

**MINUTES OF THE SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHERN DOUGLAS COUNTY WATER AND SANITATION DISTRICT
HELD
OCTOBER 5, 2020**

The Special Meeting of the Board of Directors (the “Board”) of the Northern Douglas County Water and Sanitation District (the “District”) was held on Monday, October 5, 2020, at 11:00 a.m., at the offices of CliftonLarsonAllen LLP, 8390 E. Crescent Parkway, Suite 275, Greenwood Village, CO 80111. The meeting was open to the public.

Attendance

In Attendance:

Eric Keesen
Mike Perlman

Also in Attendance:

Matthew Urkoski, Nic Carlson, Kevin Collins, Allison Slife, Vy Nguyen;
CliftonLarsonAllen LLP (“CLA”)
Barbara T. Vander Wall; Seter & Vander Wall, P.C.
Michael Barnes; Kennedy Jenks

Call to Order

Director Keesen called the meeting to order at 11:04 a.m.

Conflicts of Interest

Ms. Vander Wall noted that disclosures of potential conflict of interest statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting in accordance with statute. No additional conflicts were disclosed.

Approval of Directors’ Fees

Upon a motion duly made by Director Perlman, seconded by Director Keesen and, upon vote, unanimously carried, the Board approved the Director’s fees.

Review and Approve Minutes

Upon a motion duly made by Director Perlman, seconded by Director Keesen and, upon vote, unanimously carried, the Board approved the minutes from the June 23, 2020 special meeting.

Financial Matters

A. Review, Ratify and Approval of Claims

Mr. Collins reviewed the claims with the Board.

Upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the claims, as presented.

RECORD OF PROCEEDINGS

B. Review and Consider Acceptance of the August 31, 2020 Unaudited Financial Statements

Mr. Collins reviewed the August 31, 2020 unaudited financial statements with the Board.

Following review, upon a motion duly made by Director Perlman, seconded by Director Keesen and, upon vote, unanimously carried, the Board accepted the August 31, 2020 unaudited financial statements.

C. 2021 Budget

i. Initial Draft and Initial Rate Information provided by Centennial Water and Sanitation District (“CWSD”)

Mr. Collins and Mr. Urkoski discussed the 2021 draft budget process with the Board, noting CWSD rate changes and options for a fee increase for the District to consider for 2021. The Board requested that this discussion be deferred to the next Board meeting.

Manager Items

A. Discussion Regarding District Backflow Prevention Device Testing Policies

Mr. Urkoski updated the Board regarding the District’s backflow prevention device testing policies. Mr. Urkoski further noted that staff will be recommending adoption of a policy to bring the testing program under District control in 2021.

B. CWSD Update

No update.

C. Rock Canyon Project Update

Mr. Urkoski provided an update on the Rock Canyon Project to the Board, noting that the District recently issued its first four tap receipts for the model homes.

D. District Website Update

Mr. Carlson provided an update on the District’s website to the Board, noting that the updated website will be ready for launch in two to three weeks.

Attorney Items

A. Ratify Approval of TruTest LLC Agreement

RECORD OF PROCEEDINGS

Ms. Vander Wall reviewed the TruTest LLC Agreement with the Board for testing and minor repairs on backflow preventers, following which; Mr. Urkoski explained the current process in place for backflow preventer testing and repairs.

Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board ratified approval of the TruTest LLC Agreement.

- B. Executive Session pursuant to Section 24-6-402(4)(b) and (e), C.R.S., regarding installation of master meters and the development of contract negotiating positions, and the receipt of legal advice thereon.

Pursuant to Section 24-6-402(4)(b) and (e), C.R.S., upon a motion duly made by Director Keesen, seconded by Director Perlman, the Board entered Executive Session at 12:01 p.m. regarding contract negotiating positions related to the installation of master meters, and the receipt of legal advice thereon. Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the Board’s attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Upon a motion duly made by Director Keesen, seconded by Director Perlman, the Board exited executive session and reconvened into public session at 12:10 p.m.

Engineering Report

- A. Engineering Information and Reports

Mr. Barnes reviewed the enclosed Engineering Report with the Board.

Mr. Barnes described the requirement for the District to prepare a Risk and Resiliency Assessment by June 30, 2021, and an Emergency Response Plan by December 30, 2021, pursuant to the 2018 Water Infrastructure Act requirements. Mr. Barnes reviewed a proposal for the Risk and Resiliency Assessment project, to be performed on an hourly basis for a total amount estimated to be \$40,657, for the four tasks as outlined in the proposal, including the final assessment report expected to be complete by April 2021.

Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the Kennedy Jenks Risk and Resilience Assessment proposal enclosed within the report. Legal counsel will prepare the documentation to memorialize the proposal per the current agreement with Kennedy Jenks.

RECORD OF PROCEEDINGS

Board Member
Items


A. Other

Following discussion, the Board approved rescheduling the November 24, 2020 regular Board meeting to December 3, 2020 at 12:00 p.m. at the Offices of CliftonLarsonAllen LLP.

Adjournment

Upon a motion duly made by Director Perlman, seconded by Director Keesen and, upon vote, unanimously carried, the Board adjourned the meeting at 12:50 p.m.

Respectfully submitted,

DocuSigned by:

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Secretary for the meeting

Attorney Statement
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing the Northern Douglas County Water and Sanitation District, I attended the executive session meeting of the Northern Douglas County Water and Sanitation District Board of Directors convened at 12:01 p.m. on October 5, 2020 for the purpose of providing legal advice on specific legal questions regarding negotiations relating to contract negotiations related to meter installation issues, as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Barbara T. Vander Wall, Seter & Vander Wall, P.C.
Attorney for Northern Douglas County Water & Sanitation District
Date: October 5, 2020

Certificate Of Completion

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 Minneapolis, MN 55402
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Signer Events

Michael Perlman
 mike.perlman@yahoo.com
 Security Level: Email, Account Authentication (None)

Signature

Signature Adoption: Pre-selected Style
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Sent: 1/7/2021 4:24:06 PM
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| Witness Events | Signature | Timestamp |
| Notary Events | Signature | Timestamp |
| Envelope Summary Events | Status | Timestamps |
| Envelope Sent | Hashed/Encrypted | 1/7/2021 4:24:06 PM |
| Certified Delivered | Security Checked | 1/8/2021 4:58:30 PM |
| Signing Complete | Security Checked | 1/8/2021 4:59:11 PM |
| Completed | Security Checked | 1/8/2021 4:59:11 PM |
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