NO. 11

Upon motion by Director Elzi, seconded by Director Hill and unanimously adopted and approved...

Northern Pipeline Overlap Consent Agreement with Aerotropolis Area Coordinating Metropolitan District of Aurora Highlands Subdivision Filing No. 11, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
EASEMENT
AGREEMENT WITH
UNITED POWER, INC.

Upon motion by Director Elzi, seconded by Director Holland and unanimously adopted and approved...

Easement Agreement with United Power, Inc., in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
RECLASSIFYING A
FACILITIES
COORDINATOR
POSITION IN THE
PROJECTS
DEPARTMENT

Upon motion by Director Vagnerini, seconded by Director Holland and unanimously adopted and approved...

Reclassifying a Facilities Coordinator Position to Senior Facilities Coordinator in the Projects Department.

EXECUTIVE SESSION

Director Holland moved that the Board convene in Executive Session, pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations developing strategy for negotiations, and instructing negotiators related to ECCV water main boring damage; and Executive Session pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations related to FRICO and United Water and Sanitation District.

Director Elzi seconded the motion, which was approved by the Board at 1:10 PM.

The Executive Session included all voting members of the Board, staff and others in attendance as noted above.

Director Holland reconvened open session at 1:48 PM.

ADJOURNMENT

There being no further business to come before the Board, Director Holland adjourned the meeting at 1:48 PM.



David J. Kaunisto
Acting Secretary