

**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 25, 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, September 25, 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
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 (via video conference); Ramey Environmental Compliance

Dawn Schilling; Schilling & Company Inc.

Corina Hall; Toni Riggio; Jenna Helm; Heather Chappell; Barbara Bullen; Neicy Gulce; Robin Kerns; Jay Meyers; Julie Fleetwood; Lisa Hernandez; Erin Lawler;
Residents

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the August 28, 2024 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 28, 2024 Regular Meeting were approved.

RECORD OF PROCEEDINGS

**PUBLIC
COMMENTS**

None.

**FINANCIAL
MATTERS**

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

General Fund	\$ 35,718.29
Enterprise Fund	\$ 135,820.01
Total	<u>\$ 171,538.30</u>

Following discussion, upon motion duly made by Director Davenport, seconded by Director Kesler and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims for the period ending September 30, 2024, as amended.

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, 2024 the schedule of cash position dated August 31, 2024.

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

Banking and Investment Options: Director Kesler discussed with the Board the banking and diversification of investments sent.

2023 Audit: Ms. Schilling discussed with the Board the 2024 Audit.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Davenport upon vote, unanimously carried, the Board approved the 2024 Audit, subject to adjustment and authorized execution.

LEGAL MATTERS

11324 West 38th Avenue: Attorney Flynn discussed with the Board the update on 11324 West 38th Avenue. It was noted that all Agreements are signed and recorded.

Update on Unpaid Tap Fees: Attorney Flynn updated the Board on the status of the unpaid tap fees and discussions with Metro on the acceptable tap fees and updated list of payments. Mr. Beck discussed the payments.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport upon vote, unanimously carried, the Board approved allowing payments to October 31, 2024.

RECORD OF PROCEEDINGS

OPERATION MATTERS

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

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

EXECUTIVE SESSION: Following a discussion, a motion was made by Director Kesler, seconded by Director Davenport 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.

RETURN TO OPEN PUBLIC MEETING: At approximately 6:05 p.m. the Board came out of Executive Session.

2024 Capital Improvements: Mr. Willis discussed the status of the 2024 CIP plan development. It was noted that it is still in process.

Metro West Housing Solutions Williams Point Affordable Housing Project: Mr. Willis discussed the status of the Metro West Housing Solutions Williams Point Affordable Housing Project and flow study with the Board and public attendees.

OTHER BUSINESS

Metro Water Recovery Operations Packet: Director Davenport discussed with the Board the Metro Water Recovery Operations Packet. It was noted that a joint meeting is coming up.

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

EXECUTIVE SESSION: Following a discussion, a motion was made by Director Davenport, seconded by Director Kesler 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 5:08 p.m. the Board went into Executive Session.

RETURN TO OPEN PUBLIC MEETING: At approximately 5:21 p.m. the Board came out of Executive Session.

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

RECORD OF PROCEEDINGS

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 regular meeting of the Board of Directors held on Wednesday, September, 2024 at approximately 5:08 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: _____

Oct 23, 2024