

PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON MARCH 14, 2022 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
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
James Cruz	Property Owner, 11799 Bear Creek Drive

Excused Absence: Barbara J. Coria Treasurer

Excused Absence for Treasurer Coria

R-22-009 RESOLVED, upon motion by Vice-Chairman Johnson, seconded by Director Larsson and unanimously carried that Treasurer Coria receive an excused absence.

ACCEPTANCE OF MINUTES

R-22-010 RESOLVED, upon motion by Director Hundley, seconded by Vice-Chairman Johnson and unanimously carried that the Minutes of the Regular Meeting of February 14, 2022 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.

Acceptance of Inclusion Petition for 11799 Bear Creek Drive, Parcel 49-324-01-007 from James and Charissa Cruz, Property Owners

R-22-011 RESOLVED, upon motion by Director Larsson, seconded by Vice-Chairman Johnson and unanimously carried that the Inclusion Petition for 11799 Bear Creek Drive, Parcel 49-324-01-007 be accepted and set the Public Hearing for the Inclusion for April 11, 2022 at 7:00 p.m. The notice for the Public Hearing will be published in the Golden Transcript.

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DISTRICT ENGINEER'S REPORT

2022 Field Operations and Maintenance (O&M)

T-22-013 DISCUSSION District Engineer Fix reported that the next O&M meeting is scheduled for March 16, 2022 at 11:00 a.m.

Hodgson Park Phase 3

T-22-014 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. The existing line in Garland Ct. will need to be replaced using a pipe bursting method. It is most likely that the water line will be removed and replaced in the same trench across S. Garrison Street.

The plans have been sent to the City of Lakewood and Denver Water for review. Denver Water and the District have scheduled a virtual meeting on March 24, 2022.

Garland Court Sanitary Sewer Line Connection

T-22-015 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 sewer line. This connection would alleviate high flows of sewage from South Cornell Place 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 has completed a survey of this alignment to the Metro Water Recovery (Metro) sewer line. The survey showed that the Metro sewer manhole does not lie within Metro's easement and it is not adjacent to the City of Lakewood parcel. The District Engineer has contacted the City of Lakewood to determine how to begin the application and approval process with the City of Lakewood and the Jefferson County joint Open Space Committee to gain an easement for the sanitary sewer line.

The City of Lakewood has advised that the District will need to submit a preliminary detail and a legal description describing the request. Once the request is approved by the City of Lakewood, it will be submitted to the joint Jefferson County Open Space committee.

Balsam Street Development

T-22-016 DISCUSSION District Engineer Fix reported that he had received the third submittal of water plans and the first submittal of the sanitary sewer plans for the development at 3522 S. Balsam St. and he has returned them to the developer with comments. Once the comments are returned and accepted on the water submittal, the developer can submit their plans to Denver Water. There are some comments on the sewer plans, regarding the landscaping around the buildings.

Acceptance of the District Engineer's Report

R-22-012 RESOLVED, upon motion by Vice-Chairman Johnson, 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 February 2022 was presented. A copy is attached hereto and made a part of the record.

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TREASURER'S REPORT

Approval of Payment of Invoices and Payroll

R-22-013 RESOLVED, upon motion by Director Larsson, seconded by Vice-Chairman Johnson, and unanimously carried, the payment of invoices and payroll presented in the amount of \$441,959.20 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-22-014 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 28, 2022 was accepted as presented. A copy is attached hereto and made a part of the record.

Preceding this action, District Manager Walker reported that the Federal Funds Rate is unchanged and remains at 0 to 0.25%. One GSE with a five-year maturity was purchased in February. 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.

LEGAL COUNSEL'S REPORT

T-22-017 DISCUSSION Legal Counsel Dykstra reported that he is following legislative issues as they apply to the District and will have more to report at a later date.

Resolution Cancelling the May 3, 2022 Directors Election

R-22-015 RESOLVED, upon motion by Director Hundley, seconded by Director Vice-Chairman Johnson and unanimously carried that the May 3, 2022 Directors Election be cancelled and deeming Directors Coria, Johnson and Larsson elected for a 3-year term until May 6, 2025.

The Resolution of Cancellation and Notice will be filed with the Division of Local Governments and the Jefferson County Clerk and Recorder. The Cancellation Notice was published in the Golden Transcript and posted on the BCWSD website.

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DISTRICT MANAGER'S REPORT

District Manager Walker presented the February 2022 Report of District Activities, a copy of which is attached hereto and made a part of the record

BCWSD to Resume Board Meetings In-Person

C-22-003 CONCURRENCE. By concurrence of the Board, in-person Board meetings will be resumed beginning April 11, 2022. If a member of the public or the Board cannot attend a Board Meeting in person, they can contact the District Manager to make arrangements to attend meetings remotely, using the Zoom meeting application.

Authorize District Manager to Sign the NetDiligence Health Check Cyber Risk Assessment Agreement

R-22-016 RESOLVED, upon motion by Director Larsson, seconded by Vice-Chairman Johnson and unanimously carried to authorize the District Manager to sign the NetDiligence Health Check Cyber Risk Assessment Agreement.

Preceding this action, District Manager Walker reported that District staff had an initial meeting with Dave Chatfield with NetDiligence regarding the Cyber Health Risk Assessment. This assessment is required to be completed by the Colorado Special Districts Property and Liability Insurance Pool (CSD) to increase the District's cyber liability insurance limit to \$1 million. The cost for the Assessment is \$4,150, which includes a 25% CSD Insurance Pool discount. The District has CSD Insurance Pool safety grant funds that are available for use to offset a portion of the cost. The District's IT contractor, Ariel IT Services will be working with BCWSD to complete the Cybersecurity Health Check Assessment.

Wells Fargo E-Bill Express Payment Portal

T-22-018 DISCUSSION District Manager Walker gave the Board information on an on-line payment option that has been presented by the District's Wells Fargo Treasury Management team. Wells Fargo partners with E-bill Express which offers an on-line billing and payment service portal which offers options for customers to sign up and view a copy of their BCWSD sanitary sewer bill. Customers could either pay their current bill, set up recurring payments or sign up for auto pay via an ACH payment, debit or credit card. There would also be an option for customers to sign up to receive an e-bill instead of a paper bill.

Currently, the District mails paper statements to customers for the sanitary sewer billing on a quarterly basis. BCWSD gives the customers the option to pay online via the Colorado.gov PayPort payment portal. The PayPort system only offers the capability for one-time payments via electronic check and credit cards. District customers can also choose to mail a check to the Wells Fargo lockbox or drop off payments at the District office.

After discussion, the Board asked District Manager to provide more information on the E-Bill Express Payment Portal including a detailed cost comparison and implementation plan at the April 11, 2022 Board meeting.

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DIRECTORS REPORTS

Wildfire Preparation

T-22-019 DISCUSSION Chairman Miller reported that he had attended a City of Lakewood City Council Ward 5 meeting and there was a presentation about Wildfire Preparation given by a City of Lakewood Park Ranger and Captain Brendan Finnegan, who is the wildfire coordinator with West Metro Fire Department. They discussed efforts being made by the City of Lakewood to prepare for a wildfire, including working with water districts so that water could be diverted to areas that need the water most, to effectively fight a wildfire. Chairman Miller suggested that Bear Creek Water and Sanitation District meet with Captain Finnegan to see how the District could make a plan to assist the fire department in case of a wildfire. District Engineer Fix added that he had worked with Denver Water to discuss a similar plan. After discussion, the Board felt this meeting with Captain Finnegan would be an appropriate plan of action.

C-22-004 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