

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

APPLEWOOD SANITATION DISTRICT FOR MONTH OF

September 2021

The regular meeting of the Board of Directors was convened on the September 8, 2021, at 7:00 p.m. at 4885 Ward Road, Suite 100, Wheat Ridge, CO 80033. President Banks called the meeting to order. The following were present:

Directors Present

LeRoy Banks, President
Chuck Thompson, Treasurer
Thomas Leidich, Director
Scott Epstein, Director
Briana Gerou, Director

Others Present

Richard Scheurer, Attorney, Scheurer and Associates
Jim Landry, Engineer, RG & Associates, LLC (RGA)
Elizabeth Farias, Recording Secretary, RG & Associates, LLC
Christine McRight, Development Director, Evergreen

1. Agenda Topic: Meeting Minutes

- a. Discussion: August Meeting Minutes.
 - i. Board Approval: Motion to approve August 11, 2021 meeting minutes.
 1. Motion: Thompson
 2. Second: Leidich
 3. Vote: All in favor

2. Agenda Topic: Attorney's Report

- a. Discussion: The resolution reducing the surety bond requirement from \$50,000 to \$20,000, discussed at the August 11, 2021 meeting, is prepared and ready for the board's signature. Leidich was approved to sign documents, including the resolution, on Epstein's behalf.
- b. Discussion: Scheurer, Gerou, Landry, and Farias met on August 18, 2021 to discuss proposed updates to the district's Rules and Regulations. No major revisions were proposed.
 - i. Action Item: Scheurer to prepare a redlined copy of the updated Rules and Regulations with a summary sheet for the October board meeting.
- c. Discussion: Northwest Lakewood Sanitation District (NWLSD). NWLSD has offered the district an agreement whereupon the district pays NWLSD fees for district customers using NWLSD facilities and NWLSD pays district fees for their customers using the district's facilities. The district is waiting on revisions to the agreement from Tim Flynn.
- d. Easements: A quit claim deed will be prepared for the next meeting for the 30 ft easement on the south side of the Clear Creek Crossing development and a portion of sewer main crossing Clear Creek Crossing development beginning at manhole #MH 411. The district has already accepted a realigned easement making the 30 ft easement obsolete.
 - i. Action Item: Scheurer to coordinate with Dereck Lis to prepare a document to vacate the obsolete easements.
- e. Discussion: Additional Classification in Rules and Regulations to re-bill excessive engineering costs to customers. This is in response to repeated charges to the district's general fund to address fats, oils, and grease observed in the district's sewer main after passing through a grease interceptor. The district's engineer is anticipating additional

grease interceptors constructed within the district in the near future. Modification to Appendix B for consultants to re-bill work to relieve the district of extraordinary costs would likely be needed. Scheurer indicated the proposed agreement would be similar to the existing line extension and funding agreements that are already in place. This would only apply to utility users that require more maintenance than average and impact the district disproportionately and may require a funding agreement. A question was posed on whether this would be separate from the penalties discussed in last March's board meeting. There was discussion that the charges for work done to maintain compliance with the district would be better viewed as a collaborative agreement to problem solve than a punitive fine as long as the customer is cooperative and responsive. The agreement would need to define what activities would be re-billable. The intent is to recover money that the engineer is billing the district general fund.

- i. Action Item: Scheurer to draft an agreement for rebilling users for excessive costs
- f. Discussion: Budget Committee. A budget committee was setup to include Jocelyn Hoopes, Epstein, and Gerou.
 - i. Action Item: Budget Committee to prepare a preliminary budget for 2022 for October board meeting.

3. Agenda Topic: Engineer's Report

- a. Discussion: Development Reviews.
 - a. Clear Creek Crossing. The warranty and maintenance bond was received on June 1, 2021 and the sanitary sewer facilities are 100% constructed. Initial acceptance will be granted once as-builts are received.
 - b. SCL Health. Comments on temporary services were provided to the developer on July 2, 2021, and construction is 30% complete.
 - c. Dutch Bros. Coffee. The funding agreement and deposit were received on August 9, 2021, and comments were provided to the developer of September 7, 2021.
 - d. 3120 Howell. A new house and ADU will be constructed, and the existing service will need to be realigned to connect with the district main.
 - e. 15605 W 32nd Ave - Rolling Hills Senior Living. The proposed development includes assisted living, memory care, and independent living facilities. An exhibit was presented showing the proposed areas. The existing building will be demolished. Leidich asked about the need to resize the lines in the area and whether the existing parking is included in the district's boundary.
 - i. Action Items: Landry will review the line size capacity and Scheurer will investigate whether an inclusion agreement is required.
- b. Discussion: Rolling Hills Country Club. A violation letter was reviewed.
- c. Discussion: System Status Report. The System Status report was reviewed. Zone C Is in good condition and is one of the newer zones in the district. 75% of the district's sewer mains are in good to fair condition. Construction costs have increased 15 to 25% in the last year. The district does not much infiltration, largely due to the height of the water table, except for the Clear Creek Crossing development area.

Jim Landry and Richard Scheurer were dismissed at 8:02 PM.

4. Agenda Topic: Increasing Board Member Pay

- a. Discussion: The proposal to increase the pay 50% from \$100/month to \$150/month conflicts with the rules and regulation and is not easily increased. Compensating board members for meeting on district related matters for more than a set amount of time was

discussed. Currently, a board meeting must have at least 3 board members present to be compensated.

i. Action Item: Banks to investigate compensation for additional meetings.

b. Discussion: Bills to be Paid: The following checks are presented for payment:

- Chk# 3679 RG and Assoc \$ 38,724.79 – Engineering Fees
- Chk# 3680 Scheurer & Assoc. \$ 2474.00 – Legal Fees
- Chk# 3681 UNCC \$ 56.76 – Sewer Locates
- Chk# 3682 Century Link \$ 76.32 – Telephone
- Chk# 3683 LeRoy Banks \$ 92.35 – Director Fee
- Chk# 3684 William Thompson \$ 92.35 – Director Fee
- Chk# 3685 Thomas Leidich \$ 92.35 – Director Fee
- Chk# 3686 Briana Gerou \$ 92.35 – Director Fee
- Chk# 3687 Elizabeth Farias \$ 150.00 – Recording Secretary
- Chk# 3688 Jocelyn M Hoopes \$ 453.00 – Bookkeeping
- Transfer from Colorado Trust \$30,000.00

There being no further business to come before the Board, the meeting was adjourned at 8:08 pm.

Respectfully submitted,

Elizabeth Farias
Recording Secretary