

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
AUGUST 15, 2024**

The Special 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 Teams video conference and teleconference call on Thursday, August 15, 2024, at 2:30 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” Keesler
James D. “Jim” Zimmerman
Anthony M. Dursey
George C. Davenport

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Ireland Stapleton Pryor & Pascoe, PC

Bill Willis; Martin/Martin Consulting Engineers

Wayne Ramey and Ismael Gomez; Ramey Environmental Compliance

**ADMINISTRATIVE
MATTERS**

The Board convened in the Special Meeting at 2:30 p.m.

Engagement Letter Between the District and Ireland Stapleton Pryor & Pascoe, PC: The Board reviewed the Engagement Letter Between the District and Ireland Stapleton Pryor & Pascoe, PC.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport upon vote, unanimously carried, the Board approved the Engagement Letter Between the District and Ireland Stapleton Pryor & Pascoe, PC.

LEGAL MATTERS

Flow Monitoring Study Data: Mr. Willis and Mr. Flynn briefly discussed with the Board the first week of the flow monitoring study data obtained with respect to the sanitary sewer service lines that will be utilized in providing wastewater service to the proposed Williams Pointe development.

RECORD OF PROCEEDINGS

OTHER BUSINESS **EXECUTIVE SESSION:** Following a discussion, a motion was made by Director Kesler, seconded by Director Zimmerman to go into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S., for the purpose of conferring with legal counsel and to obtain legal advice regarding sewer service to the proposed Williams Pointe affordable housing project. Upon a call for a vote, the motion was unanimously adopted. At approximately 3:00 p.m. the Board went into Executive Session.

RETURN TO OPEN PUBLIC MEETING: At approximately 3:20 p.m. the Board came out of Executive Session.

Following a discussion, the Board directed Martin/Martin to continue working with Ramey Environmental to complete the flow monitoring study and to develop information necessary for an agreement with Metro West Housing Solutions for recovering the capital costs that the District will incur in order to serve the proposed affordable housing project.

EXECUTIVE SESSION: A motion was made by Director Kesler, seconded by Director Zimmerman to go into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S., for the purpose of obtaining legal advice regarding certain unpaid residential sanitary sewer tap fees. Upon a call for a vote, the motion was unanimously adopted. At approximately 3:25 p.m. the Board went into Executive Session.

RETURN TO OPEN PUBLIC MEETING: At approximately 3:45 p.m. the Board came out of Executive Session.


Following a brief discussion, the Board determined the amount it would accept in full payment of the District's tap fees and the Metro Water Recovery sewer connection charges that were not paid by two developers in the District for various homes connected to the District's sanitary sewer collection system from 2018 through 2022. A motion was then made by Director Kesler, seconded by Director Zimmerman authorizing legal counsel to communicate the Board's decision to the developers and the owners of the properties for which the District's sanitary sewer tap fee has not been paid.

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

RECORD OF PROCEEDINGS

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**ATTORNEY
STATEMENT**

I, Timothy J. Flynn serve as general counsel for the Northwest Lakewood Sanitation District. I was present during the Executive Sessions that were convened during a special meeting of the Board of Directors held on Thursday, August 15, 2024 at approximately 3:00 p.m. I certify that the matters discussed during the Executive Sessions were attorney client privilege and for that reason both Executive Sessions were not recorded. No formal actions, decisions or resolutions were taken during the Executive Sessions.

Signed: 
Timothy Flynn, Esq.

Date: Aug 28, 2024