

PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON APRIL 13, 2020 AT 7:00 PM. DUE TO THE COVID-19 SITUATION AND STATE OF COLORADO AND CDPHE ORDERS AND RECOMMENDATIONS REGARDING PUBLIC MEETINGS, THE MEETING WAS HELD USING THE ZOOM APPLICATION.

CALL TO ORDER

Presiding: Chairman Miller

ROLL CALL

Present:	Dale L. Miller	President and Chairman
	Neil A. Johnson	Vice-President and Vice-Chairman
	Barbara J. Coria	Treasurer
	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: NONE

ACCEPTANCE OF MINUTES

R-20-021 RESOLVED, upon motion by Treasurer Coria seconded by Vice-Chairman Johnson and unanimously carried that the Minutes of the Regular Meeting of March 9, 2020 were approved with minor revisions.

CALL TO PUBLIC / PUBLIC PRESENTATIONS – The video meeting was set up to be publicly accessible and the agenda gave information for the public to participate if they chose to do so. No members of the public contacted the District to participate in the meeting.

Director Dwyer joined the meeting

DISTRICT ENGINEER'S REPORT

2020 Field Operations and Maintenance (O&M)

T-20-013 DISCUSSION. District Engineer Fix reported that the O&M Meeting with Staff scheduled for April 13, 2020 at 4:00 pm was cancelled. Denver Water was supposed to shut down Conduit 30 in Wadsworth to do maintenance. The District had tested and successfully back-fed the water to the District from Conduit 130 in S. Kipling Street in preparation for the Denver Water maintenance. Denver Water has postponed their maintenance work because they have new guidelines, due to the COVID-19 situation, they will not be shutting off water if it will affect more than one customer.

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Morrison Road/Hodgson Park Waterline Project

T-20-014 DISCUSSION. The waterline project construction started on October 3, 2019. The waterline has now been installed all the way in Morrison Road and crosses into Hodgson Park. The water line is ready for testing. Once the water testing is complete, Diaz Construction will perform the tie in at Kipling/Morrison Road and the project will be complete.

Hoyt / Wesley Water Line

T-20-015 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 and they have returned with comments. The District has made the requested changes per the City of Lakewood. The District has submitted the plans to Denver Water to begin their review process.

Bear Creek Terrace Development

T-20-016 DISCUSSION. The sanitary sewer work for the project is about 75% completed. Chairman Miller has signed the necessary water easements for the Bear Creek Terrace Development. As soon as the Jefferson County Clerk and Recorder reopens, District Manager Walker will record the easements. District Engineer Fix will ask Denver Water if they will accept the signed easements so that the developer can proceed in getting their water plans approved by Denver Water.

3523 South Balsam Street Development

T-20-017 DISCUSSION. The developer has submitted plans for the development at 3523 South Balsam Street. The District Engineers have reviewed the plans and returned the plans with comments to the developer.

2020 Cured-in-Place-Pipe (CIPP) Project

T-20-018 DISCUSSION. The District held a pre-construction meeting with C&L Water Solutions. C&L will begin the project on April 27, 2020 beginning in Area 3 which is in the Bear Creek Open Space, to perform the lining portion of the project. C&L will return in late August to install the LMK tap rehabilitations. District Manager Walker will send out the notices for the residents that will be impacted by the project.

Acceptance of the District Engineer's Report

R-20-022 RESOLVED, upon motion by Vice-Chairman Johnson, seconded by Treasurer Coria and unanimously carried, that the District Engineer's Report be accepted.

Preceding this action, the District Engineer's report of activities for March 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-20-023 RESOLVED, upon motion by Director Dwyer, seconded by Director Larsson, and unanimously carried, the payment of invoices and payroll presented in the amount of \$259,727.37 was approved. A list is attached hereto and made a part of the record

Preceding this action, Treasurer Coria reported that upon review of the checks, Automated Clearing House (ACH) payments and payroll, she found them to be in order, for approval by the Board. Ms. Coria also reported that the invoices included a large payment of \$139,020.53 to Diaz Construction for the water line project, a payment of \$6,000 to Crady Puca and Associates for the 2019 audit and a refund to Kallisto at Bear Creek because their property management had made a duplicate sewer billing payment of \$23,816.85.

