

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
SEPTEMBER 24, 2008

The regular meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of the Wastewater Utility Enterprise (referred to hereafter as "Board") was convened on Wednesday, the 24th day of September, 2008, at 4:30 P.M., at the offices of the District, 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Michael Curran, President
Catherine "CiCi" Kesler
Richard Billings
James D. "Jim" Zimmerman

Upon motion duly made by Director Billings, seconded by Director Zimmerman and, upon vote, unanimously carried, the absence of Anthony M. Dursey was excused.

Also In Attendance Were:

Lisa A. Johnson, Lisa A. Jacoby and John Warnick; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins, Cockrel & Cole, P.C.

Wayne Ramey; Ramey Environmental Compliance

Bill Willis; Martin/Martin

Greg Fabisiak; resident

ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the August 27, 2008 regular meeting and the September 2, 2008 reconvened regular meeting.

Following discussion, upon motion duly made by Director Billings, seconded by Director Zimmerman and, upon vote,

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unanimously carried, the minutes of the August 27, 2008 regular meeting and the September 2, 2008 reconvened regular meeting were approved.

Community Meeting: Mr. Fabisiak addressed the Board. He attended the community meeting held in conjunction with the Applewood Valley Association ("AVA") annual meeting. He reported that approximately 55 people were in attendance and Director Zimmerman and other members of the Citizens Advisory Committee were in attendance. The members of the public raised several good questions and no negative input was received. Mr. Fabisiak felt that it was a good meeting and people were very responsive and positive.

FINANCIAL MATTERS

Claims: The Board considered the approval of the payment of claims through the period ending September 24, 2008, as follows:

General Fund	\$ 11,182.59
Enterprise Fund	49,102.97
Total	\$ <u>60,285.56</u>

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending September 24, 2008.

Financial Statements: The Board reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, and budget analysis, and accounts payable vouchers for the period ending August 31, 2008 and the schedule of cash position as of September 24, 2008.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Billings and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending August 31, 2008.

Investments: Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board directed that all but \$50,000 of the funds currently held in ColoTrust

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be transferred to money market funds at different banks with no funds to exceed \$100,000 at any single institution. Staff was directed to work with Director Kesler on the transfers.

College Park Water and Sanitation District ("CPWSD") quarterly charges: Mr. Willis reported on his meeting with John Aitken of College Park. He explained to Mr. Aitken that the District is billing per the terms of the current Sewer Service Agreement with CPWSD.

Mr. Willis recommended that the District consider establishing a percentage of total flow that is attributable to CPWSD and charge CPWSD using that percentage every year. Mr. Willis and Attorney Flynn will work on an amendment to the Sewer Service Agreement to present for Board approval.

2009 Budget: Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Billings and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2009 budget.

The Board then reviewed and discussed the 2008 Preliminary Certification of Assessed Valuation. The Board determined to schedule the public hearing to consider adoption of the 2009 budget on Wednesday, October 22, 2008 at 4:30 p.m. at the regular meeting place.

Connection fees: Mr. Willis reported that the increase from Metro appears to be reasonable.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved increasing the tap fees to \$2,320 for the District and collecting \$2,320 for Metro Wastewater, effective January 1, 2009.

Annual Charges from Metro Wastewater Reclamation District: The Board reviewed the correspondence from Metro Wastewater Reclamation District regarding the estimate of 2009, revised estimate of 2008 and final adjustment of 2007 Annual Charges for Service. No action was taken.

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LEGAL MATTERS

Denver Water/Moffat Water Treatment Plant issues: Attorney Flynn reported that the letter was transmitted to Denver Water regarding the tap fees and back service charges owed by Denver Water for its Moffat Treatment Plant property but a response has not yet been received.

Attorney's report: Public Hearing on the Inclusion of Land Owned by Peter Swenson and Charlotte L. Swenson. Director Curran opened the public hearing.

