

## **RECORD OF PROCEEDINGS**

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**MINUTES OF JOINT REGULAR MEETING**  
**BOARD OF DIRECTORS**  
**PLATTE CANYON WATER AND SANITATION DISTRICT**  
**AND**  
**SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT**<sup>1</sup>

Friday  
December 16, 2022  
Jefferson County, Colorado

The regular joint monthly meeting of the Board of Directors of the Platte Canyon Water and Sanitation District (“Platte Canyon”) and the Board of Directors of the Southwest Metropolitan Water and Sanitation District (“Southwest”) convened on Friday, December 16, 2022, at 8:30 a.m. in the Districts’ office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123. Due to COVID-19 and related virus concerns, and for purposes of convenience, the meeting was also conducted virtually using Microsoft Teams.

Any Board member who could not or was not comfortable physically attending, could attend by telephone or virtually. The web address and call-in information were included in the meeting notice so that interested members of the public could also attend. Although jointly conducted, a portion of the meeting pertained solely to one District or the other and, accordingly, at times only the vote of one Board or the other was required.

The following Platte Canyon Directors were physically in attendance, to wit:

William D. Buckner  
Anthony M. Dursey  
Louis J. Fohn  
George E. Hamblin, Jr.  
Mark Swatek

The following Southwest Directors were physically in attendance, to-wit:

Anthony M. Dursey  
George E. Hamblin, Jr.  
Chuck Hause  
Samuel Rivas, Jr.  
Bernard J. Sebastian, Jr.

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<sup>1</sup> and each District’s Water and Sanitary Sewer Activity Enterprise.

The following Platte Canyon staff members were physically in attendance: Cynthia Lane, manager; Vanessa Shipley, financial administrator; Scott Hand, operations supervisor; Tony Cocozzella, construction program manager. Bridget Butterfield, communications and administrative services coordinator; and Adam Morse, GIS/Website/IT technician, both attended the meeting virtually via Microsoft Teams.

Timothy J. Flynn, from Collins Cole Flynn Winn & Ulmer, PLLC, legal counsel for both Districts was also in attendance.

### **CALL TO ORDER**

The meeting was called to order by Platte Canyon’s President, George E. Hamblin, Jr., who presided as Chair.

### **APPROVAL OF PLATTE CANYON AGENDA**

A motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn to approve, as presented, the Platte Canyon agenda. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

### **PLATTE CANYON CONSENT AGENDA ITEMS**

Following a brief discussion, a motion was made by Platte Canyon Director Dursey and seconded by Platte Canyon Director Buckner to approve Platte Canyon Consent Agenda Items 1 and 2, as set forth below, by a single motion:

- 1. Ratification of Interim Disbursements and Approval of Current Payables.** Platte Canyon payables and supplemental disbursements for the month of December 2022, in the aggregate amount of \$534,843.74, represented by Platte Canyon check nos. 34577 thru 34619, inclusive, including any checks for less than \$5,000 written by the manager prior to Board authorization, together with various electronic fund payments for employee salaries, utility payments and other authorized electronic fund vendors.
- 2. Platte Canyon Investment/Deposit Transaction Report.** During the month of November 2022, Platte Canyon did not purchase any treasury notes or agency securities nor did any agency securities or treasury notes mature or redeem. In addition, Platte Canyon did not roll-over or renew any certificates of deposit.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

### **PLATTE CANYON ACTION ITEMS**

1. **Resolution Adopting Platte Canyon’s Fees for Calendar Yea 2023.** The Manager reviewed with the Board a schedule of Platte Canyon’s rates, fees, and charges for calendar year 2023 as more particularly set forth in Resolution 2022-12-1. The Resolution increases certain Platte Canyon fees, including the fees for responding to Colorado Open Records Act (CORA) requests, which will increase to the maximum amount permitted by law.

Following a brief discussion and based upon staff’s recommendation, a motion to adopt Resolution 2022-12-1 was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

A copy of Resolution 2022-12-1 is attached to the original of these minutes as **Exhibit A.**

2. **Resolution Establishing the Dates and Times for Board Meetings and Designating the Location for Posting Meeting Notices.** The manager reviewed with the Board, Resolution 2022-12-2 which reaffirms Platte Canyon’s regular meeting schedule for calendar year 2023 as being on the fourth (4<sup>th</sup>) Friday of each month, except for the months of November and December, when the meeting will be held on third (3<sup>rd</sup>) Friday of the month. The Resolution designates the Platte Canyon website as the location for posting open meeting law notices, which when available, will include a meeting agenda and will be posted at least twenty-four (24) hours prior to each Board meeting.

