

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
HAVANA WATER & SANITATION DISTRICT (THE “DISTRICT”)
HELD
SEPTEMBER 21, 2022

A regular meeting of the Board of Directors of the Havana Water & Sanitation District (referred to hereafter as the “Board”) was convened on Wednesday, September 21, 2022, at 5:00 p.m., at CliftonLarsonAllen LLP, 8390 E. Crescent Pkwy., Ste. 300, Greenwood Village, CO 80111 and virtually via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Bernard F. Gehris, President
David Mohrhaus, Secretary
Steve Hellman, Treasurer (via TEAMS)
Timothy Duggan, Assistant Secretary
Blake Hodges, Assistant Secretary

Also In Attendance Were:

Lisa Johnson (via TEAMS), Nic Carlson, Shauna D’Amato & Yelena Primachenko; CliftonLarsonAllen LLP
Tamara Seaver; Icenogle Seaver Pogue, P.C. (via TEAMS)
Greg Sekera; Kennedy/Jenks Consultants
Andrew Rheem; Raftelis Financial Consultants, Inc.

ADMINISTRATIVE MATTERS

Call to Order and Approval of Agenda: President Gehris called the meeting to order at 5:02 p.m.

Director Mohrhaus requested the addition of SFE discussion to the Agenda under the Update to Rate Study / Manager Matters. Upon a motion duly made by Director Mohrhaus, seconded by Director Duggan and, upon vote, unanimously carried, the Board approved the agenda as amended.

Confirm Quorum, Location of Meeting and Posting of Meeting Notices: A quorum was confirmed, and the Board further noted that notice providing the time, date and video conference link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District’s boundaries.

Public Comments: None.

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July 20, 2022 Regular Meeting Minutes: The Board reviewed the July 20, 2022 Regular Meeting Minutes. Upon a motion duly made by Director Duggan, seconded by Director Hodges and, upon vote, unanimously carried, the Board approved the July 20, 2022 Regular Meeting Minutes as presented.

FINANCIAL ITEMS

Prior Claims: Ms. Primachenko presented the prior claims to the Board and reported that the total is \$50,277.58. Following review, and upon a motion duly made by President Gehris, seconded by Director Mohrhaus and, upon vote, unanimously carried, the Board approved the prior claims as presented.

Directors' Fees: Ms. Primachenko reviewed the Directors' fees with the Board. Upon a motion duly made by Director Hellman, seconded by Director Hodges and, upon vote, unanimously carried, the Board approved the Directors' Fees as presented.

July 31, 2022 Unaudited Financial Statements and September 13, 2022 Cash Position: Ms. Primachenko presented the July 31, 2022 Unaudited Financial Statements and September 13, 2022 Cash Position to the Board. Upon a motion duly made by President Gehris, seconded by Director Mohrhaus and, upon vote, unanimously carried, the Board accepted the July 31, 2022 Unaudited Financial Statements and September 13, 2022 Cash Position as presented.

2021 Auditor's Report and Communication Letter: Ms. Primachenko reviewed the letter with the Board and noted that the 2021 Audit received a clean opinion from the Auditor, and the 2021 Audit has been filed. Ms. Primachenko will send a full report to the Board.

ENGINEERING MATTERS

Update on Projects/Engineer Report: Mr. Sekera presented his report to the Board and provided highlights of Manhole #5 stating that they removed the manhole and replaced the pipe. He stated that the Belleview section is no complete.

Mr. Sekera provided update on Lift Station #2 stating that they have initiated the field review phase and condition assessment. He noted that Lift Station #1 has no major issues or emergencies at this time.

Other:

1. **Pay Estimate No. 6 for 2021 Sewer Rehab Project - \$649,306.00:** Mr. Sekera reviewed with the Board. Following review, upon a motion duly made by Director Hellman, seconded by Director Mohrhaus and, upon vote, unanimously carried, the Board approved Pay Estimate No. 6 for Sewer Rehab Project in the amount of \$649,306.00.

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2. **Ratify Change Order No. 4 for 2021 Rehab Project - \$156,750.00:** Mr. Sekera reviewed with the Board. Following review, upon a motion duly made by Director Mohrhaus, seconded by Director Hodges and, upon vote, unanimously carried, the Board ratified Change Order No. 4 for 2021 Rehab Project in the amount of \$156,750.00.

MANAGER ITEMS

Policy Related to the District's Payment of Fees Related to Customer Use of Online Bill Pay Service: Ms. Johnson discussed with the Board stating they can continue to absorb fees, and, if not, this can be communicated to the customers beginning in 2023. The Board determined they will consider and discuss at the Budget review meeting.

2023 Budget Process:

1. October 15 – Draft Budget provided to the Board
2. November 16, 2022 Meeting – Public Hearing to Review and Approve 2023 Budget

Ms. Johnson reviewed the 2023 Budget process with the Board.

Proposal for SWSD Services: Mr. Carlson reviewed the proposal with the Board stating that the notice was published and sent directly to five waste providers. He noted he has received only one proposal from Little Dumpsters proposing \$32 per month, not including billing. He informed the Board that this seems to be fairly consistent with what residents of the District are currently paying. Discussion ensued, and the Board determined to table this item for now. Mr. Carlson will contact HOA to inform them.

Update on Rate Study: Ms. Johnson reviewed the rate study with the Board and stated she has received the final draft and has forwarded on to staff. She will schedule a call/meeting to review with legal and staff. This item will be revisited at the November Board meeting.

Director Mohrhaus highlighted that the Pools billing, all four are different and may want to adjust the SFE so all pools are treated the same.

LEGAL MATTERS

AT&T Cell Tower Site Update: Attorney Seaver reviewed the AT&T plans/request to update the facilities at the cell tower site, noting that additional amendment to the lease agreement will be needed imposing an additional rent of \$150 per month. She informed the Board that AT&T will cover all costs related to drafting a new amendment.

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Public Hearing for Delinquent Accounts that Qualify for Certification:
President Gehris opened the public hearing at 6:10 p.m. President Gehris closed the public hear at 6:11 p.m. There were no public comments.

Resolution 2022-09-01, Certifying Delinquent Accounts to the Arapahoe County Treasurer Pursuant to Section 32-1-1101(1)(e), C.R.S.: Attorney Seaver reviewed the resolution with the Board. Following review, upon a motion duly made by President Gehris, seconded by Director Hellman and, upon vote, unanimously carried, the Board approved Resolution 2022-09-01, Certifying Delinquent Accounts to the Arapahoe County Treasurer Pursuant to Section 32-1-1101(1)(e), C.R.S. and delegate the authority to affix the final list of the delinquent accounts before filing.

Other: None.

OTHER BUSINESS

Quorum for Next Meeting – November 16, 2022 at 5:00 p.m.: The Board confirmed a quorum for the November 16, 2022 meeting at 5:00 p.m., to be held via Microsoft Teams and at the offices of CliftonLarsonAllen LLP.

ADJOURNMENT

There being no further business to come before the Board, President Gehris adjourned the meeting at 6:59 p.m.

Respectfully submitted,

DocuSigned by:

Lisa Johnson

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Secretary for the Meeting