

**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
MAY 25, 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, May 25, 2022, at 4:00 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:

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 Cole Flynn Winn & Ulmer, PLLC

Bill Willis; Martin/Martin Consulting Engineers

Wayne Ramey; Ramey Environmental Compliance

Walt Frankland

**ADMINISTRATIVE
MATTERS**

Administration of the Oaths of Office. Consider appointment of Officers.

Director Zimmerman administered the Oath of Office to Director Dursey and to Director Davenport.

Director Dursey requested that the Board consider the appointment of Director Fabisiak as President.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and upon vote, unanimously carried, Director Fabisiak was elected as the Board President.

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The Board discussed the appointment of Director Kesler as the Vice President/Treasurer.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and upon vote, unanimously carried, Director Kesler was elected as the Board Vice President/Treasurer.

The Board discussed the appointment of Director Zimmerman as the Secretary.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, Director Kesler was elected as the Board Secretary.

The Board discussed the appointment of Directors Dursey and Davenport as Assistant Secretaries.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, Directors Dursey and Davenport were each elected to the position of Assistant Secretary.

Minutes: The Board reviewed the minutes of the April 27, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the April 27, 2022, Regular Meeting were approved, as presented.

PUBLIC COMMENTS

None.

FINANCIAL MATTERS

Claims: Mr. Beck reviewed the claims for May with the Board and noted that there was not any invoice from Insituform since they had not provided one to Mr. Willis for review. The claims discussed with the Board for the period ending May 17, 2022, are as follows:

General Fund	\$ 310,128.10
Enterprise Fund	\$ 72,595.08
Total	<u>\$ 382,723.18</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending May 17, 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 April 30, 2022, the

RECORD OF PROCEEDINGS

schedule of cash position dated April 30, 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 Davenport, seconded by Director Kesler, 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 April 30, 2022, and the schedule of cash position dated April 30, 2022, as presented.

Revised Notice Statement on Quarterly Invoices: Mr. Beck discussed with the Board the proposed billing statement designed to alert District customers to the significant cost that could be imposed upon them if their bills are not paid in a timely fashion. Following discussion the proposed statement was revised and accepted by the Board for inclusion on the quarterly statements.

LEGAL MATTERS

Common sewer line agreement for 2650 Simms Street: Attorney Flynn reported that the revised agreement has been sent to Mr. Bauer and that Mr. Beck had contacted Mr. Bauer who reported that they were still considering options and that the signing of the agreement was on hold pending the final decision.

Discuss update to Rules & Regulations: Attorney Flynn reported that a review of the District's rules and regulations is ongoing, and that staff will keep the Board updated.

Status of Agreements to provide service to 11324 W. 38th Avenue: Attorney Flynn discussed the agreements with Dr. Osborne and the need to obtain the proper legal descriptions on the property to complete the agreements with the District. He also reported that servicing this property will necessitate a revision to the Inter-Governmental Agreement Northwest has with the Westridge Sanitation District to allow the property to be served pursuant to that Agreement. It was also reported that at the previous meeting the assessment of a Development Review Fee was approved by the Board and a copy of the proposed agreement was included in the Board packet.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and upon vote, unanimously carried, the Board approved the Development Review Deposit Agreement with Dr. Amy Osborne.

Discuss November Election and the proposal by CRL & Associates: Mr. Beck discussed the firm of CRL Associates and the letter received from Mr. Roger Sherman about what information he needs in order to make a proposal. The Board discussed hiring Mr. Sherman and CRL & Associates but requested Mr. Beck to set up a time for the Board to conduct a Special Meeting to discuss the proposal directly with Mr. Sherman. Mr. Beck will set a meeting time to occur within the next two (2) weeks.

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Discussion on the ADA statement for the website: Attorney Flynn reported that the state has deferred the deadline for compliance until 2024 so at this time no action needs to be taken by the Board.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report (April 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 May 25, 2022 and reported that there is no pay request from Insituform for the month. Mr. Willis, Attorney Flynn and Mr. Beck also discussed with the Board the issue with 2100 Youngfield and the non-payment of the tap fees for the development and the status of the payment and the option to pay for the permits as each building progresses and is available for the sale of individual units. Mr. Willis reported that discussions with Consolidated Mutual were completed and an agreement has been reached on the SFRE rate to bill the Water Treatment Plant for the discharges into the system. Mr. Beck will issue the invoice per the approved calculation. Mr. Willis also reported on the repairs needed for the College Park-NWLSD Interceptor and that the estimated costs were \$605,000 for NWLSD and \$440,000 for College Park. A copy of the report is attached hereto and incorporated herein by this reference.

OTHER BUSINESS

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

Website Update: Mr. Frankland reported that the website is updated and current and that there are no problems. He stated that he is working on the development of the new website platform and hoped to have it ready for review in July.

Consider the resumption of in-person or hybrid meetings: Mr. Beck and Attorney Flynn asked the Board if they wanted to consider going back to regular in-person meetings or hybrid meetings. The Board decided to defer the decision to a later meeting and to continue the current Zoom Meetings with no changes.

Other: Director Kesler discussed the property values of the old treatment plant and the possibility of the Board selling the property.

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ADJOURNMENT

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

Respectfully submitted,

By _____
Secretary for the Meeting