Following a brief discussion, a motion to adopt Resolution 2022-12-2 was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

A copy of Resolution 2022-12-2 is attached to the original of these minutes as **Exhibit B.**

**3. Adoption of Resolution Calling for the District’s Regular May 2, 2023 Board of Director’s Election.** Legal counsel noted that Directors William Buckner and Mark Swatek are up for election at the District’s next regular Board of Director’s election, which by law will be held on Tuesday, May 2, 2023. He reviewed with the Board Resolution 2022-12-3, which calls the election as a Polling Place Election and appoints Bridget Butterfield, a Platte Canyon employee, as the Designated Election Official and authorizes her to perform all acts necessary for conducting the election. Following a review and discussion, a motion to adopt Resolution 2022-12-3 was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

A copy of Resolution 2022-12-3 is attached to the original of these minutes as **Exhibit C.**

**4. Approval Schilling & Company, Inc. 2022 Audit Engagement Letter.** Vanessa Shipley and the manager reviewed with the Board the 2022 audit engagement letter dated December 2, 2022, submitted by Schilling & Company, Inc. for the performance of Platte Canyon’s 2022 audit. The audit engagement letter contains the same terms and conditions as prior engagement letters including the fee which is not increasing over the fee that was charged for the 2021 audit which was \$7,800.

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Swatek to accept Schilling & Company, Inc.’s 2022 audit engagement letter and to authorize its execution by an appropriate officer of Platte Canyon. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

5. **Approval of Legal Services Engagement Letter.** Legal counsel reviewed with the Board the terms and provisions of the engagement letter tendered by his firm, Collins Cole Flynn Winn & Ulmer, PLLC, for providing legal services during calendar year 2023. Following a brief discussion, a motion was made by Platte Canyon Director Dursey and seconded by Platte Canyon Director Swatek to approve the engagement letter and authorize its execution by an appropriate officer of Platte Canyon. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

**PLATTE CANYON INFORMATION/DISCUSSION ITEMS**

1. **Platte Canyon Contract Rates for Management and Maintenance Services.** The Manager reviewed with the Board the rates that Platte Canyon will be charging the Bow Mar Water and Sanitation District, the Valley Sanitation District, and the Columbine Water and Sanitation District for the services that Platte Canyon staff provides to each of these districts, pursuant to various intergovernmental agreements to each of those Districts. Due to increased costs, Platte Canyon’s hourly rate and equipment charges will increase for calendar year 2023, which rates include a 35% markup over Platte Canyon’s actual cost.

Following a brief discussion during which Platte Canyon Director Dursey noted that he wanted to make sure that the rates Platte Canyon was charging were not only recovering all of Platte Canyon’s costs, but were fair in terms of what market conditions warrant.

At the conclusion of the discussion, a motion to approve the rates that Platte Canyon will charge these districts for calendar year 2023 was made by Platte Canyon Director Dursey and seconded by Platte Canyon Director Buckner. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

A copy of the rate schedule as approved by the Platte Canyon Board is attached to the original of these minutes as **Exhibit D**.

**PLATTE CANYON NEW BUSINESS**

There was no new business to come before the Platte Canyon Board.

**JOINT PARTICIPATION PORTION OF THE MEETING**

George E. Hamblin, Jr., continued to act as Chair for the joint participation portion of the meeting.

**APPROVAL OF JOINT MEETING AGENDA**

A motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Fohn to approve the joint meeting agenda, as presented. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

The Chair then called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

**JOINT MEETING CONSENT AGENDA**

**1. Approval of the Minutes of the Boards’ November 18, 2022, Joint Regular Meeting.** Following a brief discussion, a motion was made by Southwest Director Hause and seconded by Southwest Director Sebastian to approve the minutes of the Boards’ November 22, 2022, joint regular meeting, as presented. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

The Chair then called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The approved minutes will be presented to the members of each Board for signature as soon as practical following the meeting, as further evidence of ratification, confirmation and approval.

**JOINT MEETING ACTION ITEMS**

No action items came before this joint regular meeting of the Boards.

**JOINT MEETING INFORMATION/DISCUSSION ITEMS**

**1. Financial Matters.**

(a) **Platte Canyon Financial Statements.** The following unaudited Platte Canyon financial statements, prepared by Vanessa Shipley, for the eleven-month period ending November 30, 2022, were presented to the Boards:

(i) Statement of Net Assets, dated November 30, 2022, showing Platte Canyon’s Assets, Liabilities, and Net Assets;

(ii) Statement of Revenue, Expenses and Changes in Net Assets for the eleven-month period ending November 30, 2022;

(iii) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to Annual Budget for the eleven-month period ending November 30, 2022; and

(iv) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to CM/YTD Budget for the eleven-month period ending November 30, 2022.

