

**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
JULY 27, 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”) convened by Zoom video conference and teleconference call on Wednesday, July 27, 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

Russ Frankland

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the June 22, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Kesler, and upon vote, unanimously carried, the minutes of the June 22, 2022, Regular Meeting were approved, as amended.

The Board reviewed the minutes of the June 28, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the minutes of the June 28, 2022, Special Meeting were approved, as presented.

RECORD OF PROCEEDINGS

The Board reviewed the minutes of the July 20, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the minutes of the July 20, 2022, Special Meeting were approved, as presented.

Agenda: Mr. Beck discussed the need to amend the agenda to include additional claims for the month, the Perpetual Lien on 2100 Youngfield and the 2650 Simms Street Agreement.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and upon vote, unanimously carried, the Agenda was approved as amended.

None.

PUBLIC COMMENTS

FINANCIAL MATTERS

Claims: Mr. Beck reviewed the claims for July with the Board and noted that the invoice for the retainer fee for CRL Associates and the Q3 Invoice from Metro Wastewater had been added. The revised claims discussed with the Board for the period ending July 26, 2022, are as follows:

General Fund	\$ 323,853.29
Enterprise Fund	\$ 61,056.64
Total	<u>\$ 384,909.93</u>

Following discussion, upon motion duly made by Director Davenport, seconded by Director Kesler and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending July 26, 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 and quarter ending June 30, 2022, the schedule of cash position dated June 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 June 30, 2022, and the schedule of cash position dated June 30, 2022, as presented.

RECORD OF PROCEEDINGS

LEGAL MATTERS **Common sewer line agreement for 2650 Simms Street:** Attorney Flynn reported that the revised agreement has been approved and signed by Mr. Bauer and that he would hold onto the agreement and not record it pending action by Mr. Bauer to proceed with construction of the additional dwelling unit on his property.

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 reported that he received a revised deed from the Osborne's and that soon he would review the deed to determine if it corrected the ownership issue that previously had been identified.

Discuss Agreement with CRL Associates, Inc.: Attorney Flynn discussed the agreement with the Board.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board accepted the agreement as amended to correct the spelling of Mr. Sherman's first name.

Discuss Status of the CRL Campaign Project progress: Mr. Beck updated the Board on the progress of the project and kickoff meeting. Recommendations for the new logo are to include a "W" in the logo to be more specific for the District. The Board also recommended the scheduling of regularly held Special Meetings to keep up with the progress.

Discuss November 8, 2022 Election and consider the Adoption of Resolution 2022-7-1 Calling for the November 8, 2022 Election, Designation of the Designated Election Official and the Certification of the Ballot Question: Attorney Flynn discussed with the Board the election and reviewed Resolution No. 2022-7-1; Calling for a November 8, 2022 Special Election. Mr. Beck reported that the coordination with Jefferson County had been done.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board adopted Resolution 2022-7-1; Calling for a November 8, 2022 Special Election, as amended.

Perpetual Lien for 2100 Youngfield: Attorney Flynn, Mr. Willis and Mr. Beck discussed the lien with the Board. It was noted that previous action by the Board had authorized staff to proceed with the filing of the lien.

RECORD OF PROCEEDINGS

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report (June 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 July 27, 2022. Mr. Willis and Mr. Beck discussed the invoicing to Consolidated Mutual for prior years services and the request by Consolidated to delay the payment until 2023 due to budget constraints.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board approved the request to delay the Consolidated Mutual payment until 2023.

Mr. Willis discussed the status of the billing for the 2021 CIP from Insituform and noted that they were holding Pay App #7 until they complete the project. At that time the invoice will be paid and we will advertise for the final payment before releasing the retainage.

OTHER BUSINESS

Metro Wastewater Update: Director Davenport updated the Board on the board meetings for Metro Water Recovery District and the EPA actions regarding PFAS carcinogens.

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 August.

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 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