

**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
SEPTEMBER 28, 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, September 28, 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

Roger Sherman, CRL & Associates

Dawn Schilling; Schilling and Associates

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the August 24, 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 August 24, 2022 Regular Meeting were approved.

The Board reviewed the minutes of the August 29, 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 August 29, 2022, Special Meeting were approved.

The Board reviewed the minutes of the September 7, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the September 7, 2022 Special Meeting were approved.

**PUBLIC
COMMENTS**

None.

**FINANCIAL
MATTERS**

Claims: Mr. Beck reviewed the claims for September with the Board and noted that an additional claim for \$187026 to the Dodge Construction Network had been added. The revised claims discussed with the Board for the period ending September 30, 2022, are as follows:

General Fund	\$ 32,501.09
Enterprise Fund	\$ 139,205.14
Total	<u>\$ 171,706.23</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved the revised payment of claims for the period ending September 30, 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 August 31, 2022, the schedule of cash position dated August 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 Zimmerman, 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 August 31, 2022, and the schedule of cash position dated August 31, 2022, as presented.

2021 Audit: Mrs. Dawn Schilling presented the 2021 Audit to the Board and discussed the audit.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board approved the 2021 audit and authorized execution of the Representations Letter.

RECORD OF PROCEEDINGS

Review the Preliminary 2023 Draft Budget: Mr. Beck presented the preliminary draft of the 2023 Budget for the Board to review and make recommendations on. Attorney Flynn discussed the need to set a date for the budget hearing.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler, and upon vote unanimously carried, the Board approved the public hearing for the approval of the 2023 Budget to be held at the Regular Meeting on Wednesday, November 23, 2022 to be held at Martin/Martin and by Zoom or Team.

LEGAL MATTERS

Status of CRL Campaign Project and November Election: Mr. Sherman discussed the progress report with the Board and discussed the new website and mailers to be sent to the District customers with the next billing statement and the postcards to be mailed out.

Status of Reciprocal Agreement with Westridge Sanitation: Attorney Flynn discussed the agreement with Westridge and reported that the Westridge Board had approved the revised agreement.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler, and upon vote unanimously carried, the Board approved the revised reciprocal agreement with Westridge.

Attorney Flynn also reported that the agreement with Ramey Environmental needed to be revised and updated. The revised agreement will be provided to the Board for review and to be discussed at the October meeting.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey reviewed the monthly report (August 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 September 28, 2022.

Mr. Willis discussed Pay App #8 from Insituform which is the Final Retainage payment in the amount of \$78,373.28. It was reported that the final payment had been advertised and that no claims have been received and the final payment has been approved.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board approved Final Pay Application #8.

Status of 2022 CIP: Mr. Willis discussed with the Board the 2022 CIP and said that the cost of the project could reach an estimated \$2.6M pending the extent of the repairs

RECORD OF PROCEEDINGS

that the Board wanted to perform. This plan includes an estimated \$800,000 applicable to the transmission pipe shared with College Park WSD. The proposed plan will be sent out to the Board prior to the next Board Meeting.

Other: Attorney Flynn, Mr. Willis and Mr. Beck discussed with the Board the report from a third-party of a sump pump at 11144 W 27th Avenue that was allegedly illegally connected to the Northwest sanitary sewer system. The party that reported the alleged violation was advised that if such a connection existed, it was in violation of the District's rules and regulations that if the property was connected it should cease discharging storm or groundwater into the District's system immediately. That party was also advised that the failure to disconnect any sump pump could result in fines or penalties at the discretion of the Northwest Board.

OTHER BUSINESS

Metro Water Recovery 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.

ADJOURNMENT

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

Respectfully submitted,

By _____
Secretary for the Meeting