

**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
FEBRUARY 23, 2022**

In part due to COVID-19 concerns, 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”) was convened by Zoom video conference and teleconference call on Wednesday, February 23, 2022, at 4:00 PM. 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

**ADMINISTRATIVE
MATTERS**

Minutes: Mr. Beck reported that the minutes for the January meeting were not ready and approved in time for the Board Meeting and would be presented at the March Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak, and upon vote, unanimously carried, the minutes of the January 26, 2022, Regular were tabled until the March Meeting.

**PUBLIC
COMMENTS**

None.

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FINANCIAL MATTERS

Claims: Mr. Beck discussed with the Board the payment of claims for the period ending February 18, 2022, as follows:

General Fund	\$ 310,313.03
Enterprise Fund	\$ 454,281.81
Total	<u>\$ 764,594.84</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending February 18, 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 period ending January 31, 2022, the schedule of cash position dated January 31, 2022, 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 Fabisiak, 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 January 31, 2022, and the schedule of cash position dated January 31, 2022, as presented.

ColoTrust EDGE Investment option: Mr. Beck discussed the new investment option for funds in ColoTrust with the Board. He will continue to monitor the fund as it is implemented and report to the Board on how it is functioning.

LEGAL MATTERS

Roybal Complaint Update: Attorney Flynn reported that a \$2,000.00 settlement agreement has been reached with the plaintiff and that a Motion to Dismiss has been filed in regard to the complaint and that we are waiting on the payment to be received and the entry of an Order dismissing the case against Northwest Lakewood with prejudice.

Common sewer line agreement for 2650 Simms Street: Attorney Flynn reported that the agreement has been sent to Mr. Bauer and we are awaiting his acceptance of and signature on the agreement.

Consider the adoption of a Resolution to change the tap fees for 2022: Attorney Flynn requested that this item be tabled until the March meeting so that the resolution can be finalized.

November Election and inclusion of a TABOR vote: Attorney Flynn and Mr. Beck discussed the November election and PR firms to assist with the campaign. One firm has been contacted and they cannot assist with that election. Director Kesler will

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contact two firms that she is aware of and will report back at the March meeting on these.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report (January 1-31) 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 February 23, 2022. A copy of the report is attached hereto and incorporated herein by this reference.

Mr. Willis discussed the problems in the sewer lateral at 10531 W 22nd Place and that he and Mr. Beck have been in contact with Mr. Mathers regarding the agreement to excavate the line to determine the cause of the problems. Attorney Flynn is preparing the agreement for review and signature.

Pay Application No. 2 from Insituform Technologies LLC: Mr. Willis discussed the Pay Application No. 2 invoice for the work performed through January 14, 2022 which is about 42% of the original contract and includes Change Order No. 2.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved Change Order No. 2 and authorized the payment.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved the payment of Pay Application No. 2 to Insituform Technologies LLC.

Pay Application No. 3 from Insituform Technologies LLC: Mr. Willis discussed the Pay Application No. 3 invoice for the work performed through February 11, 2022 which is about 50% of the original contract and includes Change Order No. 3.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved Change Order No. 3 and authorized the payment.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved the payment of Pay Application No. 3 to Insituform Technologies LLC.

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OTHER BUSINESS **Metro Wastewater Update:** Director Davenport updated the Board on the board meetings for Metro Water Recovery District and discussed his letter regarding his observations of the construction project.

Website Update: Mr. Frankland reported that the website is updated and current and that there are no problems. He requested a new map from Mr. Willis and Mr. Beck will provide the notice for the Call for Nominations. Attorney Flynn and Mr. Frankland discussed the status of the website as to ADA compliance. Mr. Frankland with review the website platform to determine if it can be made compliant.

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

Respectfully submitted,

By _____
Secretary for the Meeting