

PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF BEAR CREEK WATER AND SANITATION DISTRICT, CONVENING ON MARCH 11, 2024 AT 7:00 PM. AT THE DISTRICT OFFICE, 2517 SOUTH FLOWER STREET, LAKEWOOD, CO 80227

CALL TO ORDER

Presiding: Chairman Miller

ROLL CALL

Present:

Dale L. Miller	President and Chairman
Neil A. Johnson	Vice-President and Vice-Chairman
Samuel E. Hundley	Treasurer

Present on Zoom:	J. Barry Ebert	Director
	Linda M. Larsson	Director

No members of the public contacted District Manager Walker to attend on Zoom.

Excused Absence: NONE

Also Present:	Jan C. Walker	District Manager/Board Secretary
	Andrew George	Assistant District Manager
	Laura Heinrich	Legal Counsel, Spencer Fane
	Wade B. Wheatlake, P.E.	District Engineer, Merrick & Company
	Jonah Wisch	CompTIA Security +, Cybersecurity Presentation

ACCEPTANCE OF MINUTES

R-24-013 RESOLVED, upon motion by Vice-Chairman Johnson, seconded by Treasurer Hundley and unanimously carried that the Minutes of the Regular Meeting of February 12, 2024 were approved.

CALL TO PUBLIC / PUBLIC PRESENTATIONS:

Cybersecurity Presentation on Zoom by Jonah Wisch, CompTIA Security+

T-24-023 DISCUSSION. Jonah Wisch gave a detailed presentation to the Board on Cyber Security and Disaster Recovery Plans. During the presentation, Jonah highlighted what Bear Creek Water and Sanitation District is currently doing and his recommendations on what the District should be prepared for in the case of a cyber incident.

DISTRICT ENGINEER'S REPORT

2024 Field Operations and Maintenance (O&M)

T-24-024 DISCUSSION. C&L Water Solutions has started working on the 2024 O&M contract inspections.

DISTRICT ENGINEER’S REPORT [CONTINUED FROM PAGE 1]

Garland Court Sanitary Sewer Line Connection

T-24-025 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 S. 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 S. Kipling Street, near the Victoria Village townhomes subdivision. The District has received approval from Metro Water Recovery that they will allow the connection to their manhole. The District has received a sewer line easement from the City of Lakewood and it has been recorded with the Jefferson County Clerk and Recorder, Reception No. 2023015137. The sanitary sewer plans for the project have been accepted by the City of Lakewood.

At the April 10, 2023 Board meeting the Board awarded the contract for the project to Diaz Construction in the amount not to exceed \$211,291.50 and authorized the District Manager to approve up to 10% in change orders. The pre-construction meeting with Diaz Construction was held on May 16, 2023 at 10:00 a.m. at the District office. All work has been completed including the two sewer services that have been installed, along with an additional manhole on the new alignment. Installation is complete and testing of the sewer pipe and manholes still needs to be completed. A final walkthrough was conducted with Diaz and punch list items issued, including testing, providing redline drawings, and acceptance by City of Lakewood for the asphalt. Once redline drawings and survey points are provided, District Engineers will finalize the as-built drawings for the project and update GIS and master maps.

Balsam Street Development

T-24-26 DISCUSSION. District Engineers have signed off on the Denver Water initial acceptance for the water so that Denver Water will 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.

Previously, District Engineer Fix had reported that he had received the 4th submittal for water and a 2nd submittal for the sanitary sewer and that they are being reviewed for the development at 3522 S. Balsam St. There are some comments on the sewer plans regarding Jefferson County’s requirement for landscaping around the buildings. District Engineer Fix had also asked for verification from 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. 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. District Manager Walker reached out to the Developer in late 2023 for status on the project. Nate Peterson replied that the plans were currently going through Denver Water’s review. District Engineer Wheatlake also introduced himself and will be working with the developer’s engineers regarding future comments on the plans. District Engineer Wheatlake reached out for a status update and information on what they have been submitting through Denver Water. Mr. Wheatlake will be reaching out to the developer for a status update monthly.

Wildfire Planning Redundancy Study

T-24-027 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 indicated that they would have a discussion at the April 8, 2024 Board meeting.

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

T-24-28 DISCUSSION. District Engineers are moving forward with 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 Wheatlake has identified the locations for visual assessments of the pipe fittings. C&L Water Solutions was authorized to proceed and to develop a schedule including traffic control. The complete analysis will include soils and electrolysis investigations. District Engineers have received an estimate and have a signed contract from Kumar & Associates for \$10,410.00 to perform the soils testing.

Kumar's soils testing was thorough and provided some valuable data. Groundwater was not encountered at the level where the waterline exists. The soil samples were run through laboratory testing to evaluate the soil engineering characteristics. Concentrations of water-soluble sulfates, which are corrosive to concrete pipe, ranged between 0% and 0.01%. This level resulted in a S0 classification, which becomes "not applicable" to degree of attack towards concrete pipe. That information in conjunction to no groundwater are good signs leading into the concrete pipe condition. Samples were tested for pH and electrical resistivity, ranging between 6.98 – 7.08 with a neutral pH value of 7.0 indicating the soils are slightly acidic to slightly basic and should not accelerate corrosion to buried metal or metal pipes. C&L is scheduled to perform the potholing and exploratory excavations later this month. Visual observations of the pipe and fittings will be performed and evaluated to the condition level of the pipe and fittings. C&L performed five test hole excavations at the prescribed locations of the 16"/18" transmission main at the end of December.

