

## PROCEEDINGS

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON SEPTEMBER 12, 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:** Vice-Chairman Johnson

### ROLL CALL

<b>Present:</b>	Dale L. Miller	President and Chairman
	Neil A. Johnson	Vice-President and Vice-Chairman
	Samuel E. Hundley	Treasurer
	Barbara J. Coria	Director
	Linda M. Larsson	Director

### Present on Zoom Application:

Barney J. Fix, PE, PMP, VP	District Engineer, Merrick & Company
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<b>Also Present:</b>	Jan C. Walker	District Manager/Board Secretary
	Laura Heinrich	Legal Counsel, Spencer Fane
	Barry Ebert	Resident, 9799 W. Wesley Court

**Excused Absence:** NONE

### ACCEPTANCE OF MINUTES

**R-22-046 RESOLVED**, upon motion by Director Coria, seconded by Treasurer Hundley and unanimously carried that the Minutes of the Regular Meeting of August 8, 2022 were approved.

### CALL TO PUBLIC / PUBLIC PRESENTATIONS- NONE

### DISTRICT ENGINEER'S REPORT

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

**T-22-058 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 staff will be scheduled for October 12, 2022 at 11:00 a.m. at the District office.

#### Hodgson Park Phase 3

**T-22-059 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. Denver Water will be gathering more data before another meeting is scheduled and has installed gauges on the fire hydrants to get data for their model.

**Garland Court Sanitary Sewer Line Connection**

**T-22-060 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 has enough of the design completed to get another meeting set up with Ross Williams at the City of Lakewood to discuss the required easements for the City of Lakewood and the Joint Open Space committee.

**Balsam Street Development**

**T-22-061 DISCUSSION** District Engineer Fix reported that he had received the 7th 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 District has received the developer's 7th submittal on the water plans, which have been reviewed and returned with minor comments.

**Wildfire Planning Redundancy Study**

**T-22-062 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 (Green Mountain, Lakehurst and Bancroft-Clover) to determine how BCWSD could be assisted when an emergency occurs. District Engineers have also run hydrant flow tests for the newest water line in Morrison Road which will be added to the District's water model and help the District know how connections can help in servicing other zones in the District. Once the information is updated, the District Engineers will 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-22-047 RESOLVED**, upon motion by Director Larsson, seconded by Treasurer Hundley, and unanimously carried, that the District Engineer’s Report be accepted.

Preceding this action, the District Engineer’s report of activities for August 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-22-048 RESOLVED**, upon motion by Director Coria, seconded by Director Larsson, and unanimously carried, the payment of invoices and payroll presented in the amount of \$557,686.20 was approved. A list is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that he and Director Coria 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-22-049 RESOLVED**, upon motion by Director Larsson, seconded by Director Coria, and unanimously carried, that the Treasurer's Report based on unaudited financial reports, and including the Budget-to-Actual report, as of August 31, 2022 was accepted as presented. A copy is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that the Federal Funds Rate remained at 2.25-2.50%. Treasurer Hundley also reported that there was one Treasury Note purchased in August. District Manager Walker and Treasurer Hundley will continue 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.

Treasurer Hundley also reviewed the Budget-to-Actual report and reported that the revenues and expenses are in line with the budgeted items as of August 31, 2022.

**2022 Audit**

**T-22-063 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. The District has used Crady, Puca and Associates since 2014 for auditing services. At the August 8, 2022 Board meeting 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. District Accountant Doyle contacted five audit firms to receive pricing. Only one firm replied that they would submit a proposal. District Manager Walker will include the proposal in the Board packet for consideration at the October 10, 2022 Board meeting.

**LEGAL COUNSEL’S REPORT - NONE**

**DISTRICT MANAGER’S REPORT**

District Manager Walker presented the August 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]**

**Metro Water Recovery Annual Charges for 2023**

**T-22-064 DISCUSSION** District Manager Walker reported that the Metro Water Recovery fees for sewage treatment for 2023 have been received. The 2023 Annual Charges for Metro will be \$641,174, which have decreased by \$794,003.00 from the 2022 charges which were \$1,435,177.

**Chairman Miller joined the meeting.**

**Hiring of New Employee for the Systems Administrator Position**

**T-22-065 DISCUSSION** District Manager Walker reported that Jason Tuffing had been hired to fill the Water and Wastewater Systems Administrator position. Jason has experience working with other Special Districts in the water and wastewater field.

**Compensation Study Proposal**

**R-22-050 RESOLVED**, upon motion by Director Hundley, seconded by Director Larsson,, and unanimously carried to accept the proposal from Graves Consulting not to exceed \$5,200.00. Legal Counsel will provide an additional Consulting Agreement form to be signed by Graves Consulting.

Preceding this action, District Manager Walker had provided the Board with a proposal from Graves Consulting for a Compensation Study to be performed for the District.

**Delinquent Accounts that will be Certified to Jefferson County for Collection by October 31, 2022**

**T-22-66 DISCUSSION.** District Manager Walker reported that as of September 2, 2022, there are sixty (60) accounts that meet the criteria to be certified as liens for collection by Jefferson County. The criteria for the certification is based upon delinquent accounts that have more than \$150.00 in arrears and are six months past due or older. The staff has sent the letters to the customers so that they have time to pay prior to the District putting a lien on their properties. The final list of delinquent accounts to be certified for collection is due to Jefferson County by October 31, 2022 for collection in 2023.

**Chairman Miller Now Presiding**

**DIRECTORS REPORTS**

**Declare Board Vacancy Due to Resignation by Director Coria**

**R-22-051 RESOLVED**, upon motion by Treasurer Hundley, seconded by Director Larsson, and unanimously carried to accept Barbara Coria's resignation as a Board member and to declare a vacancy for the Board position.

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. Chairman Miller stated that it had been an honor and a pleasure to serve with Ms. Coria on the Board of Directors.

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**C-22-013 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***