

**RECORD OF PROCEEDINGS  
MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
SOUTH METRO WISE AUTHORITY**

**HELD:** Wednesday, the 25<sup>th</sup> day of March 2020, at 1:00 p.m. held remotely (phone and web meeting).

**ATTENDANCE:**

A SPECIAL meeting of the Board of Directors of the South Metro WISE Authority was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Ron Redd, Parker Water & Sanitation District  
Mary Kay Provaznik, Dominion Water & Sanitation  
Mark Marlowe, Castle Rock Water  
Ken Lykens, Centennial Water & Sanitation  
Luis Tovar, Cottonwood Water & Sanitation District

Also present were:

Lisa Darling, SMWSA  
Chris Muller, SMWSA  
Mikal Martinez, SMWSA  
Matt Grunder, SMWSA  
Erik Jorgensen, SMWSA  
Russ Dykstra, Spencer Fane  
Eric Hecox, Meridian  
Heather Beasley, Pinery Water  
Mark Harding, Rangeview Metro District  
Marina Kopytkovskiy, Parker Water  
Sarah Sjobakken, Stonegate Village  
Rachel Pittenger, CWCB  
Angie Brown, Castle Rock Water  
Kevin Walsh, Dominion W&SD

**CALL TO ORDER:**

President Redd noted that a quorum was present for the purpose of conducting a meeting of the Board of Directors and called to order the special meeting of the Board of Directors of the WISE Authority at 3:05p.m.

**BOARD ACTIONS**

**AGENDA:** The Board reviewed the agenda. Upon motion duly made and seconded, the Board approved the Agenda as presented.

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### DISCUSSIONS


**BINNEY CONNECTION CONTRACTS:** Lisa Darling presented the agenda item for discussion: Mitigating Uncertainty and Risk re: Binney Connection Contracts, specifically related to force majeure, termination provisions, and next actions. Ron Redd opened for the Board to discuss how the current and quickly evolving issues could impact the project, construction, and scheduling in the Binney Connection project. Russ Dykstra provided an update and explanations from a legal standpoint as the contracts and project relate to current and potential conditions created by the COVID-19 virus. Members discussed concerns and positions. Chris provided a summary of recent discussions with contractors, materials shipping and pricing, “essential positions” definition per Tri-County Health, construction oversight, timelines of production, and a potential request for flexibility on take-or-pay. Ron Redd opened the conference floor for public comment. There was none. Mary Kay Provaznik requested WISE staff work with Aurora on provisional uncertainties and to lay out a construction oversight plan that considers currently known and potentially unknown risks.

### UPDATES

None.

**ADJOURNMENT:** There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 3:51 p.m. The next WISE board meeting is scheduled for April 15, 2020.

The foregoing minutes constitute a true and correct copy of the above-referenced meeting and were approved by the Board of Directors of the South Metro WISE Authority.



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Lisa Darling, Executive Director  
South Metro WISE Authority