It was noted that publication of Notice stating that the Board would consider the inclusion of the property and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the inclusion of the property as described in the Petition. A copy of Resolution 08-9-2 Ordering Inclusion of Real Property (Swenson Property) is attached hereto and incorporated herein by this reference.

4101 Miller Street: VCUP application. Attorney Flynn reported that Jefferson County has requested additional information which he has provided. The County engineers are evaluating the information and it will be presented to Wheat Ridge City Council in October.

Fence. Attorney Flynn reported that he sent a letter to the City informing them of the approval of the design by the Board and authorizing installation of the fence and gate by the City.

Legal description of the District: Attorney Flynn reported that he is completing the motion requesting an amendment to the organizational decree to correct the error in the legal description and it will be filed soon.

November 4, 2008 Special Election: Ms. Johnson reviewed the requirements under the Intergovernmental Agreement to provide staffing for certain portions of the election. Attorney Flynn will contact the County and determine if

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the District can be excused. If the District is required to provide staffing, the Board authorized staff to contact the members of the Citizens Advisory Committee and offer them \$25-\$30 per hour if they are available to assist.

OPERATIONS MATTERS

Plant Manager's Report: Mr. Ramey presented the September 2008 monthly report. A copy of the report is attached hereto and incorporated herein by this reference.

Grease trap inspections. Mr. Ramey presented the September 2008 report. He noted that King Soopers and Brando's failed due to broken parts and that Smashburger continues to fail because they do not keep the trap clean. Mr. Ramey asked the Board to approve sending a letter to Smashburger Asking them to replace the trap with an interceptor.

Termination of service to non-compliant commercial properties. Mr. Ramey reported that he met with Mr. Gibbons, property manager for Paramount Lanes and Johnny's New York Pizza, and he agreed to install traps/interceptors at both locations.

Engineer's report: **Main extension from Robb Street to Routt Street.** Attorney Flynn reported that he spoke with Mr. Webster regarding the work to be done. Attorney Flynn will be working with Mr. Webster's representative to work toward an understanding that will allow the repairs to be completed.

2008 Improvements: Mr. Willis reported that the work has begun.

City of Wheat Ridge permitting requirements: Mr. Willis reported that he is continuing to negotiate with the City.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

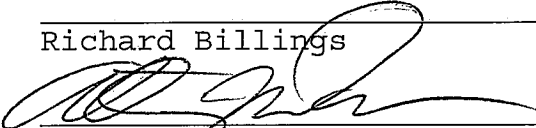
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THESE MINUTES APPROVED AS THE OFFICIAL SEPTEMBER 24, 2008
MINUTES OF THE NORTHWEST LAKEWOOD SANITATION DISTRICT BY THE
BOARD OF DIRECTORS SIGNING BELOW:

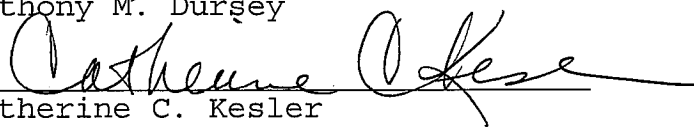


Michael A. Curran

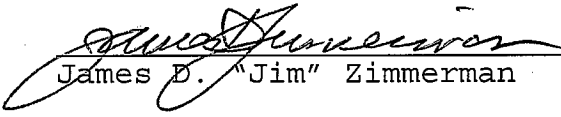
Richard Billings



Anthony M. Dursey



Catherine C. Kesler



James D. "Jim" Zimmerman

NORTHWEST LAKEWOOD SANITATION DISTRICT

September 24, 2008

Please ***print*** your name, address and phone number and the issue(s) you are interested in addressing at this meeting.

