

PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON MARCH 9, 2020 AT 7:00 PM. AT THE DISTRICT OFFICE, 2517 SOUTH FLOWER STREET, LAKEWOOD, CO, 80227-2912.

CALL TO ORDER

Presiding: Chairman Miller

ROLL CALL

Present:	Dale L. Miller	President and Chairman
	Neil A. Johnson	Vice-President and Vice-Chairman
	Charles W. "Charlie" Dwyer	Director
	Linda M. Larsson	Director
Also Present:	Jan C. Walker	District Manager/Board Secretary
	Barney J. Fix, PE, PMP, VP	District Engineer, Merrick & Company
	Russell W. Dykstra	Legal Counsel, Spencer Fane, LLP
Excused Absences:	Barbara J. Coria	Treasurer

Approve Excused Absence for Treasurer Coria

R-20-012 RESOLVED, upon motion by Treasurer Dwyer seconded by Director Larsson and unanimously carried that Treasurer Coria receive an excused absence.

ACCEPTANCE OF MINUTES

R-20-013 RESOLVED, upon motion by Treasurer Dwyer seconded by Director Johnson and unanimously carried that the Minutes of the Regular Meeting of February 10, 2020 were approved.

CALL TO PUBLIC / PUBLIC PRESENTATIONS – Joan Poston- 10642 W Vassar Place

Ms. Poston stated that she was attending the meeting because she was concerned that one of the considerations of the State of Colorado Water Plan would be to add 20,000 Acre Feet (AF) of water storage in Bear Creek Lake. Ms. Poston is concerned that this plan for additional storage in Bear Creek Lake could potentially have a negative safety impact to the downstream residents and to the recreational users of Bear Creek Lake Park.

Ms Poston also stated that she noticed on the March 9, 2020 Board Agenda, that the Board was to approve easements for the Bear Creek Terrace Development. Ms. Poston asked where the development is to be located and why the District would need to approve easements. District Engineer Fix replied that the Bear Creek Terrace Development was located west of S. Kipling Street and North of Morrison Road, just west of the Atlantis Car Wash. The Bear Creek Terrace developer is planning to build 21 townhome units on the property and there are easements to be assigned for water lines and appurtenances that will be constructed on private property rather than in public roads and rights-of-way. The sewer easements have already been signed and recorded.

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DISTRICT ENGINEER'S REPORT

2020 Field Operations and Maintenance (O&M)

T-20-009 DISCUSSION. District Engineer Fix reported that the O&M Meeting with Staff scheduled for March 9, 2020 at 4:00 pm was cancelled since the District had just held an O&M meeting with the Board of Directors and staff on February 19, 2020.

Morrison Road/Hodgson Park Waterline Project

T-20-010 DISCUSSION. The waterline project construction started on October 3, 2019. The construction has been completed through Hodgson Park. The District is moving the water line to the South side of Morrison Road since another communications line had been installed on the North side of Morrison Road. Both the City of Lakewood and Denver Water has stated that they will approve the construction change so the project can move forward. The District has received an updated schedule from Diaz Construction to complete the project. They will start-up construction of the water line on the South side of Morrison Road, beginning the week of March 9, 2020 and it will take six weeks to complete the work.

Hoyt / Wesley Water Line

T-20-011 DISCUSSION. This project is the extension of the Hodgson Park water line. The water line will go north in South Hoyt Court to West Wesley Drive then east in West Wesley Drive to South Hoyt Street, this project will also replace an 8-inch main in West Wesley Place that will run from the intersection of West Wesley Place and South Hoyt Court West for 200 feet. The design plans have been submitted to the City of Lakewood for review. After the District receives comments from the City of Lakewood, the District will submit the plans to Denver Water.

Accept Water Easements for Bear Creek Terrace Development

R-20-014 RESOLVED upon motion by Director Dwyer, seconded by Vice-Chairman Johnson and unanimously carried that the Chairman sign the revised water easement for the Bear Creek Terrace Development contingent upon approval by the District Engineer and Legal Counsel.

Grant Variance for Sewer Service at 10962 W. Hampden Place

R-20-015 RESOLVED upon motion by Director Dwyer, seconded by Vice-Chairman Johnson and passed 3-0-1, with Director Larsson abstaining from the vote, that the property receive a variance to the District's Rules and Regulations to allow an individual sewer duplex grinder pump at 10962 W. Hampden Place be granted subject to the approval by the District Engineer of detailed plans and installation.

DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE 2]

Award Contracts for the 2020 Cured-in-Place-Pipe (CIPP) Project

R-20-016 RESOLVED, upon motion by Director Dwyer, seconded by Vice-Chairman Johnson and unanimously carried that the District accepts the District Engineer's recommendation to accept the proposal from Guildner Pipeline Maintenance for 36 manhole linings in an amount of \$203,828 and to award the contract to C&L Water Solutions for \$551,801 for 5,868 linear feet of CIPP and the installation of 99 LMKs to reinstate the service taps.

FURTHER RESOLVED, to authorize the District Manager to approve up to 10% in change orders.

Preceding this action District Engineer Fix reported that the bid opening for the Westgate Cured-in-Place Pipe (CIPP) project was held on February 21, 2020 at 10:00 a.m. at the District office. There were three companies that submitted bids. The bid for the project was set up so that companies could bid on either the entire project or portions/areas of the project, for example, the CIPP, the manholes and/or the service tap reinstatements.

Since some companies submitted bids on different portions of the project, District Engineer Fix has reviewed the individual areas of the project bids to make a recommendation to the Board to accept the proposal from Guildner Pipeline for lining the manholes and to award the contract for the CIPP lining and LMK's for the sewer tap reinstatement to C&L Water Solutions.

Acceptance of the District Engineer's Report

R-20-017 RESOLVED, upon motion by Director Dwyer, seconded by Vice-Chairman Johnson and unanimously carried, that the District Engineer's Report be accepted.

Preceding this action, the District Engineer's report of activities for February 2020 was presented. A copy is attached hereto and made a part of the record.

TREASURER'S REPORT

Approval of Payment of Invoices and Payroll

R-20-018 RESOLVED, upon motion by Director Dwyer, seconded by Vice-Chairman Johnson, and unanimously carried, the payment of invoices and payroll presented in the amount of \$327,373.23 was approved. A list is attached hereto and made a part of the record

Preceding this action, Director Dwyer reported that upon review of the checks, Automated Clearing House (ACH) payments and payroll, that he found them to be in order, for approval by the Board.

Approval of Treasurer's Report

R-20-019 RESOLVED, upon motion by Vice-Chairman Johnson, seconded by Director Larsson and unanimously carried, that the Treasurer's Report based on unaudited financial reports as of February 29, 2020 was accepted as presented. A copy is attached hereto and made a part of the record.

LEGAL COUNSEL'S REPORT

Resolution Cancelling the May 5, 2020 Directors Election

R-20-020 RESOLVED, upon motion by Director Dwyer, seconded by Director Larsson and unanimously carried that the May 5, 2020 Directors Election be cancelled and deeming Directors Johnson, Larsson, Miller and Hundley elected.

Preceding this action, District Manager Walker, as the Designated Election Official, presented Resolution No. R-20-020 which was issued on March 9, 2020 to cancel the scheduled May 5, 2020 Director Election. Further, the Resolution deemed Neil A. Johnson, Jr. and Linda M. Larsson, elected by acclamation to two-year terms until May 3, 2022. Dale L. Miller and Samuel E. Hundley were also elected by acclamation to three-year terms until May 2, 2023. A copy of the Resolution and Notices of Cancellation of Election are attached hereto and made a part of the record.

Election Resolution No. R-19-072, adopted at the November 2019 Board Meeting, scheduled the Director for May 5, 2020 and authorized the Designated Election Officer to cancel the election if there were no more candidates for director than offices to be filled at the close of business on February 28th. Self-nomination petitions were received by February 28, 2020 from four of the four Board seats that were up for election. No petitions for write-in candidacy were received as of 5:00 p.m. on February 29th. Therefore, the election was cancelled, the Resolution was prepared, the candidates were deemed elected. The Notice and Resolution of Cancellation will be filed with the Division of Local Governments and the Notice will be published in the *Golden Transcript*.

DISTRICT MANAGER'S REPORT

Water Main Break at 9803 W. Girton Drive

T-20-012 DISCUSSION. There was a water main break at the Bear Valley Village Apartments on February 26, 2020. The break was at the tap saddle and corporation stop of a 2" AC service pipe. C&L Water Solutions made the repair and restored water to the apartment buildings. District Manager Walker provided bottled water to the residents of the apartment buildings during the eight-hour period of the water outage.

DIRECTOR'S REPORT - NONE

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C-20-004 CONCURRENCE. Nothing further being presented to the Board, Chairman Miller declared that the meeting be adjourned.

Dale L. Miller, President and Chairman

ATTEST:

Jan C. Walker, Secretary, Board of Directors

SEAL