

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE NORTHERN DOUGLAS COUNTY WATER AND SANITATION DISTRICT HELD SEPTEMBER 27, 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, September 27, 2022, at 8:30 a.m., at the offices of CliftonLarsonAllen LLP, 8390 E. Crescent Parkway, Suite 300, Greenwood Village, CO 80111, and by video-enabled web conference via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

In Attendance:

Eric Keesen, President (in person)
Kevin Collins, Treasurer (in person)
Blair Zimmerman, Vice-President/Asst. Secretary (in person)

The absence of Director Perlman was excused.

Also in Attendance:

Nic Carlson and Kathy Suazo (in person); CliftonLarsonAllen LLP (“CLA”)
Allison Slife (via videoconference); CliftonLarsonAllen LLP (“CLA”)
Barbara T. Vander Wall, Esq. (in person) and Marissa Peck Esq. (via videoconference); Seter & Vander Wall, P.C.
Greg Sekera (in person) and Aimee Chalus (via videoconference);
Kennedy Jenks

ADMINISTRATIVE MATTERS

Call to Order and Approve Agenda: Director Keesen called the meeting to order at 8:36 a.m. Ms. Vander Wall introduced Ms. Peck. Upon a motion duly made by Director Collins, seconded by Director Keesen 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 Keesen and, upon vote, unanimously carried, the Board approved the Directors’ fees.

Quorum, location of meeting and posting meeting notice: A quorum was confirmed based on attendance of Directors via physical and web

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conference locations. Public participation is made available via physical and web conference locations. The Board further noted that notice of the meeting date, time, location and video link information was duly posted.

Public Comment: None.

Minutes: Upon a motion duly made by Director Collins, seconded by Director Keesen and, upon vote, unanimously carried, the Board approved the minutes from the August 23, 2022 regular Board meeting, as presented.

FINANCIAL MATTERS

Claims: Ms. Slife reviewed the claims with the Board. Upon a motion duly made by Director Collins, seconded by Director Keesen and, upon vote, unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$387,411.79.

August 31, 2022 Unaudited Financial Statements: Ms. Slife reviewed the August 31, 2022 unaudited financial statements with the Board. Discussion ensued regarding engineering expenses, tax rates, nonoperating expenditures and updates to insurance schedules. Following discussion, upon a motion duly made by Director Collins, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board accepted the August 31, 2022 unaudited financial statements.

Other: Ms. Slife reported on the status of the 2023 draft budget.

MANAGER MATTERS

1st Amendment to the of Memorandum of Understanding between the District and Centennial Water and Sanitation District regarding a Turf Conversion Program: Mr. Carlson and Ms. Vander Wall reviewed the Amendment with the Board which extends the turf replacement program through 2023. Following discussion, upon a motion duly made by Director Collins, seconded by director Keesen and, upon vote, unanimously carried, the Board approved the 1st Amendment to the of Memorandum of Understanding between the District and Centennial Water and Sanitation District regarding a Turf Conversion Program subject to final management and legal review.

Resident Request: Mr. Carlson reviewed a resident request for waiver of charges on their water bill due to a leak. Discussion ensued regarding the billing services processes and credits already received, as well as the resident's prior payment history, and presentation of hardship. Following discussion, upon a motion duly made by Director Keesen, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved an additional credit of \$250.00 and authorized Mr. Carlson to coordinate with the resident a payment plan for the remaining balance.

LEGAL MATTERS

Discussion regarding FAMILI: Ms. Vander Wall discussed the new Family and Medical Leave Insurance program, which mandates all employers, including local governments, to participate in funding leave

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benefits for specified purposes. She noted that special districts which have no employees may be excluded from the definition of “employer”, but that it is not clear whether compensated directors could be deemed “employees” which would cause the District to be a covered employer. The Board agreed to opt out of the coverage by participating in a public hearing at the next meeting.

Other: None.

ENGINEER MATTERS

Engineering Information Report: Mr. Sekera reviewed the engineering report provided in the meeting packet. Extensive discussion ensued regarding the effectiveness of the \$50.00 surcharge and ongoing outreach efforts for retail meter replacement non-responders, noting the issues with obtaining the 10” Badger meters. The Board agreed to revisit this matter and potential increase of fees at the October Board meeting.

Additional discussion ensued regarding the coordination of master meter testing and replacement process with Centennial Water and Sanitation District (“CWSD”), as well as issues with repairs.

Rock Canyon Facilities: Mr. Sekera and Ms. Vander Wall updated the Board on the status of the conveyance of the water and sewer facilities for the Rock Canyon project, noting that there are some delays pending the preparation of the legal descriptions for the required easements.

Residential Meter replacement project: The Board directed Mr. Carlson to call any remaining residents that have not yet scheduled their meter replacement.

Other: None.

DIRECTOR MATTERS

Quorum for October 25, 2022 regular Board meeting: A quorum was confirmed.

Director Collins noted that the Centennial Board is expected to transition into a resident Board next summer, which will be good timing to commence discussion of extension of service under the IGA.

OTHER BUSINESS

Other: None.

ADJOURNMENT

Upon a motion duly made by Director Keesen and seconded, the Board adjourned the meeting at 10:15 a.m.

Respectfully submitted,

DocuSigned by:
Michael Perlman
A0E72A524B51445

Secretary for the Meeting

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