Approval of Treasurer's Report

R-20-024 RESOLVED, upon motion by Director Dwyer, seconded by Director Larsson and unanimously carried, that the Treasurer's Report based on unaudited financial reports as of March 31, 2020 was accepted as presented. A copy is attached hereto and made a part of the record.

Preceding this action, Treasurer Coria reported that the Federal Funds Rate had been lowered to 0-.25% and the Fed has renewed its bond purchasing which has pushed long-term bond rates down. In February 2020, the Fed rate for a 1-year Treasury was 1.45%, in March the rate dropped to .43% and now the rate is down to .25%. The overall effective rates in the liquid account funds held in ColoTrust is .86% and CSAFE is 1.59% which is comparable to current rates for bank Certificates of Deposits. We feel the liquid rates will be dropping going forward due to the lower trend in market conditions, so District Manager Walker and Treasurer Coria have been looking at various investment options to receive the best rate possible and continuing the laddering of the investments. A Certificate of Deposit is maturing on April 13, 2020, there was a bond that reached maturity in March, plus five bonds called in March for a total of \$1,450,000. District Manager Walker has reinvested \$950,000 as of the Board meeting. The District will be reinvesting the remaining \$500,000 in Certificate of Deposits.

LEGAL COUNSEL'S REPORT

Legal Counsel Dykstra reported that he has been sending District Manager Walker information regarding new regulations and compliance with the COVID-19 situation including:

- Critical infrastructure certification for District Board Members, Staff, Engineering Personnel, Maintenance Personnel and District Project Contractors
- Policies prohibiting utility shut-offs and penalties during the Covid-19 crisis
- Information on additional sick leave that is available to employees to use during the COVID-19 health crisis.

LEGAL COUNSEL'S REPORT [CONTINUED FROM PAGE 3]

Approve Denver Water Easement Assignment Agreement

R-20-025 RESOLVED, upon motion by Director Dwyer, seconded by Treasurer Coria and unanimously carried that Agreement between the District and Denver Water be approved to signed by the Chairman subject to review and comment by the District Engineer and the Board members.

Preceding this action, District Manager Walker explained that Denver Water had been unable to receive an easement from the Bear Creek One HOA in the area where they are installing the new Denver Water PRV vault. Denver Water has asked Bear Creek Water and Sanitation District to assign Denver Water as an agent to work within the BCWSD easement. Legal Counsel Dykstra explained that the Assignment Agreement would allow Denver Water to use a portion of the BCWSD easement within areas depicted in the Exhibit on the Assignment Agreement as long as Denver Water does not interfere with the District's use of the easement. The Agreement includes protection for the District. If Denver Water interferes with the District's use, Denver Water will be responsible for damages to the District. Legal Counsel Dykstra stated that he is comfortable with the document being signed after review and comments by the District Engineer and the Board. After District Engineer Fix approves the Agreement, District Manager Walker will send the Agreement to the Board members for review and comment.

DISTRICT MANAGER'S REPORT

COVID-19 Situation Update

T-20-019 DISCUSSION. District Manager Walker reported that the District office was a month into the Covid-19 situation and the office has been closed to visitors since March 12, 2020. District staff is working both in the office and remotely from home in rotating schedules in teams or two. The District IT consultant, arielMIS has been able to get all staff up and running to work remotely at no extra cost to the District. Covid-19 Updates have been posted to the District website at www.bearcreekwater.org

DIRECTOR'S REPORT

Thank You to Charles M. "Charlie" Dwyer for 18 Years of Service to Bear Creek Water and Sanitation District as a Board Member and Treasurer of the Board

T-20-0020 DISCUSSION. Chairman Miller and District Manager Walker thanked Director Charlie Dwyer for his 18 years of service to the District and for the many hours he has spent as Board Treasurer, including the District's Colorado Special District Property and Liability Pool Representative and Chair of the District's Insurance, Budget and Audit Committees. Charlie has attended many Special District Association and Colorado Governmental Finance Association conferences as well as Investment Officer Round Table meetings and trainings. The Board members gave Charlie their best wishes for his retirement from the Board. The District plans to host a dinner in honor of Charlie's Board Retirement and 18 years of service at a future date.

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C-20-005 **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