

## PROCEEDINGS

**Minutes of the Regular Meeting of the Board of Directors of Bear Creek Water and Sanitation District, Convening on October 13, 2025, 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

Neil Johnson, Vice Chairman

Linda Larsson, Director

Samuel Hundley, Treasurer

Barry Ebert, Director

**Present on Zoom: None**

**Excused Absence: None**

**Also Present:**

Andrew George, District Manager/Board Secretary

Jan C. Walker, Assistant District Manager

Laura Heinrich, Legal Counsel, Spencer Fane

Wade B. Wheatlake, P.E., District Engineer, Merrick & Company

### Acceptance of Minutes

**R-25-049 RESOLVED**, upon motion by Vice Chairman Johnson and seconded by Director Ebert, and unanimously carried, that the Minutes of the Regular Meeting of September 8, 2025, 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

#### **2025 FIELD OPERATIONS AND MAINTENANCE**

**T-25-047 DISCUSSION.** C&L Water Solutions has completed 98% of the 2025 valves, and 99% of the fire hydrant inspections to date as part of the 2025 O&M contract. 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.

#### **Balsam Street Development**

**T-25-048 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

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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 was sent to Legal Counsel for review and acceptance at the January 13, 2025, Board meeting.

The District received the sanitary sewer easement agreement and legal description for the project. After both engineering and legal review, the District Engineer finds the easement to be acceptable and recommends the Board to approve and record.

### **Wildfire Planning Redundancy Study**

**T-25-049 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.

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The Board has asked the District Engineer to expedite this process and to also possibly investigate setting up a real-life scenario type of exercise coordinated with West Metro Fire and Rescue in order to ensure adequate preparation in the event of a wildfire within the boundaries of the District. West Metro is currently utilizing the Ridgepoint neighborhood at Kipling and Morrison as a training area given its surroundings and single point of access. District Engineer Wheatlake will continue researching into possible hydrant additions to help facilitate usage for West Metro Fire upon their recommendation due to existing pressure zones.

District Engineer Wheatlake has reached out to Denver Water and has scheduled a meeting to discuss the District's wildfire mitigation plan with them on March 5, 2025. In addition, District Engineer Wheatlake has submitted an abstract to present on the topic to the Rocky Mountain Water Annual Conference in August and for the SDA Conference in September. West Metro has indicated previously that they might be interested in participating in a fire mitigation discussion at the SDA Conference as well, alongside Merrick Engineering.

District Engineer Wheatlake has shared Merrick's study results with Denver Water and has requested information on their emergency response plan as it relates to conduits or pump stations that affect the district.

District Engineer Wheatlake, Board Chairman Miller, and District Manager George presented at the 2025 SDA Conference and covered the catalyst for this study and background behind it, basic district information, and a summary on the water model and the District's efforts to provide resiliency to the overall system as a backup to Denver Water, our source provider. Captain Aaron Johnson with West Metro Fire & Rescue joined the panel and provided additional insight.

### **Water Main Replacement/Rehab**

**T-25-050 DISCUSSION.** District Engineer Wheatlake recommends that future investigations be carried out 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 provided the associated memos at the January 13, 2025 Board meeting.

District Engineer Wheatlake will begin designing both water and sewer future replacements according to their recently created priority list. Merrick has composed a list of potential replacements based on longevity, break history, etc. This will include scheduling both the survey and Subsurface Utility Investigations (S.U.E).

Based on the priority study, District Engineer Wheatlake has begun collecting survey and SUE information for both Kipling Parkway and Kipling Street adjacent to Bear Creek High School. Due to the number of leaks on the water main serving the Kallisto Apartment Complex, District Engineer Wheatlake is adjusting the priority list to put this water main at the top of the list of our replacement program. Utility locates and survey are scheduled for Kipling Pkwy/Dartmouth intersection along with Kipling Street at Bear Creek High School. Merrick has instigated the design process for the top priorities for both water and sewer. District Engineer Wheatlake will be scheduling survey and SUE investigations.

Based on the priority study, Merrick has prepared exhibits for both Kipling Parkway and Kipling Street adjacent to Bear Creek High School to collect survey and SUE information to begin their design for those

segments of waterline replacements. Utility locates and survey were completed in early spring along with the SUE investigation utilizing the data collected.

Utility locates and survey information have been completed. Merrick is assessing and developing a conceptual alignment so they can identify utility crossings to collect test holes for conflict mitigation. There was a discussion at the August 11, 2025, Board Meeting to further streamline the priority main replacement schedule and to prioritize projects while considering all relevant parameters. District Engineer Wheatlake will continue with the design and plan review process for the first few projects on the district priority list. All utility crossings are in the process of being located.

Merrick has begun utilizing test hole contractors to gather as much utility crossing data as possible. This additional survey information will be collected throughout the month of October.

### **Sanitary Sewer Main Replacement/Rehab**

**T-25-051 DISCUSSION.** Bid opening for the project along the 15" outfall along the Bear Creek greenbelt just west of Wadsworth Boulevard was completed in early April.

