

## PROCEEDINGS

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON MAY 10, 2021 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:** Vice-Chairman Johnson

### ROLL CALL

#### Present:

Neil A. Johnson	Vice-President and Vice-Chairman
Barbara J. Coria	Treasurer
Linda M. Larsson	Director
Samuel E. Hundley	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

#### Excused Absence:

Dale L. Miller	President and Chairman
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### ACCEPTANCE OF MINUTES

**R-21-025 RESOLVED**, upon motion by Director Hundley, seconded by Director Larsson and unanimously carried that the Minutes of the Regular Meeting of April 12, 2021, were approved.

### CALL TO PUBLIC / PUBLIC PRESENTATIONS - NONE

### DISTRICT ENGINEER'S REPORT

#### **2021 Field Operations and Maintenance (O&M)**

**T-21-018 DISCUSSION** District Engineer Fix reported that the O&M Meeting with the staff was held on April 14, 2021 at the District office. The next O&M meeting with staff will be held in June.

#### **Hodgson Park Water Line Phase 2 Project**

**T-21-019 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 then West for 200 feet.

Ricor Services completed construction of the water line in December 2020. All tests on the water line have been performed and have passed. The asphalt mill and overlay work has been completed. The City of Lakewood will need to accept the road work. The District Engineers have sent Ricor Services the punch list of items that need to be completed before final payment is made.

#### **Bear Creek Terrace Development**

**T-21-020 DISCUSSION.** The construction is complete. The contractor is performing the punch list items and the District received the as-builts from the developer. The asphalt work for the mill and overlay in Morrison Road was completed on May 6, 2021 and the District will receive a report from CDOT that the road work is acceptable.

**DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE1]**

**QualCorr Engineering to Perform Corrosion Control Testing at the Kallisto at the Bear Apartments**

**T-21-021 DISCUSSION.** Per the Boards' direction at the March 8, 2021 Board meeting, the District has contracted with QualCorr to provide the resistivity tests and pipeline current mapping for the ten (10) locations in the Kallisto Apartment development. QualCorr performed the soil resistivity testing on April 7, 2021. Upon completion of the analyses, QualCorr will prepare a summary report outlining the findings of the testing, along with any recommendations for additional studies or corrosion control measures in the Kallisto Apartment development.

QualCorp did provide the wenner testing and all areas were "mildly aggressive" and one (1) area was considered "aggressive." The "mildly aggressive" is determined by their methodology of a certain scale, which QualCorp developed using soil evaluation criteria, such as, Ohm measurement (wenner test), physical, sulfate and chloride amounts as well as moisture content. Once this methodology is employed "mildly aggressive" is considered between 3 - 5 of which our test results were mainly at a "4" and our area of "aggressive" is between 6 and 10 and our rating was at a "6.". Therefore, the tests did not reveal any "hot spots."

After the District's review of the QualCorp report, Systems Administrator Chad Weaver set up a phone call with QualCorp and District Engineer Fix. Representatives from QualCorp stated the wenner tests are not at all conclusive by themselves. They recommended that when the District potholes or repairs another break, QualCorp can analyze the soil at that time and place anodes in the trench to help mitigate the electrolysis. The District can also connect anodes to the pipe at \$1,250.00 each. However, the pipe was not bonded together when it was installed, so the number of anodes the District would need to connect are unknown. QualCorp also stated that if there is another break in the area, the District contractor can cut a section of the pipe break out and send it in for analysis to determine the type of corrosion that occurred, which would then help the District determine the type of corrosion protection that would be required.

District Engineer Fix, District Manager Walker and Systems Administrator Weaver met with Antonio Flori, Cathodic Protection Engineer from Denver Water on May 6, 2021 to present him the report and see what his expertise can lend to the situation to this 40-year-old pipe. Mr. Flores performed some cathodic testing around several water meters in the Kallisto Apartments to determine electric pipe to soil potential from the water service line to the surrounding soil. The results of the testing performed was within normal range. Mr. Flori recommended the installation of dialectic unions to be installed at the service line connections from the water meters to prevent corrosion. Systems Administrator Weaver will ask for quotes from District licensed plumbers to determine the cost of installation of the dialectic unions on the service lines, outside of the water meters.

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

**R-21-026 RESOLVED,** upon motion by Treasurer Coria, seconded by Director Hundley and unanimously carried, that the District Engineer's Report be accepted.

Preceding this action, the District Engineer's report of activities for April 2021 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-21-027 RESOLVED**, upon motion by Director Larsson, seconded by Director Hundley, and unanimously carried, the payment of invoices and payroll presented in the amount of \$91,160.80 was approved. A list is attached hereto and made a part of the record. Preceding this action, Director Larsson reported that upon her 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-21-028 RESOLVED**, upon motion by Director Hundley, seconded by Director Larsson and unanimously carried, that the Treasurer's Report based on unaudited financial reports as of April 30, 2021 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%. Two callable Government Entity Securities were purchased in April. There is a GSE that is maturing in May. District Manager Walker and Treasurer Coria will be considering reinvestment options in late May or early June 2021. District Manager Walker and Treasurer Coria have continued to consider various investment options to maintain the safety of the investments and to receive the best rate possible and continue the laddering of the investments.

**LEGAL COUNSEL'S REPORT**

**Senate Bill (SB) 21-262**

**T-21-022 DISCUSSION.** Legal Counsel Dykstra gave a report on SB 21-262 which has been introduced into the First Regular Session of the Seventy-third General Assembly of the State of Colorado. Spencer Fane has been very involved in the drafting of this bill that largely impacts Metropolitan Districts.

Under current law, the designated election official is required to provide notice by publication of a call for nominations for a regular local government election.

- Senate Bill 21-262 eliminates the requirement that notice be made exclusively by publication and allows the notice to be made by any 2 of 5 means, including publication, mailing, newsletter, district website, or posting.
- Requires a metropolitan district, by a certain date, to establish, maintain, and annually update an official website in a form that is readily accessible to the public that contains information that is specified in the bill. Exempts inactive special districts from new requirements under the bill concerning maintenance of a district's website and a district's annual report.
- Adds to existing statutory requirements regarding the annual report to be filed by a special district and, among other things, supplements the type of information to be included in the annual report.
- Requires that, prior to payment or reimbursement of the advance of funds by the special district, a professional engineer registered in the state of Colorado prepares a written certification attesting to various statements enumerated in the bill.
- Requires, on and after January 1, 2022, each owner of real property that sells real property that includes a newly constructed residence that is located within a metropolitan district, concurrently with or prior to the execution of a contract to sell the property, to provide to the purchaser of the property certain information or statements specified in the bill relating to the finances of the metropolitan district, including information about the debt obligations of the district and an estimate of property taxes applicable to the property at the time of the sale.

**LEGAL COUNSEL’S REPORT [CONTINUED FROM PAGE 3]**

At the end of the legislation session, Legal Counsel Dykstra will provide a summary of the 2021 legislative issues.

**DISTRICT MANAGERS REPORT**

District Manager Walker presented the April 2021 Report of District Activities, a copy of which is attached hereto and made a part of the record.

**DIRECTORS REPORTS – NONE**

**C-21-008 CONCURRENCE.** Nothing further being presented to the Board, Vice-Chairman Johnson declared that the meeting be adjourned.

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Dale L. Miller, President and Chairman

***A T T E S T:***

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Jan C. Walker, Secretary, Board of Directors

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