NAME	ADDRESS	TELEPHONE/EMAIL	ISSUE(S) TO BE ADDRESSED
Greg Fabisiak	1284 Appaloosa Knolls Dr	303-233-1625	

DISTRICT COURT, JEFFERSON COUNTY, STATE OF COLORADO Court Address: 100 Jefferson County Parkway Golden, CO 80401 Phone Number: (303) 271-6215	
IN RE THE MATTER OF NORTHWEST LAKEWOOD SANITATION DISTRICT, JEFFERSON COUNTY, COLORADO	
Timothy J. Flynn, Esq. Collins Cockrel & Cole 390 Union Blvd., Suite 400 Denver, Colorado 80228-1556 Telephone: (303) 986-1551 Facsimile: (303) 986-1755 E-Mail: tflynn@cccfirm.com Atty. Reg#: 10484	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case No.: 54 CV 8891 Div.: 3 Ctrm.:
RESOLUTION 08-9-2 ORDERING THE INCLUSION OF REAL PROPERTY (SWENSON PROPERTY)	

WHEREAS, on or about August 5, 2008, Peter Swenson and Charlotte L. Swenson, being the Petitioners and fee owners of 100% of certain real property described on Exhibit "A" as attached hereto and incorporated herein by this reference (the "Property"), filed a Petition for Inclusion of Real Property ("Petition") with the Board of Directors of the Northwest Lakewood Sanitation District seeking inclusion of said Property into the District pursuant to Title 32, Article 1, Part 4, C.R.S., as amended; and

WHEREAS, Notice of Hearing on the Petition setting forth the names and address of the Petitioners, and the date, time and place of the public meeting called for the purpose of hearing said Petition, was duly published one time on Thursday, September 11, 2008, in the *Wheat Ridge Transcript*, a newspaper of general circulation within Jefferson County, Colorado, as required by the statutes of the State of Colorado; and

WHEREAS, pursuant to said published Notice and § 32-1-401(2)(b), C.R.S., a public hearing was held on the Petition on Wednesday, September 24, 2008 at 4:30 p.m.

at the offices of Special District Management Services, Inc. located at 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228; and

WHEREAS, no municipality, county or any person residing or owning property within the District filed a written objection to the granting of the Petition, and no person or entity appeared at said public meeting to express or indicate any objection to the granting of the Petition; and

WHEREAS, the Property is within the District's contract sewer service area as described in the District's Connector Agreement with the Metro Wastewater Reclamation District; and

WHEREAS, the Property is physically capable of being served by District facilities or extensions thereof.

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the Northwest Lakewood Sanitation District, Jefferson County, Colorado that:

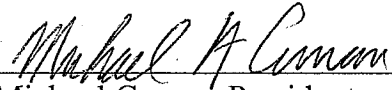
Section 1. IT IS HEREBY ORDERED that the Petition filed by the above named Petitioners IS HEREBY GRANTED and the Property as described on Exhibit "A" which lies within the County of Jefferson, State of Colorado, is hereby included into the Northwest Lakewood Sanitation District.

Section 2. IT IS FURTHER ORDERED, that the District's legal counsel shall cause this Resolution to be filed with the Clerk of the District Court, Jefferson County, Colorado, together with a motion to the Court under the proceedings in Civil Action No. 54 CV 8891, encaptioned "In Re the Matter of The Northwest Lakewood Sanitation District, Jefferson County, Colorado" requesting an Order including the Property into the District. Upon inclusion of the Property into the District, the Property shall, among other things, be subject to all applicable District rules and regulations and all applicable rates, fees, tolls, charges and taxes, if any.

Section 3. A copy of this Resolution shall be affixed to the minutes of this meeting.

ADOPTED AND APPROVED this 24th day of September, 2008.

NORTHWEST LAKEWOOD
SANITATION DISTRICT

By: 
Michael Curran, President

ATTEST:

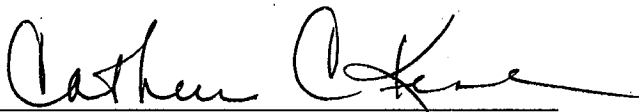

Catherine C. Kessler, Secretary/Treasurer

EXHIBIT A

**(ATTACHED TO AND MADE A PART OF NORTHWEST LAKEWOOD SANITATION
DISTRICT RESOLUTION 08-9-2)**

PROPERTY LEGAL DESCRIPTION

Lot 7, and the East ½ of Lot 6,
Linda Vista Filing No. 2,
County of Jefferson,
State of Colorado

Also known by street and number as 11025 Linda Vista
Drive, Lakewood, Colorado 80215.



