

## PROCEEDINGS

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON AUGUST 8, 2022 AT 7:00 PM AT THE DISTRICT OFFICE AT 2517 S. FLOWER STREET, LAKEWOOD, CO 80227. THE MEETING WAS ALSO SET UP VIA THE ZOOM APPLICATION FOR THE BOARD SO THAT THE BOARD MEMBERS OR MEMBERS OF THE PUBLIC THAT WERE UNABLE TO ATTEND IN PERSON COULD PARTICIPATE.**

### CALL TO ORDER

**Presiding:** Chairman Miller

### ROLL CALL

|                                     |                            |                                      |
|-------------------------------------|----------------------------|--------------------------------------|
| <b>Present:</b>                     | Dale L. Miller             | President and Chairman               |
|                                     | Barbara J. Coria           | Treasurer                            |
|                                     | Linda M. Larsson           | Director                             |
| <b>Present on Zoom Application:</b> |                            |                                      |
|                                     | Neil A. Johnson            | Vice-President and Vice-Chairman     |
|                                     | 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          |
|                                     | Barry Ebert                | Resident, 9799 W. Wesley Court       |

**Excused Absence:** NONE

### ACCEPTANCE OF MINUTES

**R-22-038 RESOLVED**, upon motion by Treasurer Coria, seconded by Vice-Chairman Johnson and unanimously carried that the Minutes of the Regular Meeting of July 11, 2022 were approved.

### CALL TO PUBLIC / PUBLIC PRESENTATIONS- NONE

### DISTRICT ENGINEER'S REPORT

#### **2022 Field Operations and Maintenance (O&M)**

**T-22-051 DISCUSSION** District Engineer Fix reported that the 2022 operations and maintenance inspections are being performed according to schedule. The next O&M meeting with the Board and staff, if needed, will be scheduled for a date in September at the District office.

#### **Hodgson Park Phase 3**

**T-22-052 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.

It was determined by Denver Water that the District does not need to upgrade this connection. Denver Water is going to see if they can achieve a reduction in flow through the PRVs and allow some flow through the meter on Garrison Street. Bear Creek will install a blowoff after the meter. District Engineer Fix, District Manager Walker and Systems Administrator Weaver had a second meeting with Denver Water staff. Denver Water will be gathering more data before another meeting is scheduled.

**Garland Court Sanitary Sewer Line Connection**

**T-22-053 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.

District Engineer Fix has received approval from Metro Water Recovery that they will allow the connection to their manhole. District Engineer Fix will finish up the actual design to submit to the City of Lakewood and to the Joint Open Space committee to request an easement.

**Balsam Street Development**

**T-22-054 DISCUSSION** District Engineer Fix reported that he had received the 4th submittal for water and a 2nd submittal for the sanitary sewer and that they are being reviewed for the development at 3522 S. Balsam St. There are some comments on the sewer plans, regarding Jefferson County's requirement for landscaping around the buildings. District Engineer Fix has also asked for verification from the Owner that these five (5) buildings are not for sale units. If the units were to be for sale, the District would require separate sanitary sewer services for each unit. Legal Counsel Dykstra recommended that the District record a notice against the property that if the apartments were ever sold to individual owners, each unit would be required to install separate water and sewer services. District Engineer Fix had a phone conversation with the Developer referencing previous discussions and agreements with CDOT three years ago and regarding the location to install a water main in the CDOT rights-of-way. Denver Water will have final approval on the location of the water main installation. The Developer has responded to comments on the water plans and District Engineers have returned additional comments regarding the proposed water services.

**Wildfire Planning Redundancy Study**

**T-22-055 DISCUSSION** District Engineers have prepared a write up of the redundancy of the District's interplay between zones when the primary water feeds have been disabled. Merrick is updating their water model to include the new water line that was installed along Morrison Road and Hodgson Park. The Engineers are also gathering information from neighboring Districts to determine how BCWSD could be assisted when an emergency occurs. District Engineers will then meet with District staff so that BCWSD can discuss next steps for the plan to prepare for a meeting with Denver Water.

