

PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON DECEMBER 13, 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: Chairman Miller

ROLL CALL

Present:

Dale L. Miller	President and Chairman
Barbara J. Coria	Treasurer
Neil A. Johnson	Vice-President and Vice-Chairman
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
	Laura Heinrich	Legal Counsel, Spencer Fane

Excused Absence: NONE

ACCEPTANCE OF MINUTES

R-21-067 RESOLVED, upon motion by Vice-Chairman Johnson, seconded by Director Hundley and unanimously carried that the Minutes of the Regular Meeting of November 8, 2021 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.

Inclusion of 9655 Morrison Road, Parcel B Public Hearing—Dr. Fred Hogue, Petitioner

Chairman Miller declared the public hearing open for the purpose of discussing the inclusion of property located at 9655 Morrison Road, Parcel B. 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-21-068 RESOLVED, upon motion by, Director Larsson seconded by Treasurer Coria, and unanimously carried to include the property at 9655 Morrison Road, Parcel B 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.

DISTRICT ENGINEER'S REPORT

2021 Field Operations and Maintenance (O&M)

T-21-053 DISCUSSION The Operations and Maintenance inspections for 2021 are complete.

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DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE 1]

Award the 2021 O&M Contact to C&L Water Solutions

R-21-069 RESOLVED, upon motion by Director Hundley seconded by Vice-Chairman Johnson and unanimously carried that the 2022 Field Operations and Maintenance contract be awarded to C&L Water Solutions for \$198,041.53 for the Schedule I items and \$397,800 for the Schedule III Capital Improvement items.

Preceding this action, District Engineer Fix reported that the 2022 O&M manual has been prepared and finalized for acceptance. The cost for the Schedule I items increased about 11%, which is well within the industry average. The cost for the capital improvements, Schedule III, has increased substantially due to the cost of the materials being a minimum of three times higher than the cost in 2021.

Authorize Chairman and Secretary to Sign the Notice to Proceed,

R-21-070 RESOLVED, upon motion by Director Larsson, seconded by Treasurer Coria and unanimously carried that that the Chairman sign the 2022 contract books and the Notice to Proceed.

Authorize the Chairman to Sign the Letters of Guarantee and Responsibility to Work in the Public Way and a Letter to Denver Water to Authorize Contractors and Sub-Contractors Working on Behalf of the District to Use the District's Fire Hydrants

R-21-071 RESOLVED, upon motion by Treasurer Coria, seconded by Vice-Chairman Johnson and unanimously carried that that the Chairman sign the Letters of Guarantee and Responsibility to Work in the Public Way in the City of Lakewood and unincorporated Jefferson County and that the Chairman sign a letter to Denver Water to Authorize District contractors and sub-contractors working on behalf of Bear Creek Water and Sanitation District to use the District's fire hydrants.

Hodgson Park Phase 3

T-21-054 DISCUSSION This project is Phase 3 of the Morrison/Hodgson Park project which runs a 12-inch water line from S. Garland Court to the Garrison Street meter. It will require crossing two lots on S. Garland Court along the common lot line and then crossing S. Garrison Street to the meter. During the design period of the project, District Engineers have met with a boring contractor. The existing line in Garland Ct. may need to be replaced using a pipe bursting method. The District contracted Kumar and Associates to provide soil samples from the area. The soil report from Kumar found that there is rock in the area. The District Engineer is re-analyzing how to replace the existing waterline. It is most likely that the water line will be removed and replaced in the same trench across S. Garrison Street.

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DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE 2]

Garland Court Sanitary Sewer Line Connection

T-21-055 DISCUSSION The Garland Court sanitary sewer connection project is a project the District has been trying to do for the past 18-20 years. This connection would connect at S. Garland Court and West Cornell Place, then run north into the City of Lakewood Park open space and connect to the Metro Water Recovery (formerly Metro Wastewater Reclamation District) sewer line. This connection would alleviate high flows of sewage from South Cornell Place, then west to S. Kipling Street, near the Victoria Village townhomes subdivision. District Engineer Fix has a conceptual plan of the location of the proposed sewer line.

Merrick and Company and has completed a survey of this alignment to the Metro Water Recovery (Metro) sewer line and needs to compare it to a Metro sewer easement. The District has met with the City of Lakewood and has determined that the City will allow the District to get an easement if the alignment is determined to be in the City of Lakewood Parks property. The City has informed District Engineer Fix that if the Metro sewer manhole lies within the joint Open Space area, it will take longer to go through the application and approval process with the joint Open Space Committee. Once the location is determined, the District will set up another meeting with the City of Lakewood to negotiate the easement.

Balsam Street Development

T-21-056 DISCUSSION District Engineer Fix reported that he had received the second submittal of plans for the development at 3522 S. Balsam St. and he has returned them to the developer with comments.

Acceptance of the District Engineer's Report

R-21-072 RESOLVED, upon motion by Treasurer Coria, seconded by a Director Larsson and unanimously carried, that the District Engineer's Report be accepted.

Preceding this action, the District Engineer's report of activities for November 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-21-073 RESOLVED, upon motion by Director Larsson, seconded by Director Hundley, and unanimously carried, the payment of invoices and payroll presented in the amount of \$282,807.45 was approved. A list is attached hereto and made a part of the record.

Preceding this action, Treasurer Coria 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.

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TREASURER'S REPORT [CONTINUED FROM PAGE 3]

Approval of Treasurer's Report

R-21-074 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 November 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 is unchanged and remains at 0 to 0.25%. One Treasury Note matured in November. District Manager Walker has reinvested the funds with a 3-year Treasury Note. 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 investment portfolio.

Approval of Wells Fargo Certification of Official Custodians and Wells Fargo Government Customers Certification Forms

R-21-075 RESOLVED, upon motion by Treasurer Coria, seconded by Vice-Chairman Johnson and unanimously carried that the Chairman sign the Wells Fargo Official Custodians Certification form that designates the District Manager and Board Secretary, the Board Treasurer and the Board Chairman as the official custodians for the Bear Creek Water and Sanitation District's Wells Fargo operating account. Wells Fargo Bank requires that the Official Custodians Certification form be submitted by District for FDIC Rule 370 Compliance. The Resolution also authorizes the Chairman to sign an updated Wells Fargo Bank Government Customers Certification form subject to legal counsel review.

BUDGET COMMITTEE

2022 Mill Levy and Property Tax Certification

T-21-057 DISCUSSION District Manager Walker reported that the District had received the final Assessed Valuation from Jefferson County. District Manager Walker calculated the 2022 mill levy which is set at 4.416 mills, less (.612) mills for a temporary reduction of (\$138,221), plus an amount allowed for rebatements and refunds of \$4,291, for a total mill levy of 3.823, collecting \$863,432 in property taxes for 2022. District Manager Walker reported that she has submitted the Mill Levy Certification form to Jefferson County.

LEGAL COUNSEL'S REPORT

T-21-058 DISCUSSION Laura Heinrich from Spencer Fane, LLP gave an update on behalf of Legal Counsel Dykstra regarding a past incident in the District regarding utility locates.

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DISTRICT MANAGERS REPORT

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

DIRECTORS REPORTS

Review of 2021 District Activities and District Manager's 2022 Compensation

C-20-019 CONCURRENCE. The Board concurred that the District Manager shall be awarded a 4% increase in salary for her performance in 2021. This salary increase will be effective as of January 1, 2022

C-21-020 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