Northwest Lakewood Sanitation District Monthly Report

Sept 2008

Plant Activities:

- Aug 17th** Received a page for UNCC locate at 11860 W. Tabor Dr. Pipeline Industries is the contractor working on the sewer lateral repair. Received a page from a homeowner at 9762 W. 22nd Pl. The homeowner was concerned about a possible back – up. Thoroughly checked up and down street manholes, no problems were found.
- Aug 18th** Completed locates, and entered UNCC data into data base. Responded to a call from homeowner at 11650 W. 24th Cir. While checking the mains, a lateral break was discovered. Copied video files onto disks, gathered reports, and composed pictures for Martin & Martin's open house on Sept. 2nd 2008. Met with Tafolino's concerning their grease trap pumping records.
- Aug 19th** Completed locates, and entered UNCC data into data base. Spoke with Martin and Martin, regarding the Open House. Met with Senior Burrito's concerning grease trap pumping records.
- Aug 20th** Completed locates, and entered UNCC data into data base. Responded to a call from the neighbor next to 11650 W. 24th Cir. The neighbor was concerned because the homeowner at 11650 W. 24th Cir. had not done anything to repair the break in the lateral. Responded to the request of the homeowner at 11650 W. 24th Cir. to bring them another copy of their lateral. Set up the fire extinguisher inspection for the plant buildings. Met with Martin & Martin, to go over the final directions for the Sept. 2nd open house. Made copies of all of the different forms and information for grease traps/interceptors. Compiled all forms and information regarding the grease trap program into a binder for the pick-up truck to have on-hand at all times. Completed grease trap sizing for the Paramount Shopping Center. The plant grounds were mowed today.
- Aug 21st** Completed locates, and entered UNCC data into data base. Responded to a call from Jerry Capra, Big Dipper Rep, concerning the Paramount Shopping Center.
- Aug 22nd** Completed locates, and entered UNCC data into data base. Posted the District's meeting notice at Gold's Market. Checked to see if the repairs had been completed at 11650 24th Cir, and found that no repairs had been made to date.

- Aug 24th** Received a page for a UNCC locate at 11289 W. 27th Ave., regarding a sewer lateral repair.
- Aug 26th** Completed locates, and entered UNCC data into data base. Met with Patrick Roberts, of Martin & Martin, to highlight maps of cutting, jetting, and videoing for the month of August, this will be used at the open house.
- Aug 27th** Completed locates, and entered UNCC data into data base.
- Aug 28th** Completed locates, and entered UNCC data into data base. Responded to a call from 14 Skyline Dr. The homeowner called to say the floors in her house vibrate since Consolidated Mutual replaced water main in street. Recommended she also call EXCEL and have gas meter checked for vibration.
- Aug 29th** Completed locates, and entered UNCC data into data base. Posted the District's meeting agenda at Gold's Market.
- Sept 2nd** Completed locates, and entered UNCC data into data base. Responded to a call from the home owner at 11289 27th Ave. asking if the street repair of his lateral done on Sunday, the 24th of August, would be the districts expense? REC explained that the lateral from the tap on the main to the home is normally the property owner's responsibility. Called in the load count to Consolidated Mutual.
- Sept 3rd** Completed locates, and entered UNCC data into data base.
- Sept 4th** Completed locates, and entered UNCC data into data base. Responded to a call from a contractor working at 24 Hillside Dr. The home will be removed and a new one will be built in its place. Took a copy of the lateral main to the contractor and suggested he cap it until they use the property again. Jetted in section 1, 3, 6, 12, and 14 for a total of 2414 feet. Entered jet data into NWLSD pipe program.
- Sept 5th** Completed locates, and entered UNCC data into the data base. Completed a tap Inspection at 2652 Taft St. Jet and cut roots in sections 12, 16, and 19 for a total of 1410 feet. Root cutting for a total of 1358 feet was completed. Entered root and jet data into NWLSD pipe program.
- Sept 7th** Received a page for a UNCC locate at 2850 Youngfield St. for an electric repair by EXCEL energy.
- Sept 8th** Completed locates, and entered UNCC data into data base. Jet and cut roots in sections 18 & 22 for a total of 922 feet, and root cut for a total of 781 feet. Entered jet and cut data into NWLSD pipe program.
- Sept 9th** Completed locates, and entered UNCC data into data base. Met with Glenn's Garage concerning repairs to their interceptor. Met with Food Concept's regarding reduced inspections for grease traps. Delivered grease trap violation letters.
- Sept 10th** Completed locates, and entered UNCC data into the data base. Met with C & L concerning yard access for district repairs. Delivered grease trap violation letters.

