

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE DANIELS SANITATION DISTRICT HELD JANUARY 9, 2023

A Regular Meeting of the Board of Directors of the Daniels Sanitation District (referred to hereafter as "Board") was held on Monday, the 9<sup>th</sup> day of January, 2023, at 6:00 p.m. The meeting was held telephonically and was open to the public.

#### ATTENDANCE

#### Directors in Attendance Were:

Rex L. Johnson  
Vern Luoma  
Scott Paschal  
Patrick Morgan  
Floyd Shafer

#### Also In Attendance Were:

Douglas Wagner, High View Water District  
Rodger Parker, High View Water District  
AJ Beckman, District Manager  
Barry Hudson, Attorney for the District  
Bill Willis, Engineer for the District

#### ADMINISTRATIVE MATTERS

Disclosures of Potential Conflicts of Interest: Mr. Beckman advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. The Board reviewed the Agenda for the meeting, following which Directors Johnson, Luoma, Paschal, Morgan and Shafer confirmed that they have no conflicts of interest in connection with any of the matters listed on the Agenda.

Agenda: Mr. Beckman distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Morgan and, upon vote, unanimously carried, the Agenda was approved as presented.

December 12, 2022 Regular Meeting Minutes: Following discussion and review, upon motion duly made by Director Shafer, seconded by Director Johnson and, upon vote, unanimously carried, the minutes were approved as presented.

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### FINANCIAL MATTERS

**Accounts Payable:** The Board considered ratifying the payment of accounts payable for the period ending December 31, 2022 in the amount of \$52,955.84.

Following discussion and review, upon motion duly made by Director Johnson, seconded by Director Morgan and, upon vote, unanimously carried, the Board ratified the payment of accounts payable as presented.

The Board then considered ratifying the payment of accounts payable for the period ending January 9, 2023 in the amount of \$14,460.14.

Following discussion and review, upon motion duly made by Director Paschal, seconded by Director Shafer and, upon vote, unanimously carried, the Board ratified the payment of accounts payable as presented.

**Financial Statements:** The Board reviewed the unaudited financial statements of the District for the period ending December 31, 2022.

Following review and discussion, upon motion duly made by Director Paschal, seconded by Director Johnson and, upon vote, unanimously carried, the Board accepted the unaudited financial statements.

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### OPERATIONS MATTERS

**Manager's Report:** Mr. Beckman reviewed the report with the Board, attached hereto and incorporated herein by this reference.

**Engineer's Report:** Mr. Willis reviewed the report with the Board, attached hereto and incorporated herein by this reference. Mr. Willis discussed the recent Stop Work order issued by the City of Lakewood ("the City) for Stormwater Management and Erosion Control violations. He explained that the violations were simple in nature, and immediately corrected, however the disruption to the work schedule has been significant due to the City's failure to re-inspect the work in a timely manner. Discussion ensued regarding project delays caused by the City to date, which have caused cost of the project to nearly double in cost since the original bid was submitted approximately two years ago. Director Johnson directed the District's Manager, Engineer and Attorney to consult with Special Counsel regarding a plan to approach the City and voice the Board's concerns.

**T. Lovell Payment Request No. 4; Outfall Project:** Mr. Willis reviewed the payment request with the Board and confirmed that Martin/Martin Inc. has reviewed and verified the materials quantities and work billed on the request.

Following review and discussion, upon motion duly made by Director Shafer, seconded by Director Johnson and, upon vote, unanimously carried, the Board approved Payment Request No. 4 in the amount of \$89,878.60.

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**LEGAL MATTERS**

**Posting Resolution:** The Board considered a Resolution Designating the District's Website for the Online Posting of Meeting Notices and 24-Hour Posting Location.

Following discussion and review, upon a motion duly made by Director Johnson, seconded by Director Luoma and, upon vote unanimously carried, the Board approved the Resolution as presented.

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**OTHER BUSINESS**

There was no other business.


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**ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Johnson and seconded by Director Paschal, the meeting was adjourned at 7:00 p.m.

Next Regular meeting is scheduled for February 13, 2023, at 6:00pm.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

  
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Secretary for the Meeting