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 soils and no groundwater at the bury elevation of the transmission main. Visible evaluation found no signs of pitting as a result of corrosive soils 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 two or more breaks don't occur on any of the segments of the pipe. If two or more water breaks would occur on any segment of the pipe, a plan to replace the alignment on that segment of the pipe would be put in place.

Acceptance of the District Engineer’s Report

R-24-014 RESOLVED, upon motion by Vice-Chairman Johnson, seconded by Director Ebert and unanimously carried, that the District Engineer’s Report be accepted.

Preceding this action, the District Engineer’s report of activities for February 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-24-015 RESOLVED, upon motion by Treasurer Hundley, seconded by Director Ebert and unanimously carried, the payment of invoices and payroll presented in the amount of \$556,559.87 was approved. A list is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that upon his review of the checks, Automated Clearing House (ACH) payments and payroll, he found them to be in order for approval by the Board.

Approval of Treasurer’s Report

R-24-016 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 February 29, 2024 was accepted as presented. A copy is attached hereto and made a part of the record.

Preceding this action, Treasurer Hundley reported that two CDs and a Treasury Note matured in February. The American Bank of Commerce CD was renewed for 12 months. There were also two FHLB Government Sponsored Enterprises (GSEs) that were purchased in February. 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 February 29, 2024 Budget-to-Actual report.

LEGAL COUNSEL’S REPORT

Acknowledge Laura Heinrich as Bear Creek Water and Sanitation District’s Legal Counsel-

T-24-29 DISCUSSION. The Board acknowledged that Laura Heinrich with Spencer Fane will be the District’s Legal Counsel effective March 1, 2024 due to Russell Dykstra’s retirement.

Approve Resolution to Adopt an Amendment to the Rules and Regulations Regarding Conditions for Mandatory Connections for Properties with Water Wells and/or Septic Systems

R-24-17 RESOLVED, upon motion by Director Ebert, seconded by Vice-Chairman Johnson and unanimously carried, to adopt an Amendment to the Rules and Regulations. This resolution will address the connection requirements and conditions for properties that are currently being served by water wells and septic systems within the Bear Creek Water and Sanitation District boundaries. Resolution R-24-17 will be attached to the Minutes and made part of the record.

DISTRICT MANAGER'S REPORT

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

Follow up on the Well Renewal Issue from February 12th Board Meeting

T-24-30 DISCUSSION. Following the Board meeting in February, District Manager Walker contacted Ailis Thyne with the Colorado Division of Water Resources to get information about the well permit renewal. With regards to the well permit application, receipt no. 10032789 for Dawn Troyer, the original well permit for the property, permit no. 63820 (attached) was issued on September 1, 1972 to construct a well on lot 27, Runyan Moore Subdivision. The applicant at the time had two years to construct the well after issuance of the permit in order to make the well permit remain valid. The Colorado Division of Water Resources did not receive information that a well was constructed, therefore the permit expired on September 1, 1974. It appears a well was constructed sometime around 1977 (based on the Post-Construction Well Inspection Report submitted with the application), therefore the existing well was constructed and has been operating without a valid well permit.

According to the Jeffco Assessor property records, Ms. Troyer's parents didn't purchase the home until 12/4/1987 and the property records indicated that the property was also sold once before on 4/20/84. It appears that the house was sold twice without a valid well permit since the well permit expired in 1974. After reviewing all the information and speaking with Chairman Miller and Legal Counsel Dykstra, it was agreed that District Manager Walker could sign the form so that the Troyer's could renew the well permit so that the house could be sold. The e-mail to the Troyers stated that by authorizing District Manager Walker to sign this form, the Board of Directors permits a renewal of the existing water well only and that this is not an authorization to drill a new well or a change in the use of the existing well.

Ms. Thyne also sent a link to the State's Well permit Map Viewer so that District Manager Walker and Assistant District Manager George could search the map for the number of well permits within the District. A summary of the findings is shown below:

- There is an estimate of one hundred forty-nine (149) well permits within the District Boundaries.
- For the Bear Creek Ranchettes/Runyon Moore subdivisions, there were 35-40 well permits and possibly more than one well permit issued for several of the properties. Some of these duplicates may have been wells that were redrilled.
- There are ninety-three (93) properties in the Bear Creek Ranchettes/Runyon Moore subdivisions with eighty-two (82) properties receiving water service from BCWSD/Denver Water. Thirty-four (34) properties appear to be on both well and BCWSD water.

DIRECTOR'S REPORT - NONE

C-24-004 CONCURRENCE. Nothing further being presented to the Board, Chairman Miller declared that the meeting be adjourned.

Dale L. Miller, President and Chairman

A T T E S T:

Jan C. Walker, Secretary, Board of Directors

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