

**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
JUNE 22, 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, June 22, 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

Ismael Gomez; Ramey Environmental Compliance

Walt Frankland

Roger Sherman; CRL Associates, Inc.

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the May 25, 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 May 25, 2022, Regular Meeting were approved, as amended.

The Board reviewed the minutes of the June 10, 2022 Special Meeting.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the May 25, 2022, Special Meeting were approved, as presented.

**PUBLIC
COMMENTS**

None.

**FINANCIAL
MATTERS**

Claims: Mr. Beck reviewed the claims for June with the Board and noted that the invoice for Pay App #6 from Insituform was included and would be discussed by Mr. Willis for separate approval. The claims discussed with the Board for the period ending June 17, 2022, are as follows:

General Fund	\$ 16,058.67
Enterprise Fund	\$ 253,394.45
Total	<u>\$ 251,453.12</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 June 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 May 31, 2022, the schedule of cash position dated May 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 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 May 31, 2022, and the schedule of cash position dated May 31, 2022, as presented.

Review and discuss ColoTrust EDGE Investment account: Attorney Flynn and Mr. Beck discussed with the Board the ColoTrust EDGE accounts as investment options. At this time the Board does not want to make any changes to the existing accounts and investing options.

LEGAL MATTERS

Common sewer line agreement for 2650 Simms Street: Attorney Flynn reported that the revised agreement has been sent to Mr. Bauer for signature and approval. To date Mr. Bauer has not signed and returned the agreement.

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.

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Status of Agreements to provide service to 11324 W. 38th Avenue: Attorney Flynn discussed the proposed agreements with Dr. Osborne. During the month he notified her that currently she does not have title to the real property she intends to convey to her daughter for construction of a new residence that would receive sanitary sewer service through the Northwest and Westridge Sanitation Districts. The problem arose from an error in the legal description of a prior deed. No further action will be taken until Dr. Osborne has acquired title to the subject property.

Discuss November Election and the proposal by CRL Associates, Inc.: Attorney Flynn and Mr. Sherman discussed the proposal and the education and outreach program for the District as related to the November 8, 2022 election. Following discussion, the Board requested a revised scope and for Mr. Beck to schedule a Special Meeting to discuss the proposal.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Gomez reviewed the monthly report (May 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 June 22, 2022. Mr. Willis and Mr. Beck discussed the invoicing to Consolidated Mutual for prior years services.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved the billing to include the current year plus the prior six (6) years for services rendered.

Mr. Willis also discussed the projected maintenance costs for the shared interceptor line of \$795K and the Category 3 costs of \$2.44M.

Pay Application No. 6 from Insituform Technologies LLC: Mr. Willis discussed the Pay Application No. 5 invoice for the work performed through June 3, 2022 which is about 74% of the original contract and includes Change Order No. 6. He noted that due to change order credits the original contract amount of \$1,659,124 has been lowered to be \$1,490,873.43 for a savings of \$168,250.57.

Following discussion, and based upon the engineer's recommendation, a motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved Change Order No. 6 and authorized the payment.

1350 and 1370 Hawthorne Road Taps: Mr. Beck discussed with the Board the determination that these two residences on Hawthorne Road had been deactivated in the system and not been billed for services since 2009. Mr. Beck has discussed this with one of the property owners and is recommending to the Board that the accounts

RECORD OF PROCEEDINGS

be reactivated and the residents are not billed for past fees that should have been billed and paid.

Following discussion, and based upon the District Manager's recommendation, a motion duly made by Director Davenport, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved the reactivation of the accounts effective immediately, and to begin billing them for the regular FRSF of \$100.00 per quarter beginning with the June 30, 2022 billing for the third (3rd) quarter 2022.

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.

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