

## PROCEEDINGS

**MINUTES OF THE CONTINUED MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON NOVEMBER 9, 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

<b>Present:</b>	Dale L. Miller	President and Chairman
	Neil A. Johnson	Vice-President and Vice-Chairman
	Barbara J. Coria	Treasurer
	Linda M. Larsson	Director
	Samuel E. Hundley	Director
<b>Also Present:</b>	Jan C. Walker	District Manager/Board Secretary
	Barney J. Fix, PE, PMP, VP	District Engineer, Merrick & Company
	Russell W. Dykstra	Legal Counsel, Spencer Fane
	Yvonne Small, Property Owner	9815 W. Wesley Court
	Kevin Rosemeyer, District Resident	3354 S. Flower Street, Apt.8

### ACCEPTANCE OF MINUTES

**R-20-066 RESOLVED**, upon motion by Treasurer Coria, seconded by Vice-Chairman Johnson and unanimously carried that the Minutes of the Regular Meeting of October 12, 2020, were approved.

**R-20-067 RESOLVED**, upon motion by Director Hundley seconded by Vice-Chairman Johnson and unanimously carried that the Minutes of the Special Meeting of October 22, 2020, were approved.

**R-20-068 RESOLVED**, upon motion by Treasurer Coria seconded by Director Hundley and unanimously carried that the Minutes of the Continued Meeting of October 28, 2020, were approved.

**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.

### **Public Hearing—Inclusion for 9815 W. Wesley Court- Ronald and Yvonne Small-Petitioners**

Chairman Miller declared the public hearing open for the purpose of discussing the inclusion of property located at 9815 W. Wesley Avenue. Inasmuch as no written or verbal comments concerning the Inclusion were received prior to the hearing and there was no public response during the hearing, Chairman Miller declared the public hearing closed.

**R-20-069 RESOLVED**, upon motion by Vice-Chairman Johnson, seconded by Director Hundley, and unanimously carried that the District approve the Resolution to include the property at 9815 W. Wesley Avenue and authorize Chairman Miller to sign the Inclusion Resolution. Legal Counsel will send the signed Resolution and documentation to the Jefferson County District Court for consideration and approval.

**Public Hearing—Proposed 2021 Annual Budget**

**T-20-074 DISCUSSION.** Chairman Miller declared the public hearing open for the purpose of discussing the 2021 budget. Inasmuch as no written or verbal comments concerning the 2021 Annual Budget were received prior to the hearing and there was no public response during the hearing, Chairman Miller declared the public hearing closed.

**DISTRICT ENGINEER’S REPORT**

**2020 Field Operations and Maintenance (O&M)**

**T-20-075 DISCUSSION.** District Engineer Fix reported that the next O&M Meeting with staff will be held in January 2021 for the kick-off of the 2021 Operations and Maintenance contract with C&L Water Solutions, Inc. The Operations and Maintenance inspections for 2020 are complete. It was noted that C&L will only inspect one round of the grease trap inspections for 2020. The grease trap inspections were completed in October.

**Hodgson Park Waterline Phase 2 Project**

**T-20-076 DISCUSSION.** Ricor Services, LLC has signed the contract documents and the pre-construction meeting was held on September 21, 2020. Ricor Services has received the necessary locates and the permit from the City of Lakewood so that they can begin construction.

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 then West for 200 feet.

**Bear Creek Terrace Development**

**T-20-077 DISCUSSION.** The contractor is working on the on-site water and sanitary sewer lines. The contractor has one water line and two sanitary manholes to test and the construction will be complete.

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

**T-20-078 DISCUSSION.** The 2020 CIPP Project is complete. The notice for final payment was published. If no comments or issues are sent to District Engineer Fix, final payment may be made to C&L Water Solutions and Guildner Pipeline Maintenance after November 16, 2020.

**Authorize Final Payments to Be Made to C&L Water Solutions, Inc. and Guildner Pipeline Maintenance to Pay the Retainage on the 2020 Westgate CIPP Project**

**R-20-070 RESOLVED,** upon motion by Treasurer Coria seconded by Director Hundley and unanimously carried that the final payments of \$25,325.66 to C&L Water Solutions and \$10,171.40 to Guildner Pipeline Maintenance be authorized.

**3523 S. Balsam Street**

**T-20-079 DISCUSSION.** District Engineer Fix has reviewed and returned plans to the Developer. District Engineer Fix has met with the Project Engineer for the Balsam project and Denver Water to discuss the water line that will need to be extended to the east of the project and connected to the water main in S. Wadsworth, along the Hampden Avenue (US 285) Service Road. This project is located in the Havenwood neighborhood, on the south side of Hampden Avenue

**DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE 2]**

**Infiltration Report**

**T-20-080 DISCUSSION.** District Engineer Fix has provided an Infiltration Report to the Board of Directors. The two Cured-in-Place-Pipe (CIPP) Lining projects that have been completed will contribute to savings on the Metro Wastewater Reclamation District (MWRD) annual charges for sewage treatment each year. Information collected from the 2017 CIPP Project indicates that there has been a decrease in flows of 100,000 gallons per day, which equates approximately to \$88,600.00 in savings per year on the MWRD annual charges for sewage treatment. Once the District Engineer receives data on the 2020 Westgate CIPP Project, which was completed in October 2020, there should be additional savings.

**Acceptance of the District Engineer's Report**

**R-20-071 RESOLVED**, upon motion by Treasurer Coria, seconded by Director Larsson and unanimously carried, that the District Engineer's Report be accepted.

Preceding this action, the District Engineer's report of activities for October 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-20-072 RESOLVED**, upon motion by Treasurer Coria, seconded by Vice-Chairman Johnson, and unanimously carried, the payment of invoices and payroll presented in the amount of \$134,740.22 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.

