

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
NOVEMBER 23, 2022**

The Regular Meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of its Wastewater Utility Enterprise (collectively referred to hereafter as "Board") convened by Zoom video conference and teleconference call on Wednesday, November 23, 2022, at 12:00 PM. The Zoom Meeting and call-in information were listed in the meeting notice posted by the District, and the public was able to attend the meeting by telephone, if they so desired.

ATTENDANCE

Directors In Attendance Were:

Gregory A. "Greg" Fabisiak
Catherine "CiCi" Kesler (via TEAMS)
James D. "Jim" Zimmerman
Anthony M. Dursey (via TEAMS)
George C. Davenport

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins Cole Flynn Winn & Ulmer, PLLC (via TEAMS)

Bill Willis; Martin/Martin Consulting Engineers

Wayne Ramey; Ramey Environmental Compliance

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the October 26, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and upon vote, unanimously carried, the minutes of the October 26, 2022 Regular Meeting were approved.

2023 Meeting Dates: The Board discussed the regular meeting dates for 2023.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board approved holding the Regular Meetings for 2023 on the 4th Wednesday of every month at 4:00 p.m. either at 141 Union Blvd., Suite 150, Lakewood, CO 80228 via Zoom or in person at Martin Martin, 12499 W Colfax Avenue, Lakewood, Colorado.

RECORD OF PROCEEDINGS

Discuss §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2022: Mr. Beck discussed the notice to electors required under Section 32-1-809, C.R.S. (“Transparency Notice”) for 2023.

Following discussion, the Board authorized posting the District’s Transparency Notice for 2023 on the SDA website and on the District’s website.

None.

**PUBLIC
COMMENTS**

**FINANCIAL
MATTERS**

Claims: Mr. Beck reviewed the claims through the period ending November 14, 2022 as follows:

General Fund	\$ 27,887.00
Enterprise Fund	\$ 33,773.77
Total	<u>\$ 61,660.77</u>

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved the revised payment of claims for the period ending November 14, 2022.

Unaudited Financial Statement: Mr. Beck reviewed with the Board the unaudited financial statements of the District setting forth the cash deposits, investments, and budget analysis, accounts payable vouchers for the month ending October 31, 2022, the schedule of cash position dated October 31, 2022.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, accounts payable vouchers and accounts receivables reports for the period ending October 31, 2022, and the schedule of cash position dated October 31, 2022, as presented.

Director Dursey discussed with the Board authorizing another \$2,000,000 investment.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board authorized Mr. Beck to make the investment.

2022 Audit: The Board deferred discussion at this time.

2022 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2022 Budget and discuss related issues.

RECORD OF PROCEEDINGS

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2022 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, the Board determined that a 2022 Budget Amendment was not needed.

2023 Budget: The President opened the Public Hearing to consider the proposed 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing and the public hearing was closed

Mr. Beck discussed the proposed budget, changes made per prior Board discussions and that the final mill levies and revenues were subject to change based on the Final Assessed Valuation to be received from Jefferson County.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-01; A Resolution of the Board of Directors of the Northwest Lakewood Sanitation District to Adopt the 2023 Budget and Appropriate Sums of Money, subject to receipt of the Final Assessed Valuation, as amended, per the Final Assessed Valuation and legal review.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-02; A Resolution of the Board of Directors of the Northwest Lakewood Sanitation District to Set Mill Levies to be determined, less the temporary mill levy reduction to be verified by Schilling & Company, plus the allowable mill levy for refunds and abatements based on the Final Assessed Valuation.

DLG-70 Mill Levy Certification: Attorney Flynn and Mr. Beck discussed the DLG-70 Mill Levy Certification form with the Board.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 mill levy certification form, for certification to the Board of County Commissioners and other interested parties.

RECORD OF PROCEEDINGS

LEGAL MATTERS **2022 Election:** Attorney Flynn and Mr. Beck discussed with the Board the status of the November 2022 Election.

Status of Reciprocal Agreement with Westridge Sanitation: Attorney Flynn discussed the status of the Agreement with Westridge and reported that the Westridge Board approved the Agreement at its November meeting. The Agreement will be effective as of January 1, 2023. The District will be billing Westridge customers the full FRSF of \$400.00/SFE.

11324 West 38th Avenue: Legal counsel noted that no activity occurred on the agreements that need to be put in place to provide sewer service to 11324 West 38th Avenue, which is property located in the Westridge Sanitation District. Attorney Flynn will inquire to see what is happening and update the Board at a future meeting.

Election Resolution: The Board discussed Resolution No. 2022-11-03; Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-11-03, Resolution Calling a Regular Election for Directors on May 2, 2023, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report with the Board. A copy of the report is attached hereto and incorporated herein by this reference.

Engineer’s Report: Mr. Willis reviewed with the Board the engineering report dated November 23, 2022.

Status of 2023 CIP: Mr. Willis discussed with the Board the status of 2023 CIP.

OTHER BUSINESS

Metro Water Recovery Update: Director Davenport updated the Board on the board meetings for Metro Water Recovery District.

Website Update: Mr. Beck updated the Board on the District website. The Board requested to take down the original website on Go Daddy and requested that Mr. Beck to discuss maintenance with Walt and to see if the website can be transferred. If the website cannot be transferred, the Board will authorize someone for maintenance contacts.

RECORD OF PROCEEDINGS

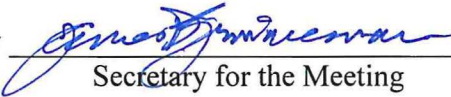
December 28, 2022 Meeting: Mr. Beck discussed with the Board cancelling the December 28, 2022 meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board approved cancelling the December 28, 2022.

ADJOURNMENT

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

Respectfully submitted,

By  Secretary for the Meeting