

## PROCEEDINGS

**Minutes of the Regular Meeting of the Board of Directors of Bear Creek Water and Sanitation District, Convening on December 9, 2024, at 7:00 pm. The meeting was held at the District Office at 2517 South Flower Street, Lakewood, CO 80227**

### Call to Order

**Presiding:** Chairman Miller

### Roll Call

**Present:**

Dale L. Miller, President and Chairman  
Neal A. Johnson, Vice President and Vice Chairman  
J. Barry Ebert, Director  
Linda M. Larsson, Director  
Samuel E. Hundley, Treasurer

**Excused Absence:** None

**Also Present:**

Jan C. Walker, District Manager/Board Secretary  
Andrew George, Assistant District Manager  
Wade B. Wheatlake, P.E., District Engineer, Merrick & Company  
Laura Heinrich, Legal Counsel, Spencer Fane

### Acceptance of Minutes

**R-23-064 RESOLVED**, upon motion by Vice Chairman Johnson and seconded by Director Ebert, and unanimously carried that the Minutes of the Regular Meeting of November 11, 2024, were approved.

**Call to Public/Public Presentations:** No members of the public attended the meeting or requested the Zoom meeting link.

### District Engineer's Report

#### **2024 Field Operations and Maintenance (O&M)**

**T-24-096 DISCUSSION.** C&L Water Solutions has completed 100% of the 2024 valves, manhole and fire hydrant inspections to date and has completed 49% of the Grease Trap inspections. C&L has also been working on the Cured-In Place Pipe and lining of the 2022-2023 priority items which are follow up items from the sanitary sewer inspection videos.

#### **Authorize Chairman to sign the 2025 Operations and Maintenance Contract and the Letters of Guarantee for 2025.**

**R-24-065 RESOLVED**, upon motion by Treasurer Hundley and seconded by Vice Chairman Johnson, and unanimously carried to authorize Board Chairman to sign the 2025 Operations and Maintenance Contract and Letters of Guarantee and Responsibility to Work in public ways 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 as well as the 2025 O&M Contract book.

**Garland Court Sanitary Sewer Line Connection**

**T-24-097 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 South 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 South Kipling Street, near the Victoria Village townhomes subdivision. At the April 10, 2023, Board meeting, the Board awarded the contract for the project to Diaz Construction in the amount not to exceed \$211,292 and authorized the District Manager to approve up to 10% in change orders.

**Balsam Street Development**

**T-24-098 DISCUSSION.** District Engineers have signed off on the initial acceptance for the water so that Denver Water will be able to begin their plan review. Denver Water will have final approval on the location of the water main installation. The sewer plans are acceptable. District Engineers have requested the four (4) final hard copy sets of the sewer plans.

In 2022, District Engineer Fix verified with 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. At the April 11, 2022, Board Meeting, 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 in 2019, regarding the location to install a water main in the CDOT rights-of-way.

As of October 14, 2024, the developer has submitted the sewer easement and the legal description for review. District Engineer Wheatlake asked for a status update and schedule for the project and the developer indicated that they have plans ready to submit to Denver Water and they are finishing up the plat through Jefferson County. District Engineers have received the signed sanitary sewer easement from the developer. The sanitary sewer easement will be sent to Legal Counsel for review and acceptance at the January 13, 2025 Board meeting.

**Wildfire Planning Redundancy Study**

**T-24-099 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 has updated 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 (or give assistance) 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 will help the District know how connections can help in servicing other zones in the District. The model was verified for the District Engineers to look into the zones and connections.

The District will be setting up a meeting with Denver Water regarding emergency connections from Green Mountain Water and Sanitation District to determine what Interconnect Agreements between other districts need to be in place. District Engineer Wheatlake handed out the draft report for Board review at the January 8, 2024 Board meeting.

The Board had an in-depth review and discussion of the draft report for the Wildfire Planning Redundancy Study at the April 8, 2024 Board meeting. District Engineer Wheatlake will look at the placement of fire hydrants in the high-risk areas to see if the District should plan on a future capital improvement project to add additional fire hydrants to assist in fire protection. The District and Merrick had a productive meeting with

West Metro Fire Department discussing the District's efforts towards providing enough water during a fire event and water source outage. We discussed some of their operations and procedures for fighting an overland or neighborhood fire.

District Engineers have reviewed the model and report to refine the site locations for the interconnect pump system needed to boost pressures in the two pressure zones. After the discussions with the fire department, the District will need to avoid crossing roadways with hoses or pipes to maintain evacuation routes. District Engineers are investigating using existing or installing new hydrants as a potential option with routing the temporary interconnects.

**Analysis of the Condition of 16"/18" Water Transmission Mains**

**T-24-100 DISCUSSION.** District Engineers completed the exploratory analysis starting with the "potholing" and observation of the 16"/18" transmission water main that runs along the Hampden Frontage Road, Estes Street and Dartmouth Avenue. District Engineers have asked C&L Water Solutions for pricing to perform 5-7 "pothole" locations along the water transmission corridor. District Engineer is developing and identifying priority areas and segments within the entire water and sewer system as an extension to this task.

