

**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
JUNE 26, 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, June 26, 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

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the absence of Director Davenport was excused

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins Cole Flynn Winn & Ulmer, PLLC

Bill Willis and Amanda Keeler; Martin/Martin Consulting Engineers

Wayne Ramey and Ismael Gomez; Ramey Environmental Compliance

Brad Weiman and Vicki Brenton; Residents

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the May 22, 2024 Regular Meeting and May 30, 2024 Special Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the May 22, 2024 Regular Meeting were approved.

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 May 30, 2024 Special Meeting were approved.

PUBLIC COMMENTS

Workshop Colorado Presentation: Mr. Weiman addressed the Board regarding the unpaid Tap Fees and letter that he sent to the Board. Mr. Beck discussed the credits for existing taps. Attorney Flynn discussed meetings with builders and residents. No action was taken by the Board at this time. The Board will take the letter from Mr. Weiman under advisement for further discussion. Ms. Brenton discussed status of Sora Ridge. It was noted that she met with Attorney Flynn and Mr. Willis and will be sending a settlement offer letter. Attorney Flynn has discussed the issue with Metro Water Recovery, and Metro may accept payment of the original amount due plus interest for one (1) year. The final balances due are to be determined as is the Board's position with respect to this matter.

FINANCIAL MATTERS

Claims: Mr. Beck reviewed the claims through the period ending June 30, 2024, as follows:

General Fund	\$ 21,931.25
Enterprise Fund	\$ 37,616.24
Total	<u>\$ 59,547.49</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 June 30, 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 May 31, 2024 the schedule of cash position dated May 31, 2024.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler 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 May 31, 2024 the schedule of cash position dated May 31, 2024, as presented.

Banking and Investment Options: The Board deferred discussion at this time.

2023 Audit: Mr. Beck discussed the status of the 2023 Audit. It was noted that an extension was filed.

RECORD OF PROCEEDINGS

LEGAL MATTERS **Osborne Service Agreement:** Attorney Flynn discussed with the Board the Osborne Service Agreement and Osborne Easement Agreement.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler upon vote, unanimously carried, the Board approved the Osborne Service Agreement and Easement Agreement.

Whippoorwill Drive Project: Engineer Willis and Attorney Flynn discussed with the Board the Whippoorwill Drive Project and noted that they had been contacted by an attorney for a community association that appears to oppose this Project.

Attorney Flynn Moving to Ireland Stapleton Pryor & Pascoe, PC: Attorney Flynn discussed with the Board moving to Ireland Stapleton Pryor & Pascoe, PC.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler upon vote, unanimously carried, the Board approved the transfer of all District documents from Collins Cole Flynn Winn & Ulmer, PLLC to Ireland Stapleton Pryor & Pascoe, PC. and accepted the change in firms for Attorney Flynn.

OPERATION MATTERS

Operations Monthly Report: Mr. Gomez discussed the Operations Report with the Board.

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

Flow Study Matters: Mr. Willis discussed the flow study results due to the proposed growth that would be generated by the planned Whippoorwill Project. The Board is considering a participation fee but is not sure if the District can serve this development now. The issuance of sewer taps for this development may need to be put on hold until the District receives a completed flow study analysis from the District's Engineer.

2024 Capital Improvements: Mr. Willis discussed the status of the 2024 CIP plan development.

11324 West 38th Avenue: Mr. Willis discussed with the Board the update on 11324 West 38th Avenue.

OTHER BUSINESS **Metro Water Recovery Update:** Mr. Beck 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 Zimmerman, seconded by Director Kesler and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By 
Secretary for the Meeting