MoCon Pacific is the apparent low bidder and after reference checking and performance evaluations, District Engineer Wheatlake recommends the Board award the 2025 CIPP program to them. The contract has been signed and forwarded to MoCon Pacific and District Engineer Wheatlake will soon schedule the pre-construction meeting and will schedule the rehabilitation. The contract has been received for Board execution.

Pre-construction meeting took place August 4th. An additional on-site meeting with the City of Lakewood has taken place and material has been ordered with work scheduled to begin in late September. The lining started in late September with 4 segments completed as they work downstream toward Wadsworth Blvd. along Bear Creek open space.

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

**R-25-050 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 September 2025 was presented. A copy is attached hereto and made a part of the record.

### **Approval of Payment of Invoices and Payroll**

**R-25-051 RESOLVED**, upon motion by Chairman Miller and seconded by Vice Chairman Johnson and unanimously carried, the payment of invoices and payroll presented in the amount of \$249,283.20 was approved. A list is attached hereto and made a part of the record.

Preceding this action, District Manager George reported that upon Treasurer Hundley's review of the checks, Automated Clearing House (ACH) payments and payroll on September 30, 2025, he found them to be in order for approval by the Board.

### **Approval of Treasurer's Report**

**R-25-052 RESOLVED**, upon motion by Vice Chairman Johnson, seconded by Director Ebert and unanimously carried, that the Treasurer's Report based on unaudited financial reports and including the Budget-to-Actual report, as of September 30, 2025, was accepted as presented. A copy is attached hereto and made a part of the record.

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Preceding this action, Treasurer Hundley reported that one CD matured and was renewed during the month of September, and that one Treasury note also matured and one Treasury note was purchased during the month. District Manager George and Treasurer Hundley will continue to consider various investment options to maintain the safety of the investments and to receive the best rate possible while continuing the laddering of the investment portfolio. The goal is to maximize investment income while maintaining liquidity while still maintaining adequate funds in the operating account. Treasurer Hundley also gave a detailed review of the September 30, 2025, Budget-to-Actual report.

### BUDGET COMMITTEE

#### **Schedule the Public Hearing for the Proposed 2026 Annual Budget and Notice of Rate Increase Discussion on November 10, 2025 at 7:00 p.m.**

**R-25-053 RESOLVED**, upon motion by Chairman Miller, seconded by Treasurer Hundley and unanimously carried, that the Proposed 2026 Annual Budget and Notice of Rate Increase Discussion be set for November 10, 2025, at 7:00 p.m. at the District office.

Preceding this action, District Manager George presented Draft 1 of the 2026 Proposed Budget to the Board. Mr. George explained that the first draft of the 2026 budget was required by statute to be presented to the Board of Directors by October 15, 2025. The Notice for the Budget Hearing for the 2026 Proposed Annual Budget and Proposed Utility Rate Increases has been published by Spencer Fane. District Manager George has also posted the 30-Day Notice for the potential utility rate increase discussion at the November 10<sup>th</sup> Board meeting on the District and Special District Association (SDA) websites.

### INSURANCE COMMITTEE

#### **Adopt Sanitation Maintenance Warranty Deductible Program for 2026**

**R-25-054 RESOLVED**, upon motion by Director Ebert, seconded by Director Larsson and unanimously carried, to adopt the Sanitation Maintenance Warranty Deductible Program for 2026 and authorize Chairman Miller to sign the Colorado Special District Property & Liability Pool insurance endorsement form.

Preceding this action, District Manager George explained that the District is eligible to receive a 33% Discount on their Liability Insurance premium since the District inspects and cleans the District owned sewer lines every three years.

### Legal Counsel's Report

**R-25-055 RESOLVED**, upon motion by Director Ebert, seconded by Vice Chairman Johnson and unanimously carried, to adopt the changes to Section 1.06 of the District Rules and Regulations concerning connections to the Facilities of the District as presented by Attorney Heinrich. These changes disallow many of the previous exemptions to this policy that could be pursued. Attorney Heinrich will draft and provide to the Board at the November 10, 2025, Board Meeting, this new Section 1.06 of the District Rules and Regulations.

### District Manager's Report

#### **Delinquent Accounts that will be Certified to Jefferson County for Collection by October 31, 2025**

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**R-25-056 RESOLVED**, upon motion by Vice-Chairman Johnson, seconded by Treasurer Hundley and unanimously carried, to authorize Chairman Miller to sign the Resolution to certify 2025 delinquent sewer utility accounts to the Jefferson County Treasurer for collection along with property taxes in 2026. The utility accounts with balances of \$150 or more that are six months in arrears at the time of certification meet the requirements for this statutory method of collection. Those accounts that are not paid by October 21, 2025, will be certified for collection and liens will be recorded against those properties.

District Manager George presented the September 2025 Report of District Activities, a copy of which is attached hereto and made a part of the record.

**R-25-057 RESOLVED**, upon motion by Chairman Miller, seconded by Director Ebert and unanimously carried that the meeting be continued to Monday, October 27, 2025 at 6:00 p.m.

***Signed:***

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

***Attest:***

**Andrew George, Secretary, Board of Directors**