Sept 11th Completed locates and entered UNCC data into data base. Made a check list for total footage of 6 inch pipe lines that need to be videoed in the District.

Sept 12th Completed locates, and entered UNCC data into data base. Completed final monthly report and billing for September 2008.

Collection System Televising			
Date	Section(s)	No. of Lines	Total Footage

Address	UNCC Time per Locate	Date
2470 Iris St	1	8/27/08
13029 W.20 th Ave	1	8/28/08
W. Colfax Ave	1	8/05/08
3610 Vivian Ct	1	9/09/08
1970 Union Dr	2	8/14/08
2965 Wright Ct	2	8/14/08
11745 W.28 th Pl	2	8/14/08
1743 Quail St	2	8/14/08
12684 Willow Ln	2	8/15/08
1095 Yank St	2	8/18/08
11965 Applewood Knolls Dr	2	8/19/08
2560 Urban St	2	8/19/08
11015 W.26 th St	2	8/19/08
12684 Willow Lane	2	8/19/08
2425 Lee St	2	8/20/08
20 Rangeview St	2	8/22/08
2339 Van Gordon St	2	8/25/08
29 Rangeview Dr	2	8/26/08
2997 Pierson Way	2	8/27/08
20 Rangeview Pl	2	8/27/08
2044 Creighton Dr	2	8/27/08
1847 Quail St	2	8/29/08
2302 Coors Dr	2	8/29/08
905 Zinnia St	2	8/02/08
1845 Alkire St	2	9/02/08
2230 Miller Ct	2	9/02/08
2585 Nelson St	2	9/03/08
55 Hillside Dr	2	9/03/08
24 Hillside Dr	2	9/03/08
11760 W.32 nd Ave	2	9/04/08
2652 Taft St	2	9/05/08
W.Colfax Ave	2	9/05/08
2495 Youngfield St	2	9/05/08
37 Hillside Dr	2	9/08/08
2960 Simms St	2	9/08/08
11763 W.27 th Dr	2	9/08/08
12680 Willow Ln	2	9/09/08

12684 Willow Ln	2	9/09/08
10857 W.31 st Ave	2	9/09/08
25 th Ave & Kipling St	3	8/15/08
3400 Pierson St	3	9/02/08
20 Rangeview Pl	3	9/03/08
1605 Winfield Dr	3	9/05/08
W.34 th Pl & Ward	3	9/08/08
2050 Braun Dr	3	9/08/08
W.16 th Dr & Zinnia St	3	9/08/08
Youngfield St & W.16 th Dr	3	9/09/08
2850 Youngfield St	3	9/10/08
Urban St & W.35 th Ave	3	9/10/08
Morningside Dr & Oak St	3	9/10/08
Morningside Dr & Rangeview Dr	3	9/10/08