Following Vanessa Shipley’s review of the Platte Canyon financial statements, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Swatek to accept the Platte Canyon financial statements, as presented. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

(b) **Southwest Financial Statements.** The following unaudited Southwest financial statements, prepared by Vanessa Shipley for the eleven-month period ending November 30, 2022, were presented to the Boards:

(i) Statement of Net Assets, dated November 30, 2022, showing Southwest’s Assets, Liabilities, and Net Assets;

(ii) Statement of Revenue, Expenses and Changes in Net Assets for the eleven-month period ending November 30, 2022;

(iii) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to Annual Budget for the eleven-month period ending November 30, 2022; and

(iv) Schedule of Revenue and Expenditures – Budget & Actual CM/YTD Actuals Compared to CM/YTD Budget for the eleven-month period ending November 30, 2022.

Following Vanessa Shipley’s review of the Southwest financial statements, a motion to accept the Southwest financial statements, as presented was made by Southwest Director



Sebastian and seconded by Southwest Director Dursey. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

(c) **Platte Canyon Investment/Deposit Report.** The Boards reviewed a list of Platte Canyon’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Platte Canyon has in approved state depositories and authorized local government investment pools. As of November 30, 2022, Platte Canyon’s investments and deposits totaled \$9,788,291.80 itemized as follows:

<b><u>Description</u></b>	<b><u>Amount</u></b>	<b><u>Percentage</u></b>
Checking	\$318,275.87	3.25%
Certificates of Deposit	\$495,000.00	5.06%
ColoTrust-Edge	\$730,650.42	7.46%
ColoTrust-Plus	\$1,565,002.67	15.99%
ColoTrust-Trust Account	\$19,017.81	0.19%
CSAFE-Core	\$383,908.72	3.92%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$4,773,409.09	48.77%
U.S. Government Agencies and Instrumentalities	\$1,503,027.22	15.36%
<b>TOTAL</b>	<b>\$9,788,291.80</b>	<b>100.00%</b>

The average yield on Platte Canyon’s investments for the month of November 2022, as calculated by staff, was 1.8781% per annum.

Following a brief discussion, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Fohn to accept the Platte Canyon Investment/Deposit Report, as presented. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

(d) **Southwest Investment/Deposit Report.** The Boards reviewed a list of Southwest’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Southwest has in approved state depositories and authorized investment pools. As of November 30, 2022, Southwest’s investments and deposits totaled \$25,326,691.92 itemized as follows:

<b><u>Description</u></b>	<b><u>Amount</u></b>	<b><u>Percentage</u></b>
Checking	\$30,003.44	0.12%
Certificates of Deposit	\$494,000.00	1.95%
ColoTrust-Edge	\$2,316,796.39	9.15%
ColoTrust-Plus	\$1,465,456.54	5.79%
ColoTrust-Trust Account	\$48,927.41	0.19%
CSAFE-Core	\$541,297.70	2.14%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$14,430,210.44	56.98%
U.S. Government Agencies and Instrumentalities	\$6,000,000.00	23.69%
<b>TOTAL</b>	<b>\$25,326,691.92</b>	<b>100.00%</b>

The average yield on Southwest’s investments for the month of November 2022, as calculated by staff, was 1.7003% per annum.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest Investment/Deposit Report, as presented. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

**2. Management Report.** In lieu of a review of the written management report, the Manager asked if there were any questions concerning the written management report. There were no questions. In addition to the written management report, the Manager reported as follows:

(a) **Denver Water CEO to Leave.** The Chief Executive Officer of Denver Water, Jim Lochhead, announced that he will be leaving Denver Water, but that he will stay as long as necessary for the Board of Water Commissioners to find a replacement. It is expected that the transition to a new manager will occur sometime in March of 2023.

Mr. Lochhead has been very active in Colorado River negotiations on behalf of Denver Water. It is believed likely that he will take a similar post with the Colorado Department of Natural Resources and will remain active on these negotiations, on behalf of the entire state of Colorado.

It's expected that an event commemorating and thanking Mr. Lochhead for his years of service will be scheduled in June of this year. Julie Bower at Denver Water will be responsible for coordinating the event. The Manager will let the Board members know of the date and time of the event so that they can attend if they desire.

