

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE APPLEWOOD SANITATION DISTRICT

Held: 6:00 p.m. on Wednesday, December 10, 2025 at 15707 W. 26<sup>th</sup> Avenue, Golden, Colorado and remotely via Zoom.

Attendance                      The regular meeting of the Board of Directors (“Board”) of the Applewood Sanitation District (“District”) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors were in attendance:

Garret “Cody” Berg, Treasurer  
Jessica Rath, Secretary  
Barbara Panian, Assistant Secretary  
Casey Dick, Director

Also present: Briana Gerou, a District resident; James Landry, Engineer, RG & Associates, LLC (“RGA”); Michael Bakarich, CPA, Morain Bakarich; and James Silvestro and Crystal Schott, Ireland Stapleton Pryor & Pascoe, PC. (“Ireland Stapleton”).

Call to Order                      Director Berg presided as Chair of the meeting, noted that a quorum of the Board was present with all four Directors in attendance and that there is one vacant seat on the Board, verified that notice of the meeting was posted on the District’s website, and noted that the Directors had confirmed their qualification to serve, and therefore called the meeting to order at approximately 6:13 pm.

Approve Agenda                      The meeting agenda was reviewed by the Board. James Landry requested that the Engineer’s Report be moved up on the agenda. Director Berg requested that an item be added to briefly discuss the possible retention of a contract district manager. Upon a motion duly made by Director Panian, seconded by Director Rath and unanimously carried, the meeting agenda was approved with the modifications discussed above.

Meeting Minutes                      The Minutes of the Board of Directors regular meeting held on Wednesday, November 12, 2025, were reviewed by the Board. Upon a Motion duly made by Director Panian, seconded by Director Rath and unanimously carried, the Minutes were approved.

Public Comment                      None.

Engineer's Report:  
James Landry, P.E.

Mr. Landry reviewed the Engineer's Report and provided updates regarding a summary and analysis of District engineering costs, the repairs to the new sewer main extension at Lutheran Hospital, the proposed ditch work within the Coors/Rocky Mountain Ditch Easement, the proposed Clear Creek Crossing Easement encroachment, and several funding agreements that require countersignature by the District. Mr. Landry also provided answers to a few questions regarding the phone log and details on the log requested by Director Panian. He will look into having the excel spreadsheet print out additional detail/explanation before converting it to a PDF, so that this information can be included in the Engineer's Report.

After his report, Mr. Landry left the meeting.

Board Matters

Potential Action to Elect New Board President/Chairperson

The Board briefly discussed the need to nominate a Board President after the resignation of Briana Gerou. The Board declined to change all Board positions since this matter will be discussed again after the Board appoints a new Director to fill the vacant seat. Director Berg was nominated and accepted the position of Board President. Upon a Motion duly made by Director Panian, seconded by Director Raths, and unanimously carried, the Board elected Director Berg as the President. Director Berg will also remain Board Treasurer, and all other officer positions will remain the same.

Discussion Regarding Nominations/Selection Process for Board Vacancy

Mr. Silvestro discussed with the Board the necessity to appoint a new Board member to the vacant seat. The Board generally discussed the process for appointing a new Board member and whether or not anyone had any possible candidates for the vacant seat. It was determined candidates might be interviewed and/or considered at the Board's January meeting and a possible appointment being approved at the February meeting or potentially at an intervening special meeting. No further action was taken at this time.

Discussion Regarding District Manager Position

Director Berg opened a discussion regarding the Board retaining a District manager as an independent contractor to help streamline operations and defray administrative costs for the District. Director Raths asked about rate/salary for a manager, and it was noted that there is a line item in the budget for this expense, and any manager would be required to track their hours/time worked. Director Berg passed out a draft Scope of Work outlining the general duties, essential functions and knowledge, skills and abilities that would be

required for a District manager. This document is open for additional comment and/or revision by the Board. After the discussion it was noted that a request for proposal should be drafted to solicit potentially interested candidates so the Board could begin considering a manager at future meetings. No further action was taken at this time.

Financial Report:  
Michael Bakarich, CPA

Mr. Bakarich reviewed the District's Financial Reports, including Accounting Memorandum for the month of November 2025. The 2025 Residential balance as of November 30, 2025 is \$158,747.50, with 9.8% of residential accounts paid in full for the year and 9.4% of residential accounts delinquent. Late fees for delinquent accounts will be assessed January 1, 2026.

Total YTD 2025 Revenues were \$2,009,584. Expenditures were \$1,366,411 and the Net Positive fund balance was \$643,173. Cash and equivalents are currently \$4,670,110.84. The total fund balance was \$9,273,233.37.

Upon a Motion duly made by Director Panian, seconded by Director Raths, and unanimously carried, the Board accepted the Financial Reports, as presented, and approved the Payment of Claims in the amount of \$190,563.10.

It was noted there would be no change in the approval of checks currently through Bill.com. The Board generally agreed that this should be revisited after a new Board member is appointed.

Attorney's Report:  
James Silvestro, Esq.  
Crystal Schott

Ms. Schott covered upcoming statutory compliance matters for the District, including mill levy certification, map filing, transparency notice and annual resolution adoption. She confirmed that she will copy the Board on all transmittals for filings. The Board generally agreed that it will not be adopting an annual administrative matters resolution since some matters might be covered by a District manager, if one is selected and retained. In January, the Board will adopt the standard open meetings law resolution required by statute. It was also noted that there is no regular District election in 2026, so any Board member appointment term will run through the 2027 regular District election.

Mr. Silvestro provided an overview of ongoing legal matters, including an ongoing encroachment issue, a recent open records request and the completed response, and legal review, revision, and approval of various District contracts. The Board requested that Mr. Silvestro review additional District contracts.

Mr. Silvestro also mentioned upcoming housekeeping matters such as reviewing the District's Rules and Regulations and Engineering Standards. The Board generally agreed that Mr. Silvestro should review these matters and should also draft proposed bylaws for the Board's consideration.

New Business Items

Potential Action Regarding Proposed Motion to Amend Rules and Regulations Regarding Commercial Rates

The Board considered a proposed resolution for the District's adoption amending the Amended and Restated Rules and Regulations adopted September 11, 2024 to conform with the 2026 adopted rates. Following review and discussion, upon a Motion duly made by Director Panian, seconded by Director Raths, and unanimously carried, the Board adopted the proposed resolution without amendment.

Metro Update

Mr. Berg reported there is no Metro update at this time.

Adjourn

There being no further business to come before the Board, upon motion made by Director Panian, seconded by Director Raths, and unanimously carried, the meeting was adjourned at approximately 7:52 p.m.

/s/ Jessica Raths  
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Secretary for the Meeting