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

**R-22-039 RESOLVED**, upon motion by Director Larsson, 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 July 2022 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-22-040 RESOLVED**, upon motion by Director Hundley, seconded by Director Vice-Chairman Johnson, and unanimously carried, the payment of invoices and payroll presented in the amount of \$175,539.93 was approved. A list is attached hereto and made a part of the record.

Preceding this action, Treasurer Coria reported that she and Director Hundley reviewed the checks, Automated Clearing House (ACH) payments and payroll, and found them to be in order for approval by the Board.

**Approval of Treasurer's Report**

**R-22-041 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 July 31, 2022 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 was raised again by 0.75 basis points in July which raised the federal funds rate to 2.25-2.50%. Treasurer Coria also reported that there was no investment activity in July.

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.

**2022 July Budget-to-Actual Report**

**R-22-042 RESOLVED**, upon motion by Director Hundley, seconded by Vice-Chairman Johnson, and unanimously carried, that the Budget-to-Actual Report for January through July 2022 was accepted.

Preceding this action, Director Coria reviewed the report in detail and reported that the revenues and expenses are in line with the budgeted items as of July 31, 2022.

**2022 Audit**

**T-22-056 DISCUSSION** District Manager Walker reported that she had received pricing for the 2022 Audit from the current auditors, Crady Puca and Associates that there would be a 3% increase in their service fees to perform the 2022 audit. Since, the District has used Crady Puca and Associates since 2014, Legal Counsel Dykstra advised that the District contact other audit firms to receive their pricing and their availability to perform the 2022 audit for the District. After a brief discussion, the Board directed District Manager Walker to call audit firms and request the information for consideration at the September 12, 2022 Board meeting

**LEGAL COUNSEL'S REPORT - NONE**

**DISTRICT MANAGER'S REPORT**

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

**DISTRICT MANAGER'S REPORT [CONTINUED FROM PAGE 3]**

**Resignation by Chad Weaver, Systems Administrator**

**T-22-057 DISCUSSION** District Manager Walker reported that Chad Weaver has submitted a letter of resignation effective August 19, 2022. District staff has been working on the job posting to advertise the position. The Board recommended that District Manager contact Red Rocks Community College to send them the job posting since they offer a water/wastewater program. Legal Counsel Dykstra also recommended the Emily Griffith Technical College in Denver. District Manager Walker will contact both organizations to post the job opening for Systems Administrator.

**Cybersecurity Upgrades**

**R-22-043 RESOLVED**, upon motion by Director Larsson, seconded by Vice-Chairman Johnson, and unanimously carried to accept the proposal from Ariel IT for cybersecurity upgrades not to exceed \$3,024.00.

Preceding this action, District Manager Walker had provided the Board with a Cyber Risk Assessment, along with a proposal and recommendations from Ariel IT for cybersecurity upgrades.

**DIRECTORS REPORTS**

**Transition of Board Treasurer Position**

**R-22-044 RESOLVED**, upon motion by Director Coria, seconded by Chairman Miller, and unanimously carried to accept Barbara Coria's resignation as Board Treasurer.

Preceding this action, Ms. Coria has given her letter of resignation to the Board, effective September 12, 2022. She will be retiring from the Board after serving almost 11 years.

**Appoint Samuel E. Hundley as Board Treasurer and Designated Signer for Bank Accounts Including Certificates of Deposits (CDs)**

**R-22-045 RESOLUTION.** Resolved, upon nomination by Treasurer Coria, seconded by Vice-Chairman Johnson and unanimously carried that Samuel E. Hundley be appointed as Board Treasurer and set up as an authorized signer on bank accounts and for the purpose of placing, processing, trading and closing Certificates of Deposit in the name of Bear Creek Water and Sanitation District. The Treasurer may delegate other routine administrative investment activities to the District Manager, as provided for the District Manager in the Investment Policy

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**C-22-012 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***