**3. Operations and Maintenance Summary Report.** Scott Hand reviewed the Operations and Maintenance Summary Report for November 2022. During the reporting period, neither Platte Canyon nor Southwest experienced any sanitary sewer service interruptions. Platte Canyon experienced a water service interruption on November 13, 2022 at 7504 S. Depew Street and Southwest experienced two (2) water service interruptions, one at 6542 South Owens Court on November 17<sup>th</sup>, and another at 9378 W. Ontario Drive on November 12, 2022. Mr. Hand shared a PowerPoint presentation showing the repair activities that took place at each of these breaks in order to restore service.

Mr. Hand further reported that no remedial repairs will be conducted by either Platte Canyon or Southwest until next year. All of the repairs scheduled for this year have been completed.

**4. Capital Projects Report.** Tony Cocozzella reviewed the Capital Projects Report for Platte Canyon and Southwest. As part of his report, Mr. Cocozzella updated the Boards as to the status of all ongoing Platte Canyon and Southwest projects, including developer and District-specific projects. Those projects that are in the design phase were also included as part of his report.

### **NEW BUSINESS**

There was no new business to come before the joint participation portion of this meeting.

### **SOUTHWEST PORTION OF THE JOINT MEETING**

#### **CALL TO ORDER**

The Southwest portion of the joint meeting was called to order by Southwest's President, Chuck Hause, who presided as Chair.

## **APPROVAL OF SOUTHWEST AGENDA**

Following a brief discussion, a motion was made by Southwest Director Dursey and seconded by Southwest Director Sebastian to approve the Southwest agenda, as presented. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

## **SOUTHWEST CONSENT AGENDA**

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve Southwest Consent Agenda Items 1 and 2, as set forth below, by single motion:

**1. Approval of Accounts Payable and Ratification of Interim Disbursements.** The Southwest payables and supplemental payables for the month of December 2022, in the aggregate amount of \$1,018,529.87 represented by Southwest check no's. 20766 through 20787 inclusive, including any checks written by the manager pursuant to prior Board authorization for less than \$5,000, as well as various electronic fund payments for utility and other authorized electronic fund payment vendors.

**2. Southwest Investment/Deposit Transaction Report.** The report reflects that during the month of November 2022, Southwest did not purchase any treasury notes or agency securities, nor did any of Southwest's treasury notes or agency securities mature or redeem. In addition, during the month, Southwest did not rollover or renew any certificates of deposit.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

## SOUTHWEST ACTION ITEMS

**1. Adoption of Resolution Approving Southwest’s Rates, Fees, and Charges for Calendar Year 2023.** The Manager reviewed with the Southwest Board the schedule of Southwest’s rates, fees, and charges, together with Resolution 2022-12-1 which ratifies, approves, and confirms Southwest’s charges for calendar year 2023. The Resolution updates certain Southwest fees, including the fees for responding to Open Records Act requests (CORA). Following a brief discussion and based upon staff’s recommendation, the motion to adopt Resolution 2022-12-1 was made by Southwest Director Rivas and seconded by Southwest Director Sebastian. The Chair called for a vote of the Southwest Board and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

A copy of Southwest Resolution 2022-12-1 is attached to the original of these minutes as **Exhibit E**.

**2. Resolution Establishing the Dates and Times for Southwest Board Meetings and Designating the Location for Posting Meeting Notices.** The Manager reviewed with the Board, Resolution 2022-12-2 which reaffirms Southwest regular meeting schedule for calendar year 2023 as being on the fourth (4<sup>th</sup>) Friday of each month, except for the months of November and December when the meeting will be held on the third Friday of the month. The Resolution designates the Southwest website as the location for posting open meeting law notices which, when available, will include a meeting agenda and will be posted at least twenty-four (24) hours before each Board meeting.

Following a brief discussion, a motion to adopt Resolution 2022-12-2 was made by Southwest Director Dursey and seconded by Southwest Director Sebastian. The Chair called for a vote of the Southwest Board and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

A copy of Resolution 2022-12-2 is attached to the original of these minutes as **Exhibit F**.

**3. Approval of Resolution Calling for Southwest’s Regular May 2, 2023 Board of Director’s Election.** Legal counsel noted that Directors Hause and Rivas are up for election at Southwest’s next regular Board of Director’s Election which, by law, will be held on Tuesday, May 2, 2023. Following a review of the Resolution, a motion to adopt the same was made by Southwest Director Sebastian and seconded by Southwest Director Dursey. The Chair called for a vote and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

A copy of Resolution 2022-12-3 is attached to the original of these minutes as **Exhibit G**.

