



**AGENDA  
FOR THE BOARD OF DIRECTORS  
OF THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT  
DECEMBER 14, 2011  
REGULAR MEETING AT 7:00 P.M.**

- I. Call to Order & Pledge of Allegiance**
- II. Appointment of Secretary Ennis to Acting Chair**
- III. Ratification of Disclosures of Potential Conflicts of Interest**
- IV. Approval of Minutes – November 9, 2011**
- V. Public Comments**
- VI. Monthly Reports and Recommendations**
  - 6. Jim Jones – District Manager’s Report**
    - 1. Request for temporary water service from Singh Temple
    - 2. Human Resources Report  
**Attachment 6A**
    - 3. Application for Extension of GID ERU’s  
**Attachment 6B**
    - 4. Lease of District Water to Oil Fracking Operators
    - 5. New Administration Building
    - 6. Sonic Drive-in 10319 tower Road  
**Attachments 6C, 6D, and 6E**
  - 1. Curtis Bauers - Water System Manager’s Status Report**
    - 1. Water System Operations General Update
    - 2. Augmentation System and Denver Water Interactions
    - 3. Well 119 to Belle Creek Irrigation System Project
    - 4. Irrigation Well 100 Installation
    - 5. Programs Update
    - 6. Solar Energy Opportunities
  - 2. J-M Grebenc - Wastewater Manager’s Status Report**
    - 1. Wastewater Treatment Plant General Update
    - 2. 2011 WWTP Clarifier Improvement & Fournier Sludge Press Installation Projects
    - 3. Miscellaneous Reports
  - 3. Jim Pankonin - Distribution & Collections Manager’s Status Report**
    - 1. 2010 Wastewater Collection System Rehabilitation and Replacement Program
    - 2. 2011 Wastewater Collection System Rehabilitation and Replacement Program
    - 3. 2012 Wastewater Collection System Rehabilitation & Replacement Program

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4. East 104<sup>th</sup> Avenue Interceptor Sewer Phase 3A
5. 2011 Dupont Area Water System Improvement Project
6. 2011 Water Line Replacement
7. 2011-2012 Wastewater & Collections Systems Master Planning
8. Division V Mapping & Surveying
9. RTD proposed waterline crossing of the SACWSD connection to DW along Tower Rd.
10. Suncor Energy Pipeline Expansion Project
11. Other new developments that are currently in the review process
12. Miscellaneous Reports

**4. Terry Funderburk - Finance Manager's Status Report**

1. Financial Statements – October 31, 2011
2. Public Hearing Concerning 2012 Final Budget
  - Approval of Resolution 11-014 to adopt the 2012 Budget
  - Approval of Resolution 11-015 to appropriate revenues for 2012
  - Approval of Resolution 11-016 to set the mil levy for 2012
  - Approval of the Certification of mil levy for 2012
  - Approval of Resolution 11-017 to adopt new water and wastewater utility rates for 2012
  - Approval of Resolution 11-018 to adopt new system development charges effective January 1, 2012
3. Public Hearing Concerning Supplemental Budget Appropriation #3 to the 2011 Budget and approval of Resolution 11-019 making a supplemental appropriation to the 2011 budget
4. Recommendation to purchase wastewater taps from Metro Wastewater for 2011
5. Consulting Agreement: Information Technology Systems Evaluation and Master Planning
6. Miscellaneous Reports

**5. Tim Beaton - Legal Report**

1. Inclusions:
  - Hold public hearings and consider passing orders approving the following inclusions:
    - A. Petition of Glendale and Sandra Adkins for inclusion of the following property into the District:
      - Eagle Creek Filing No. 1, Block 3, Lot 21, Adams County, Colorado
      - 9671 Lansing Circle, Commerce City, Colorado; Parcel No. 0172114008021
    - B. Petition of Ernie F. and Nancy A. Atencio, d/b/a La Casa del Rey, for inclusion of the following property into the District:
      - Gripps Resubdivision Plot 7 8 9 Derby Gardens, Block 1, Lot 23, Adams County, Colorado; 7035 East 72<sup>nd</sup> Avenue, Commerce City, Colorado;
      - Parcel No. 0172132427003
    - C. Petition of 35 separate owners (SCM-GRP VAN SCHAAK, LLLP, et al.) for inclusion of the following property into the District:
      - A parcel of land located in Section 28, Township 2 South, Range 66 West of the 6th Principal Meridian, Adams County, Colorado, at the NW Corner of Tower Road and 81<sup>st</sup> Avenue; Parcel No. 0172328400002, more specifically described in the petition for inclusion.

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2. DIATC Metropolitan District – Consider approval of Resolution 11-020 consenting to DIATC Metropolitan District providing certain water and sanitation services within overlapping boundaries.
3. 2012 Election  
Consider approval of Resolution Appointing a Designated Election Official and Authorizing Designated Election Official to Cancel Election.
4. McGrath Residence Sewer Backup (5551 Monaco Street) and Related T. Lowell Construction Litigation (Case No. 11CV926).  
Discuss the T. Lowell Construction litigation. Consider holding an executive session if the Board would like legal advice regarding this matter or to instruct negotiators.
5. September 23, 2011 Wastewater Spill  
Discuss Metro’s claim for costs for responding to the spill. Consider holding an executive session for receipt of legal advice and to instruct negotiators regarding settlement of claims and liabilities in connection with the spill.

## **VI. Executive Session**

1. 2011CV926: Executive session pursuant to C.R.S. § 24-6-402(4)(b) and 4(e), for the purposes of: (1) a conference with Timothy J. Beaton, attorney for the District, to receive legal advice on specific legal question(s) relating to the T. Lowell Construction, Inc. litigation regarding the recovery of costs and damages associated with the failure of the lift station at 56<sup>th</sup> Avenue and Holly Street in July 2010; and (2) determining positions relative to that matter that may be subject to negotiation, developing strategies for negotiation and instructing negotiators relating to such litigation.
2. September 23, 2011 Wastewater Spill. Executive session pursuant to C.R.S. § 24-6-402(4)(b) and (4)(e), for the purposes of: (i) a conference with Timothy J. Beaton, attorney for the District, to receive legal advice on specific legal questions relating to a sewage spill on September 23, 2011, and liability therefor; and (ii) determining positions relative to matters that may be subject to negotiations, developing a strategies for negotiations and instructing the negotiators with respect to settlement discussions and discussions with other parties regarding liability for costs associated with the spill.
3. Potential Lease of Water to Fracking Contractors. Executive session pursuant to C.R.S. § 24-6-402(4)(a), (b) and (e), for the purposes of: (i) a conference with Timothy J. Beaton, attorney for the District, to receive legal advice on the lease of a property interest; (ii) receiving legal advice on specific legal questions relating to the lease; and (iii) determining positions relative to matters that may be subject to negotiations.

## **VII. Approval of Bills**

### **Consent Agenda Items**

- **Approve payment of #13,717.78 to Burns & McDonnell for November project engineering work.**
- **Approve corrected Payment No. 3 to WSU, LLC in the Amount of \$20,206.65.**
- **Approve pay request #3 to Farner Enterprises in the amount of \$109,253.76.**

### **Board Comments**

### **Adjourn**

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