

RECORD OF PROCEEDINGS

**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
OCTOBER 27, 2021**

In part due to COVID19 concerns, the Regular monthly 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") was convened by Zoom video conference and teleconference call on Wednesday, October 27, 2021, at 4:00 P.M. The Zoom Meeting and call-in information was 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:

Anthony M. Dursey
Greg Fabisiak
Jim Zimmerman
Cici Kesler
Clark Davenport

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins, Cockrel & Cole, P.C.

Bill Willis; Martin/Martin Consulting Engineers

Wayne Ramey; Ramey Environmental Compliance

Walt Frankland

Roberta Rivera, Brady Bergeson, Kristina Neb; Residents

ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the September 22, 2021 Regular Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the minutes of the September 22, 2021 Regular Meeting were approved, as presented.

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PUBLIC COMMENTS

Ms. Roberta Rivera addressed the Board regarding her concerns about the Facilities Renovation and Services Fee and the difficulties in paying the fee by herself and other seniors in the District who live on fixed incomes and her request for a waiver of or discount on the fee or some other financial assistance in paying the fee. Director Davenport, Attorney Flynn and Mr. Beck will research payment assistance options.

FINANCIAL MATTERS

Claims: Mr. Beck discussed with the Board the payment of claims for the period ending October 14, 2021, as follows:

General Fund	\$ 23,158.64
Enterprise Fund	\$ 33,663.62
Total	<u>\$ 56,822.26</u>

Following discussion, upon motion duly made by Director Davenport, seconded by Director Fabisiak and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending October 14, 2021.

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 period ending September 30, 2021, the schedule of cash position dated September 30, 2021, and the Accounts Receivable reports on collections of fees, the past due accounts and collection efforts.

Following discussion, upon motion duly made by Director Kesler, 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 September 30, 2021, and the schedule of cash position dated September 30, 2021, as presented.

Resolution No. 2021-10-1 Certifying Delinquent Accounts For Collection By The County Treasurer: Attorney Flynn and Mr. Beck discussed the proposed resolution and the collection and certification of delinquent accounts with the Board. President Dursey opened the public hearing regarding the certification of delinquent accounts.

Mrs. Kristina Neb, 2961 Oak Street, addressed the Board regarding her account and requested the waiver of the delinquent certification fee of \$100.00. Mr. Brady Bergeson, 3135 Wright Court, addressed the Board regarding his account and requested the waiver of the delinquent certification fee of \$100.00 and copies of invoices related to the delinquency. Neither account is being certified for collection because the accounts are current except for non-payment of the \$100.00 certification fee. No other residents were present to address the Board, and President Dursey closed the public hearing. The Board discussed the requests and tabled the approval of the waivers of the certification fees and requested Mr. Beck to provide more information on Xpress Bill Pay at the November meeting for consideration.

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Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved Resolution No. 2021-10-1 for the Certification of Delinquent Accounts to Jefferson County.

2022 Preliminary Budget Discussion: Mr. Beck discussed with the Board the budgeting process and the preliminary budget for 2022. The recommended final budget will be presented at the November Board meeting subject to any changes resulting from the Final Assessed Values to be received in December.

LEGAL MATTERS

Update on the Applewood Sanitation District Sewer Service Agreement: Attorney Flynn has provided the revised agreement to Attorney Scheuer for review and approval by the Applewood Board and is awaiting a response.

Moffat Treatment Plant Sewer Flow Meter Replacement: Attorney Flynn and Mr. Willis discussed with the Board the change in the meter from a manual read meter to a digital remote read meter. The Board authorized staff to proceed with the change of the meters and Attorney Flynn will prepare an agreement amendment to ensure that all costs are the responsibility of Denver Water. Mr. Ramey and his staff will oversee the change out of the meter.

Discuss 2419 Ward Road agreement and variance request: Attorney Flynn and Mr. Willis discussed the agreement and variance request for the new construction at 2419 Ward Road.

Following discussion, upon motion duly made by Director Fabisiak seconded by Director Zimmerman and, upon vote, carried with Directors Dursey, Zimmerman, Fabisiak and Kesler voting “Yes” and Director Davenport voting “No”, the Board approved the Agreement and variance request.

Authorized Signatories on District Documents: Attorney Flynn discussed the need for additional Board members to be authorized to sign District documents in the event President Dursey is unavailable to sign. Various options were discussed, including utilization of DocuSign for signatures.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved the motion to use DocuSign for document signatures and also authorized Director Fabisiak to sign as the Board’s Vice President when President Dursey is unavailable.

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OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report (September 1-30) 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 October 19, 2021. A copy of the report is attached hereto and incorporated herein by this reference. The request for a variance approval for the new ADU at 2650 Simms Street was discussed.

Following discussion, upon motion duly made by Director Fabisiak seconded by Director Zimmerman and, upon vote, carried with Directors Dursey, Zimmerman, Fabisiak and Kesler voting "Yes" and Director Davenport voting "No", the Board approve the variance request.

Mr. Willis also reported that Insituform has accepted the contract award and is in process of starting the project and he updated the Board on the status of the 930 Alkire St. project and that he is attempting to get a contractor to complete the installation of a new manhole at that location. He also discussed the need for a System-wide Flow Study.

OTHER BUSINESS

Metro Wastewater Update: Director Davenport updated the Board on the board meetings for Metro Wastewater and an upcoming workshop.

Website Update: Mr. Frankland reported on the website update and activity.

Other: Director Davenport addressed the Board and noted that he would like to see an action item list to be acted on and researched by the Board and staff for discussion at following meetings.

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