

PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON DECEMBER 12, 2022 AT 7:00 PM. AT THE DISTRICT OFFICE, 2517 SOUTH FLOWER STREET, LAKEWOOD, CO 80227

CALL TO ORDER

Presiding: Chairman Miller

ROLL CALL

Present:

Dale L. Miller	President and Chairman
Samuel E. Hundley	Treasurer
Linda M. Larsson	Director

Present on Zoom:	Neil A. Johnson	Vice-President and Vice-Chairman
	Carmen Doyle	District Accountant
	Laurie Graves	Graves Consulting

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: J. Barry Ebert

ACCEPTANCE OF MINUTES

R-22-073 RESOLVED, upon motion by Treasurer Hundley, seconded by Vice-Chairman Johnson and unanimously carried that the Minutes of the Regular Meeting of November 14, 2022 were approved.

CALL TO PUBLIC / PUBLIC PRESENTATIONS

Compensation and Benefits Study and Analysis Presentation

T-22-085 DISCUSSION Laurie Graves from Graves Consulting attended the meeting via Zoom to give an overview of process, findings and recommendations for the BCWSD Compensation and Benefits Study. District Manager Walker will send Ms. Graves' final report and recommendations to the Board for consideration at the January 9, 2023 Board meeting.

DISTRICT ENGINEER'S REPORT

2022 Field Operations and Maintenance (O&M)

T-22-086 DISCUSSION The Operations and Maintenance for 2022 is complete on the remaining flushing, jetting and 80% complete on the 2021 Sewer Priority work.

Award the 2023 O&M Contract to C&L Water Solutions

R-22-074 RESOLVED, upon motion by Director Hundley seconded by Director Larsson and unanimously carried that the 2023 Field Operations and Maintenance contract be awarded to C&L Water Solutions for \$234,688.62 for the Schedule I items and \$367,700 for the Schedule III Capital Improvement item and authorize the Chairman to sign the 2023 O&M Contract.

Preceding this action, District Engineer Fix reported that the 2023 O&M manual has been prepared and finalized for acceptance. The cost for the Schedule I items increased about 11%, which is within the industry average.

DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE 1]

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-22-075 RESOLVED, upon motion by Director Larsson, 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-22-087 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. Denver Water installed gauges on the fire hydrants to get data for their model and are still reviewing their data. There has been no contact from Denver Water in November.

Garland Court Sanitary Sewer Line Connection

T-22-088 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. District Engineer Fix has received approval from Metro Water Recovery that they will allow the connection to their manhole.

District Engineer Fix and District Manager Walker attended a meeting in October to discuss the required easements for the City of Lakewood and the Joint Open Space committee. Ross Williams with the City of Lakewood sent an e-mail after the meeting that the easement would be \$0.87 per square ft. The District would need a sewer line easement for approximately 11,500 sq. ft. and the cost would be about \$10,000. Ross also said that the City of Lakewood had determined that the easement would only need to go through the City of Lakewood for approval instead of the Jefferson Open Space committee as previously indicated.

DISTRICT ENGINEER'S REPORT [CONTINUED FROM PAGE 2]

Garland Court Sanitary Sewer Line Connection [CONTINUED FROM PAGE 2]

At the November 14, 2022 Board meeting, the Board gave conditional approval for payment of the easement if the City of Lakewood provided documentation that the City of Lakewood charges all entities, including water and sanitation Districts for easements. Ross Williams from the City of Lakewood responded that there is a policy in place, not an ordinance, and that the City will include the price of the easement and the condition of payment when the easement is presented to City Council for approval. The Board concurred that, in order for the project to move forward, the District accept and pay the cost of \$0.87 per square ft., for the necessary easement and directed District Engineer Fix to send the easement document to the City of Lakewood for approval. District Engineer Fix added that the plans for the project have been submitted to the City of Lakewood Planning Department. Once the easement document has been finalized, District Engineer Fix will send it to Ross Williams to get it on the City of Lakewood Agenda for City Council approval.

Balsam Street Development

T-22-089 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 District has received three additional submittals on the water plans, which have been reviewed and returned with minor comments. There were also comments on the water tap calculations. The third submittal on the sanitary sewer was also received and the developer has generally followed the approach for the sewer line. The District Engineers are waiting for the Developer's signature set to be submitted for approval of the plans.

Wildfire Planning Redundancy Study

T-22-090 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 have gathered 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 was verified with the District's water model and help the District know how connections can help in servicing other zones in the District. The model has been verified and the District Engineers can continue looking into the zones and connections.

The second memo with the scenarios is completed and the District Engineers will meet with District staff later in December and so that BCWSD can discuss the next steps for the plan to prepare for a meeting with Denver Water.

Acceptance of the District Engineer's Report

R-22-076 RESOLVED, upon motion by Vice-Chairman Johnson 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 November 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-22-077 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 \$435,537.71 was approved. A list is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that upon his review of the checks, Automated Clearing House (ACH) payments and payroll, he found them to be in order for approval by the Board.

Approval of Treasurer's Report

R-22-078 RESOLVED, upon motion by Director Larsson, seconded by Vice-Chairman Johnson and unanimously carried, that the Treasurer's Report based on unaudited financial reports and including the Budget-to-Actual report, as of November 30, 2022 was accepted as presented. A copy is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that there was one Certificate of Deposit (CD) that matured and one CD was purchased in November. 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.

BUDGET COMMITTEE

2023 Adopted Budget

T-22-091 DISCUSSION At the November 14, 2022 Board Meeting, the Annual Budget for 2023 was accepted subject to changes that would be necessary due to any revisions made necessary by changes in property valuations from Jefferson County.

The District received the final Assessed Valuation from Jefferson County on December 6, 2022. The final Assessed Valuation was \$222,321,833 and was less than the preliminary AV of \$222,902,792. The mill levy is to be set at **4.416**, less **(0.325)** mills for a temporary revenue reduction of **(72,255)**, plus an amount allowed for refunds and abatements of **\$2,446**, for a total mill levy of **4.102** collecting **\$911,964** in property taxes for 2023.

Chairman Miller has signed the 2023 Budget Resolution and District Manager Walker sent the Mill Levy Certification to Jefferson County on December 9, 2022.

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LEGAL COUNSEL REPORT – NONE

DISTRICT MANAGERS REPORT

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

DIRECTORS REPORTS

Review of 2022 District Activities and District Manager's 2023 Compensation

C-22-018 CONCURRENCE. The Board concurred that the District Manager shall be awarded an 8% increase in salary for her performance in 2023. This salary increase will be effective as of January 1, 2023.

DIRECTORS REPORTS – NONE

C-22-019 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