**Approval of Treasurer's Report**

**R-20-073 RESOLVED**, upon motion by Director Larsson, seconded by Vice-Chairman Johnson and unanimously carried, that the Treasurer's Report based on unaudited financial reports as of October 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 remains at 0 to 0.25%. One callable Government Entity Security was called in October. The District has reinvested the funds. District Manager Walker and Treasurer Coria have continued to consider various investment options to maintain the safety of the investments, to receive the best rate possible and continue the laddering of the investments. Treasurer Coria also reported that the payment of the Wells Fargo Bank fees and the calculation of the Earned Interest Credits by Wells Fargo was changed from an annual basis to a quarterly basis beginning in October.

LEGAL COUNSEL'S REPORT

**Ratification of Board Resolutions R-20-064 and R-20-065 from October 28, 2020 Continued Board Meeting**

**T-20-081 DISCUSSION.** Legal Counsel Dykstra advised that since the Notice for the Continued Board meeting on October 28, 2020 was to be a Budget Work Session, that Resolutions R-20-064 and R-20-065 that were passed at the October 28, 2020 Continued Board meeting should be ratified at the November 9, 2020 Board meeting.

**Approve Audit Engagement Letter from Crady Puca and Associates to Perform the 2020 Annual Audit**

**R-20-074 RESOLVED,** upon motion by Director Larsson, seconded by Vice-Chairman Johnson and unanimously carried to ratify R-20-064 Resolution that the Audit Engagement Letter from Crady Puca and Associates to perform the 2020 Audit at an amount not to exceed \$9,100.00.

**Approve and Accept Proposal for Cyber Security Insurance Quote for Coverage in 2021 from At Bay Insurance Services, LLC**

**R-20-075 RESOLVED,** upon motion by Treasurer Coria seconded by Director Hundley and unanimously carried to ratify R-20-065 to accept the Cyber Security Insurance Quote for coverage in 2021 from At Bay Insurance Services, LLC for the premium of \$1,226.00.

**Acceptance of Annual Administrative Matters Resolution for 2021**

**R-20-076 RESOLVED** upon motion by Treasurer Coria, seconded by Director Hundley and unanimously carried to accept the Annual Administrative Matters Resolution for 2021.

Preceding this action, Legal Counsel Dykstra explained that this Resolution is passed once a year and authorizes Legal Counsel and the District Manager to perform all of the statutory functions for the District.

BUDGET COMMITTEE

**Acceptance of the 2021 Annual Budget**

**T-20-082 DISCUSSION.** District Manager Walker presented an overview of the 2021 Budget. The budget committee recommended that the annual sanitary sewer rates NOT be increased for 2021. After review of the costs of Metro Wastewater Reclamation District (MWRD) sewage treatment charges, billing, operations and maintenance expenses, capital improvement project, the budget committee decided that the sewer billing amount is adequate to cover the costs for 2021.

- The 2021 Annual Sanitary Sewer Rate will be \$16.60 per thousand gallons of water used from November 2020 through February 2021.
- The 2021 Residential Annual Minimum will be \$229.00 and billed at \$57.25 per quarter. The 2021 Commercial Annual Minimum will be \$397.00 and billed at \$99.25 per quarter.
- The billing cycle for 2021 will continue to be billed quarterly by dividing the annual bill into quarterly installments.

**BUDGET COMMITTEE [CONTINUED FROM PAGE 4]**

The Budget Committee also recommended that the \$6.00 per month per SFRE water surcharge to the Denver Water billing would be sufficient to pay for planned capital improvement projects and operations and maintenance of the water system and will not be increased for 2021.

Preceding this recommendation, the Board has identified and engaged in a deliberative process to prepare the 2021 budget and has considered the following factors in the process of setting appropriate water and sanitary sewer rates:

- The District has engaged an external consultant, Christina Griggs of GEMSBOK Consulting to develop a fiscal planning tool to assist the District in long-term planning budgeting and to determine an appropriate minimum reserve amount to be held towards the future capital needs of the District.
- Operations and maintenance needs of the District-owned water and sanitary sewer systems which includes such projects as replacement or relining of sanitary sewer lines and the major repair or replacement of water distribution lines.
- The District’s Master Plan which was updated in 2018
- Capital Improvement Projects and Long-Term Planning
- Historical considerations

The District will continue to review the sewer rates and the water surcharge amount each year to determine if a rate increase is necessary.

Formal Adoption of the 2021 Budget Resolution and the Appropriation of Sums of Money for 2021 is scheduled for the December 14, 2021 Board Meeting. There will be one exception to this adoption because the Certification of the 2020 Mill Levy needs to be sent to the Jeffco Treasurer before the December 14, 2020 Board Meeting. Legal Counsel Dykstra advised that the District pass the Resolution to set the 2020 Mill Levy at the November 9, 2020 Board meeting so that the deadline for Mill Levy Certification to the Jefferson County Treasurer’s office is met.

**2020 Mill Levy Certification for Property Tax Collection in 2021**

**R-20-077 RESOLVED** upon motion by Chairman Miller, seconded by Treasurer Coria and unanimously carried that the 2020 mill levy for property tax collection in 2021 be set at 4.416 mills subject to minor adjustments in the property tax revenue and temporary revenue reduction amounts to be calculated from the 2020 Final Assessed Valuation. Jefferson County has until December 10, 2020 to send the Final Assessed Valuation.

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**C-20-017 CONCURRENCE.** Nothing further being presented to the Board, Chairman Miller declared that the meeting be adjourned.

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Dale L. Miller, President and Chairman

***ATTEST:***

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Jan C. Walker, Secretary, Board of Directors

***SEAL***