**4. Approval of Schilling & Company, Inc. 2022 Audit Engagement Letter.** Vanessa Shipley reviewed with the Board the 2022 audit engagement letter dated December 2, 2022, submitted by Schilling & Company, Inc. for the performance of Southwest’s 2022 audit. The audit engagement letter contains the same terms and conditions as prior engagement letters, including the fee which is not increasing over the fee that was charged for the 2021 audit which was \$7,800.00.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept Schilling & Company, Inc.’s 2022 audit engagement letter and authorize its execution by an appropriate officer of Southwest. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

**5. Approval of Legal Services Engagement Letter.** Legal counsel reviewed with the Board the terms and provisions of the engagement letter tendered by his firm, Collins Cole Flynn Winn & Ulmer, PLLC, for providing legal services during calendar year 2023.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve the engagement letter and authorize

its execution by an appropriate officer of Southwest. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

### **SOUTHWEST INFORMATION/DISCUSSION ITEMS**

There were no Southwest information or discussion items to come before the Southwest Board at this meeting.

### **SOUTHWEST NEW BUSINESS**

There was no new business to come before the Southwest Board at this meeting.

### **EXECUTIVE SESSION**

Following a brief discussion, a motion was made by Platte Canyon Director Dursey and seconded by Platte Canyon Director Fohn for both Boards to go into Executive Session for the purpose of evaluating the Manger’s 2022 job performance and discussing her goals for 2023 pursuant to Section 24-6-402(4)(f) C.R.S, and to discuss her salary for calendar year 2023.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

At approximately 9:45 a.m., both Boards entered into Executive Session. Present in the Board Room at that time were the Platte Canyon Board members, the Southwest Board members, the Manager, and legal counsel. Towards the end of the Executive Session, the Manager left the room to allow the Board to discuss her 2022 job performance in her absence. The Executive Session was recorded, as required by law. At approximately 10:40 a.m. The Board returned to Open Public Meeting.

Following a brief discussion, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Fohn to increase the Manager’s salary for calendar year 2023 by 8.7% rounded to the nearest lump sum number, as recommended by the Executive Salary Review Committee Chaired by Platte Canyon Director Swatek. Legal counsel was instructed to prepare an appropriate amendment to the employment contract between the Manager and Platte Canyon.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye
Mark Swatek	Aye

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The personnel committee for Platte Canyon and Southwest was authorized to meet with the District’s manager immediately following the meeting to go over her salary, performance review, and goals for 2023, as discussed in the Executive Session.

### **ADJOURNMENT**

There being no further business to come before this joint regular meeting of the Platte Canyon and Southwest Boards, a motion to adjourn was made by Platte Canyon Director Fohn and seconded by Southwest Director Hause.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William Buckner	Aye
Anthony M. Dursey	Aye



Louis J. Fohn	Aye
George E. Hamblin, Jr.	Aye

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
George E. Hamblin, Jr.	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

Whereupon, this joint regular meeting of the Platte Canyon and Southwest Boards of Directors adjourned at approximately 10:50 a.m. The next regular joint meeting of the Boards will be held on Friday, January 27, 2023, at 8:30 a.m. in the District's office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123.

Respectfully submitted,

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Timothy J. Flynn, Recording Secretary

THE MINUTES OF THIS JOINT REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT AND THE BOARD OF DIRECTORS OF THE PLATTE CANYON WATER AND SANITATION DISTRICT ARE HEREBY RATIFIED, CONFIRMED AND APPROVED BY THE FOLLOWING NAMED INDIVIDUALS WHO, INDIVIDUALLY AND AS MEMBERS OF THE BOARD OF DIRECTORS OF SAID DISTRICTS, WAIVE ANY AND ALL NOTICE THAT MAY BE REQUIRED BY THE STATUTES OF THE STATE OF COLORADO PERTAINING TO THE CONVENING AND THE CONDUCTING OF THIS SPECIAL MEETING OF THE DISTRICTS' BOARDS OF DIRECTORS; AND THE UNDERSIGNED DO HEREBY CONSENT TO THE SAID MEETING BEING HELD ON THE DATE, AT THE TIME AND AT THE PLACE AS HEREINABOVE SET FORTH.

**SOUTHWEST METROPOLITAN  
WATER AND SANITATION  
DISTRICT**

**PLATTE CANYON WATER  
AND SANITATION DISTRICT**

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Anthony M. Dursey

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William D. Buckner

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George E. Hamblin, Jr.

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Anthony M. Dursey

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Chuck Hause

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Louis J. Fohn

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Samuel Rivas, Jr.

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George E. Hamblin, Jr.

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Bernard J. Sebastian, Jr.

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Mark Swatek