

RECORD OF PROCEEDINGS

**MINUTES OF CONTINUED REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HOLLY HILLS WATER AND SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WATER UTILITY ENTERPRISE
HELD
FEBRUARY 21, 2017**

The February 15, 2017 Regular Meeting of the Board of Directors of the Holly Hills Water and Sanitation District and the Board of Directors of the Water Activity Enterprise (hereafter collectively referred to as the "Board") reconvened on Tuesday, the 21st day of February, 2017, at approximately 2:00 p.m., at the Skyline Firehouse, 6000 E. Yale Avenue, Denver, Colorado 80222. The meeting was open to the public.

Directors In Attendance Were:

Raymond V. Henney
Irina Bovee
David Plaul
William Dilatush

Also In Attendance Were:

AJ Beckman; Special District Management Services, Inc.

Timothy J. Flynn, Esq.; Collins Cockrel and Cole, P.C.

Anthony Melonakis, Esq; who attended by telephone for a portion of the Executive Session.

**ADMINISTRATIVE
MATTERS**

17.67 Agenda: Mr. Beckman presented the Agenda for the District's Continued Regular Meeting.

Following discussion, upon motion duly made by Director Henney seconded by Director Bovee and, upon vote, unanimously carried, the Agenda was approved, as presented.

LEGAL MATTERS

17.68 December 24, 2017 Sewer Backup: The Board discussed the December 24, 2017 sewer backup and determined to go into executive session.

17.69 Executive Session: Following a brief discussion, at approximately 1:46 p.m., pursuant to Section 24-6-402(4)(b) and (e), C.R.S., upon motion duly made by

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Director Henney, seconded by Director Bovee and, upon an affirmative vote of all Directors present, the Board convened in executive session for the purpose of receiving legal advice with respect to the sewer backup matter on December 24th and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.

Those present during the executive session consisted of Directors Henney, Bovee, Plaul and Dilatush; Legal Counsel and District Manager.

The executive session lasted approximately 2 hours and 12 minutes and was not recorded because it constituted a privileged attorney-client communication for which no electronic recording is required. At approximately 3:34 p.m. the Board returned to open public meeting.

Following discussion, the Board directed Counsel and staff to proceed with negotiations as discussed.

ADJOURNMENT


There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,


By: 

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL FEBRUARY 21, 2017 MINUTES OF THE HOLLY HILLS WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


Raymond V. Henney


Irina Bovee


William Dilatush


David Plaul

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ATTORNEY STATEMENT

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I, Timothy J. Flynn, state that I am general counsel for the Holly Hills Water and Sanitation District and that I was present at the time the Board convened in Executive Session on Tuesday, February 21, 2017 at approximately 1:46 p.m. I further state that the Executive Session was not recorded because it constituted a privileged attorney-client communication, and that no electronic recording thereof was necessary. The Board did not adopt any proposed policy, position, rule, regulation or take any formal action during the Executive Session.

Date: April 19, 2017

Signature: Timothy J. Flynn
Timothy J. Flynn