

**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
AUGUST 24, 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, August 24, 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:

Greg Fabisiak
Cici Kesler
Jim Zimmerman
Anthony M. Dursey
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**

Minutes: The Board reviewed the minutes of the July 27, 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 July 27, 2022, Regular Meeting were approved.

**PUBLIC
COMMENTS**

None.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

Claims: Mr. Beck reviewed the claims for July with the Board and noted that the invoice for Pay Application #7 and Change Order #7 from Insituform had been added. The revised claims discussed with the Board for the period ending August 31, 2022, are as follows:

General Fund	\$ 24,250.01
Enterprise Fund	<u>\$ 524,531.37</u>
Total	<u>\$ 548,781.38</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 August 31, 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 ending July 31, 2022, the schedule of cash position dated July 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 July 31, 2022, and the schedule of cash position dated July 31, 2022, as presented.

Director Dursey addressed the Board regarding the balances in the FirstBank Liquid Asset account and the ColoTrust account and made a recommendation that the Board consider investing in Treasury Bills that are paying at least 3% on one year bills.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Dursey, and, upon vote, unanimously carried, the Board authorized Mr. Beck to work with Wells Fargo Bank to purchase \$4,000,000.00 in Treasury Bills with \$2,000,000.00 in funds from each of the two accounts.

LEGAL MATTERS

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 is revising the service agreement with Dr. Amy Osborne based on the corrected deed documents that have been provided.

Discuss Agreement with CRL Associates, Inc.: Mr. Beck reported that Mr. Sherman has been working on the campaign and was requesting a Special Meeting with the Board to discuss the progress and status of the campaign. Following discussion the

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Board agreed to conduct a Special Meeting at 1:00 PM on Monday, August 29, 2022 by Zoom. Mr. Beck will get the meeting scheduled and all participants will be notified.

Status of Reciprocal Agreement with Westridge Sanitation: Attorney Flynn reported that dye tests had been performed and witnessed by Westridge and NWLSD staff and confirmed that nine (9) Westridge constituents were being serviced by NWLSD and that no NWLSD constituents were being serviced by Westridge. Attorney Flynn will be updating the agreement between the Districts and will provide the revised agreement to the Board for approval. Mr. Beck will confirm the billing for 2022 per the existing agreement and will bill Westridge in January in accordance with the updated agreement which will become effective January 1, 2023.

Discuss November 8, 2022 Election and consider the approval of the Intergovernmental Agreement For Election Coordination With Jefferson County: Attorney Flynn discussed with the Board the election and reviewed the IGA for the coordination of the election with Jefferson County. He reported that the Ballot Question would be provided in English and Spanish. Board members were advised that the deadline for submitting a Pro Statement for the TABOR Notice that goes out in connection with the election is September 23, 2022. This will be discussed at the Special Meeting on August 29, 2022.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved the Intergovernmental Agreement for Election Coordination with Jefferson County.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report (July 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 August 25, 2022.

Mr. Willis discussed Pay App #7 and Change Order #7 netting out at \$440,973.18 from Insituform and noted that the project was now complete and that this was the final billing for the project. The final payment will be advertised and if no objections, the payment of the retainage in the amount of \$78,373.28 will be presented to the Board for approval at the September 28 meeting.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved Change Order #7.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved Pay Application #7 in the net amount of \$440,973.18.

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Status of 2022 CIP: Mr. Willis discussed with the Board the 2022 CIP and said that a copy of the plan would be sent out to the Board within the next week. Category 2 repairs are estimated to cost around \$500K and Category 3 repairs are estimated to be about \$1.63M. Repairs to the interceptor shared with College Park are estimated to be about \$800K with the College Park share expected to be about \$490K. Mr. Willis and Mr. Beck will work together to include these costs in the 2023 budget.

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 is ready for review. It was noted that Mr. Sherman's office would have changes to recommend and these would be discussed at the Special Meeting on August 29.

ADJOURNMENT

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

Respectfully submitted,

By _____
Secretary for the Meeting