

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE NORTHERN DOUGLAS COUNTY WATER AND SANITATION DISTRICT HELD JANUARY 25, 2022

A Regular Meeting of the Board of Directors (the “Board”) of the Northern Douglas County Water and Sanitation District (the “District”) was held on Tuesday, January 25, 2022, at 8:30 a.m., at the offices of CliftonLarsonAllen LLP, 8390 E. Crescent Parkway, Suite 300, Greenwood Village, CO 80111. The meeting was open to the public.

DUE TO CONCERNS REGARDING THE SPREAD OF THE CORONAVIRUS (COVID- 19) AND THE BENEFITS TO THE CONTROL OF THE SPREAD OF THE VIRUS BY LIMITING IN-PERSON CONTACT, THIS DISTRICT BOARD MEETING WAS HELD BY VIDEO ENABLED WEB CONFERENCE VIA MICROSOFT TEAMS. THERE WAS ONE PERSON AT THE PHYSICAL MEETING LOCATION.

ATTENDANCE

In Attendance:

Eric Keesen, President
Mike Perlman, Secretary
Kevin Collins, Treasurer

Also in Attendance:

Matthew Urkoski, Nic Carlson, Cass Aurich, Jenny Hackelman and Michael Jensen; CliftonLarsonAllen LLP (“CLA”)
Barbara T. Vander Wall, Esq.; Seter & Vander Wall, P.C.
Greg Sekera and Allison Fitzhugh; Kennedy Jenks

ADMINISTRATIVE MATTERS

Call to Order and Approve Agenda: Director Keesen called the meeting to order at 8:31 a.m. Upon a motion duly made by Director Collins, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the agenda as presented.

Conflicts of Interest and Directors’ Fees: 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. Upon a motion duly made by Director Collins, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the Directors’ fees.

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Quorum, location of meeting and posting meeting notice: A quorum was confirmed. The Board entered into a discussion regarding the requirements of H.B. 21-1278, concerning the location of the District's Board meeting. The Board determined that due to concerns regarding the spread of COVID-19 and the benefit to the control of the spread of the virus by limiting in-person contact, this meeting was conducted via Microsoft Teams and encouraged public participation via Microsoft Teams. The Board further noted that notice providing the time, date and video link information was duly posted and that no objections nor any requests were made regarding the means of hosting the meeting.

Public Comment: None.

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 December 20, 2021 special meeting as presented.

FINANCIAL MATTERS

Claims: Ms. Aurich reviewed the claims with the Board. Upon a motion duly made by Director Keesen, seconded by Director Collins and, upon vote, unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$945,641.77.

December 31, 2021 Unaudited Financial Statements: Ms. Aurich reviewed the December 31, 2021 unaudited financial statements with the Board. Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board accepted the December 31, 2021 unaudited financial statements.

Other: None.

MANAGER MATTERS

Other: None.

LEGAL MATTERS

2022 Annual Administrative Matters Resolution: Ms. Vander Wall reviewed the Resolution with the Board. Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the 2022 Annual Administrative Matters Resolution as presented. Director Collins suggested the District review its insurance coverage for District property to confirm adequacy of coverage.

Other: None.

ENGINEER MATTERS

Engineering Information Report: Mr. Sekera reviewed the report included in the packet. He noted the District's water contractor is behind in scheduled activities due to COVID, staffing and supply chain issues. The Board discussed the master meters and accounting for discrepancies in

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amounts reflected in water purchased and water sold, and exploration of various options to resolve the differences. Mr. Sekera noted that the District has had 100% success in testing of its backflow prevention devices for 2021 and is in compliance with CDPHE standards. It was noted that Taylor Morrison has pulled and paid for all remaining taps required for its options, which eliminated any need for a tap option agreement with the District.

Status of Installation of New Meters: Mr. Sekera discussed the status of the installation of new meters.

Agreement with Kennedy/Jenks Consultants, Inc. for 2022 General Engineering and Consulting Services: Mr. Sekera and Ms. Vander Wall reviewed the Agreement and highlighted the changes in the utility locates scope, which will be transferred to C&L Water Solutions, Inc. in 2022. Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the Agreement with Kennedy/Jenks Consultants, Inc. for 2022 General Engineering and Consulting Services.

Agreement with TruTest LLC for 2022 Backflow Preventer Testing Services: Ms. Vander Wall reviewed the Agreement with the Board, noting no substantial changes have been made from the prior agreement. Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the Agreement with TruTest LLC for 2022 Backflow Preventer Testing Services.

Agreement with C&L Water Solutions, Inc. for 2022 Operations, Maintenance and Repair Services and Locates: Ms. Vander Wall reviewed the Agreement with the Board. Following discussion, upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board approved the Agreement with C&L Water Solutions, Inc. for 2022 Operations, Maintenance and Repair Services and Locates.

Other: None.

DIRECTOR MATTERS

Quorum for February 22, 2022 regular Board meeting: The Board confirmed a quorum.

OTHER BUSINESS

Executive Session: Upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon a vote, unanimously carried, the Board entered into executive session pursuant to Section 24-6-402(4)(b), C.R.S., for consulting on specific legal matters at 9:20 a.m.

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Upon a motion duly made by Director Keesen, seconded by Director Perlman and, upon vote, unanimously carried, the Board exited out of executive session at 9:32 a.m.


No action was taken.

Other: None.

ADJOURNMENT

Upon a motion duly made by Director Keesen, the Board adjourned the meeting at 9:32 a.m.

Respectfully submitted,

DocuSigned by:

A0E72A524B51445...
Secretary for the Meeting

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