

**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
FEBRUARY 28, 2024**

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, February 28, 2024, 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 (by telephone)
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

Wayne Ramey; Ramey Environmental Compliance

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the January 24, 2024 Regular Meeting.

Following discussion, upon motion duly made by Director Kelsner, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the January 24, 2024 Regular Meeting were approved.

**PUBLIC
COMMENTS**

None.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

Claims: Mr. Beck reviewed the claims through the period ending December 31, 2023 as follows:

General Fund	\$ 585,476.00
Enterprise Fund	\$ 36,446.78
Total	<u>\$ 621,922.78</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 February 29, 2024, 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 January 31, 2024 the schedule of cash position dated January 31, 2024.

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 for the month ending January 31, 2024 the schedule of cash position dated January 31, 2024, as presented.

Mr. Beck also discussed with the Board the \$2,000,000 in the Wells Fargo account plus the excess in the money market account into a 6-month Bill and to leave all other funds in FirstBank.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board directed Director Kesler, Director Fabisiak and Mr. Beck to get with CityWide Bank to look into investing additional funds currently in FirstBank.

LEGAL MATTERS

11324 West 38th Avenue: There was no update at this time. Mr. Beck will reach out to get a status.

Resolution Amending Policy on Colorado Open Records Act Requests: Attorney Flynn discussed with the Board Resolution No. 2024-01-02, Resolution Amending Policy on Colorado Open Records Act Requests

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board adopted Resolution No. 2024-01-02, Resolution Amending Policy on Colorado Open Records Act Requests.

RECORD OF PROCEEDINGS

First Amendment to Agreement for Emergency and Non-Emergency Maintenance Services between the District and Ramey Environmental Compliance, Inc.: The Board reviewed the First Amendment to Agreement for Emergency and Non-Emergency Maintenance Services between the District and Ramey Environmental Compliance, Inc., Sanitary Sewer Collection System Scope of Work and US Bureau of Labor Statistics Customer Price Index.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved the First Amendment to Agreement for Emergency and Non-Emergency Maintenance Services between the District and Ramey Environmental Compliance, Inc., Sanitary Sewer Collection System Scope of Work and US Bureau of Labor Statistics Customer Price Index.

Meetings with Wheat Ridge and Lakewood: Attorney Flynn and Mr. Willis discussed with the Board the meeting with Wheat Ridge regarding the issues on Certificate's of Occupancy and checking for paid taps and permits. Mr. Willis is working with Lakewood for the same. It was noted that they are requesting that both to not issue a Certificate of Occupancy without proof of a paid permit. The Board also discussed the status of the unpaid taps and the collection efforts and letters.

OPERATION MATTERS

Operations Monthly Report: Mr. Ramey discussed the October Operations Report with the Board.

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

Tap Fee Issue: The Board discussed the tap fee issue.

2023 Capital Improvements: Mr. Willis discussed with the Board the 2023 Capital Improvements. It was noted that the improvements are complete and need to submit final payment.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved the final payment, Change Order No. 3 and the release of the retention withheld.

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

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