The draft report was presented to the Board at the March 11, 2024 Board meeting by District Engineer Wheatlake. The investigation was good, and the District Engineers found no evidence of visible deterioration. The soils investigation found non-corrosive soil and no groundwater at the bury elevation of the transmission main. Visible evaluation found no signs of pitting because of corrosive soil or any other signs of damage or wear. District Engineer Wheatlake recommends that future investigations be performed about every five years in different locations on the pipe to assess the condition of the pipe, as long as two or more breaks don't occur on any of the segments of the pipe. If two or more water breaks occur on any segment of the pipe, a plan to replace the alignment on that segment of the pipe would be put in place. District Engineers will also develop a priority list to determine what sections of pipes need to be identified for future replacement with construction cost estimates for a multi-year replacement program. District Engineers are also looking at alternating areas of the District for construction to avoid being in one area for multiple years. The rankings consider information on the system including the diameter of pipe, age, and material, as well as incorporating priorities identified in the Master Plan update. District Engineer Wheatlake distributed maps showing the location of the water and sewer priorities at the Board meeting. He will furnish the associated memos at the January 13, 2025 Board meeting.

**Acceptance of the District Engineer's Report**

**R-24-066 RESOLVED**, upon motion by Treasurer Hundley and seconded by Vice Chairman Johnson and unanimously carried, that the District Engineer's Report be accepted.

Preceding this action, the District Engineer's report of activities for November 2024 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-24-067 RESOLVED**, upon motion by Director Ebert, seconded by Director Larsson and unanimously carried, the payment of invoices and payroll presented in the amount of \$479,709 was approved. A list is attached hereto and made a part of the record.

Preceding this action, District Manager Walker reported that upon Treasurer Hundley's review of the checks, Automated Clearing House (ACH) payments and payroll on November 30, 2024, he found them to be in order for approval by the Board.

**Approval of Treasurer’s Report**

**R-24-068 RESOLVED**, upon motion by Vice Chairman Johnson, seconded by Director Larsson and unanimously carried, that the Treasurer's Report based on unaudited financial reports and including the Budget-to-Actual report, as of November 30, 2024, was accepted as presented. A copy is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that a FHLB Government Sponsored Entity (GSE) was called, and another FHLB Government Sponsored Entity (GSE) matured. Treasurer Hundley also reported that a Treasury Note matured in November and two Treasury notes were purchased during the month. 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 gave a detailed review of the November 30, 2024, Budget-to-Actual report.

**R-24-069 RESOLVED**, upon motion by Vice-Chairman Johnson, seconded by Director Larsson and unanimously carried that the Treasurer's Report based on unaudited financial reports and including the Budget-to-Actual report, as of November 30, 2024, was accepted as presented. A copy is attached hereto and made a part of the record.

**Legal Counsel’s Report -NONE**

**District Manager’s Report**

District Manager Walker presented the November 2024 Report of District Activities, a copy of which is attached hereto and made a part of the record.

**2025 Annual Budget**

**T-24-101 DISCUSSION.** At the November 11, 2024, Board Meeting, the Annual Budget for 2025 was accepted subject to changes that would be necessary due to any revisions made necessary by changes in property valuations from Jefferson County.

- The Final 2024 Assessed Valuation is **\$258,161,933** (Preliminary was **\$258,805,703**), a decrease of 1.3422% from 2023 Final Assessed Valuation of **\$258,508,927**.
- After receiving the final assessed valuation, we recalculated the TABOR calculations and determined that the 5.5% statutory limit is still the most restrictive. The District will assess **3.943mills** in 2025 to collect **\$1,017,932** in property taxes. This amount includes an amount for refunds and abatements of **\$516**.
- To preserve a mill levy of **4.416**, the District will give District taxpayers a temporary tax credit of **(\$122,627)** for 2025. This temporary tax credit was \$178,630 in 2024 and \$74,606 in 2023.
- 2025 Appropriations will include Operating Expenses of **\$3,073,675** and Capital Expenses of **\$1,076,100**
- Total Expenditures of **\$4,149,775** are to be spent by the General Fund.
- Revenues are currently budgeted at **\$3,994,167** with **(\$155,608)** budgeted to be spent from reserves.

Chairman Miller has signed the 2025 Budget Resolution and District Manager Walker sent the Mill Levy Certification to Jefferson County on December 6, 2024

**Review and Approve Vendor Control Access Agreement**

**R-24-070 RESOLVED**, upon motion by Director Ebert, seconded by Director Larsson and unanimously carried to authorize Board President and Chairman to sign the Vendor Control Access Agreement for both Merrick and Company and C&L Water Solutions.

**Directors Reports**

**District Manager Transition Plan**

**T-24-102 DISCUSSION.** Chairman Miller reported that the Transition Committee met on December 9, 2024, at 6:30 p.m. and that the District Manager’s succession plan will be revised. Andrew George will become the District Manager on March 1, 2025. Jan Walker will stay on with the District on a part-time basis after March 1, 2025 through the end of the year as Assistant District Manager so that she can provide assistance to the District through the 2026 Budget process.

**Adjournment**

**C-24-016 CONCURRENCE.** Nothing further being presented to the Board, Chairman Miller declared that the meeting be adjourned.

*Signed:*

**Dale L. Miller, President and Chairman**

*Attest:*

**Jan C. Walker, Secretary, Board of Directors**