

**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
NOVEMBER 29, 2023**

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 in person at Martin/Martin, Inc., 12499 W. Colfax Avenue, Lakewood, CO 80215, and by Teams video conference and teleconference call on Wednesday, November 29, 2023, at 4:00 PM. The Teams 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:

Gregory A. "Greg" Fabisiak
Catherine "CiCi" Kesler
James D. "Jim" Zimmerman
Anthony M. Dursey
George C. 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

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the October 25, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Kesler, and upon vote, unanimously carried, the minutes of the October 25, 2023 Regular Meeting were approved.

2024 Meeting Dates: The Board discussed the regular meeting dates for 2024.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board approved holding the Regular Meetings for 2024 on the 4th Wednesday of every month at 4:00 p.m. via Teams and in person at Martin Martin, 12499 W Colfax Avenue, Lakewood, Colorado.

RECORD OF PROCEEDINGS

Discuss §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2024: Mr. Beck and Attorney Flynn discussed the notice to electors required under Section 32-1-809, C.R.S. (“Transparency Notice”) for 2024.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and, upon vote, unanimously carried, the Board authorized posting the District’s Transparency Notice for 2024 on the SDA website and on the District’s website.

**PUBLIC
COMMENTS**

None.

**FINANCIAL
MATTERS**

Claims: Mr. Beck reviewed the claims through the period ending November 30, 2023 as follows:

General Fund	\$ 300,965.01
Enterprise Fund	\$ 28,834.10
Total	<u>\$ 329,799.11</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims for the period ending November 30, 2023, as presented.

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 September 30, 2023 and October 31, 2023, the schedule of cash position dated September 30, 2023 and October 31, 2023.

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 September 30, 2023 and October 31, 2023, the schedule of cash position dated September 30, 2023 and October 31, 2023, as presented.

Collateralized Accounts and CDs for Public Sector Entities from CityWide Banks: Director Kesler discussed with the Board the collateralized accounts and CDs for public sector entities from CityWide Banks. The Board requested Mr. Beck to get current investment information and rate from Wells Fargo on T-bills and Cost of Transfer.

2023 Audit: Mr. Beck discussed the engagement of Schilling & Company, Inc. to perform the 2023 audit with the Board. The Board deferred discussion at this time.

RECORD OF PROCEEDINGS

2023 Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, the Board determined that a 2023 Budget Amendment was not needed.

2024 Budget: The President opened the Public Hearing to consider the proposed 2024 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing and the public hearing was closed

Mr. Beck discussed the proposed budget, changes made per prior Board discussions and that the final mill levies and revenues were subject to change based on the Final Assessed Valuation to be received from Jefferson County.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler, and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-02; A Resolution of the Board of Directors of the Northwest Lakewood Sanitation District to Adopt the 2024 Budget and Appropriate Sums of Money, subject to receipt of the Final Assessed Valuation, as amended, per the Final Assessed Valuation and legal review.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler, and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-03; A Resolution of the Board of Directors of the Northwest Lakewood Sanitation District to Set Mill Levies to be determined, less the temporary mill levy reduction to be verified by Schilling & Company, plus the allowable mill levy for refunds and abatements based on the Final Assessed Valuation.

Proposed Fees for 2024: The President opened the Public Hearing to consider the proposed fees for 2024 and the adoption of Resolution to the Tap Fees and approve revised Fee Schedule.

It was noted that publication of Notice stating that the Board would consider adoption of the proposed fees for 2024 and the adoption of Resolution to the Tap Fees and approve revised Fee Schedule and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing and the public hearing was closed

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved the proposed fees for 2024 and adopted Resolution to the Tap Fees and approve revised Fee Schedule.

DLG-70 Mill Levy Certification: Attorney Flynn and Mr. Beck discussed the DLG-70 Mill Levy Certification form with the Board.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 mill levy certification form, for certification to the Board of County Commissioners and other interested parties.

LEGAL MATTERS **11324 West 38th Avenue:** There were no updates at this time. Attorney Flynn is following up with the Osbourne's.

Update on Legislation and Assessed Valuation: Attorney Flynn and Mr. Beck updated the Board on the Legislation and Assessed Valuation.

Operations Monthly Report: Mr. Gomez discussed the September Operations Report with the Board. It was noted that REC has been sold to PERC Water Corporation. There were not changes other than ownership at the time.

Engineer's Report: Mr. Willis discussed with the Board the September Engineer's Report and updates.

Flow Study: There was no Report at this time.

Change Order from Insituform Technologies, LLC: Mr. Willis discussed with the Board the Change Order from Insituform Technologies, LLC in the amount of \$167,698.00 to mitigate styrene by adding styrene barrier.

Following discussion, upon motion duly made by Director Davenport, seconded by Director Zimmerman, and upon vote unanimously carried, the Board approved Change Order from Insituform Technologies, LLC in the amount of \$167,698.00 to mitigate styrene by adding styrene barrier.

OTHER BUSINESS **Metro Water Recovery Update:** Director Davenport discussed with the Board the Metro Water Recovery update.

Website Update: Mr. Beck updated the Board regarding the website and statistics.

RECORD OF PROCEEDINGS

New Rate Structure for SDMS: Mr. Beck discussed the new rate structure for SDMS for 2024. Attorney Flynn will update the 2024 Services Agreement for Board approval.

Pipeline: Mr. Beck discussed with the Board the pipeline for issue indemnification and requested suggestions.

December 27, 2023 Board Meeting: Mr. Beck discussed with the Board canceling the December 27, 2023 Board meeting.

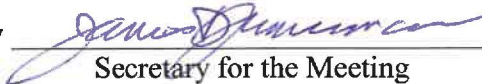
Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak, and upon vote unanimously carried, the Board cancelled the December 27, 2023 Board meeting.

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