

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
DECEMBER 17, 2008

A special 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 17th day of December, 2008, at 2:00 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
Anthony M. Dursey
James D. "Jim" Zimmerman

Also In Attendance Were:

Lisa A. Johnson; Special District Management Services, Inc.

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

Wayne Ramey; Ramey Environmental Compliance

Bill Willis; Martin/Martin

Greg Fabisiak, Dave DeGiacomo and Barbara Barry; Citizen's Advisory Committee

ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the November 19, 2008 special meeting.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Kesler and, upon vote, unanimously carried, the minutes of the November 19, 2008 special meeting were approved.

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November 4, 2008 Election: Ms. Johnson reviewed the Certificate of Election Results.

FINANCIAL MATTERS

Claims: The Board considered the approval of the payment of claims through the period ending December 17, 2008, as follows:

General Fund	\$ 2,878.94
Enterprise Fund	100,469.69
Total	\$ <u>103,348.63</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending December 17, 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 November 30, 2008 and the schedule of cash position as of December 17, 2008.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending November 30, 2008.

Investments: No action was taken.

LEGAL MATTERS

Denver Water/Moffat Water Treatment Plant issues: Attorney Flynn reviewed the letter that was sent to Denver Water to provide the information requested by Denver Water.

Attorney's report: Inclusion of 2615 Oak Drive, Units 19-25. Attorney Flynn reported that he has received the title information on the properties and will be sending letters to the owners of record.

4101 Miller Street: VCUP application. Attorney Flynn reported that the City of Wheat Ridge will discuss the issue at the February meeting of City Council.

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Fence. Attorney Flynn reported that the project has been completed. He will send a letter to the City rescinding the termination of the License Agreement.

Legal description of the District: Attorney Flynn had nothing new to report.

Resignation of Director: Director Billings stated that he was resigning from the Board of Directors.

The resignation of Director Billings was accepted.

Director Billings left the meeting at this point.

Sewer Service Agreement: Attorney Flynn and Mr. Willis presented a recommendation for the amendment to the Sewer Service Agreement with College Park Water and Sanitation District. Martin/Martin has recommended a flat 18% per year as the percentage of flow value to be attributed to College Park.

The Board requested that Mr. Willis prepare a graph of the maintenance and replacement costs associated with the College Park line.

Service Agreement with Ramey Environmental Compliance, Inc.: Attorney Flynn presented the draft agreement. Mr. Ramey presented his proposed revisions. Attorney Flynn and Mr. Ramey will work on the Agreement and it will be presented at the next meeting for consideration.

Resolution 08-12-1, A Resolution Adopting a Fee to Defray the Costs of Renovating, Replacing and to the Extent Necessary Operating the District's Sanitary Sewer Collection System: The Board discussed the amount of the fee.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board adopted Resolution 08-12-1, A Resolution Adopting a Fee to Defray the Costs of Renovating, Replacing and to the Extent Necessary Operating the District's Sanitary Sewer Collection System by the Wastewater Utility Enterprise setting the fee at \$150 per single-family residential equivalent (SFRE), to be due on May 1, 2009 and considered late after May 5,

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2009, imposing a late fee of \$15.00 and rescinding any and all prior Resolutions.

Attorney Flynn was directed to provide a formal Resolution for execution.

Ms. Johnson presented a summary regarding maintaining a lockbox for receipt of payments and contracting for printing and mailing services.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Kesler and, upon vote, unanimously carried, the Board authorized opening a lockbox account at 1st Bank of Colorado.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved contracting with Colorado Print & Digital for printing and mailing of the billing invoices.

Newsletter: The Board reviewed the draft of the January 2009 Newsletter regarding the election results. Ms. Johnson was directed to request a bid from Abigail Barreto to provide the graphic design for the newsletter.

Ms. Johnson and the Citizen's Advisory Committee were directed to work together to revise the newsletter. Ms. Johnson is to obtain approval of the final newsletter from the Board.

The Board directed staff to mail out the newsletter during the first week of January, 2009.

OPERATIONS MATTERS

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

Grease trap inspections. Mr. Ramey presented the December 2008 report.

2008 televising and jetting program. Mr. Ramey reported that the program is approximately 74% complete.

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Engineer's report: Main extension from Robb Street to Routt Street. Mr. Willis reported that work has begun.

2008 Improvements: Mr. Willis distributed a report and requested that the Board ratify the approval of the requests from C&L Backhoe Excavating, Inc. as follows: Application for Payment Number Three in the amount of \$72,953.90; Change Order Number Three which is deletions and additional work on Bid Schedule A that net out to \$4,867.50; deletions and additional work on Bid Schedule B that net out to a credit of \$698.35; deletions and additional work on Bid Schedule C that net out to \$3,137.00 and deletions and additional work on Bid Schedule E that net out to a credit of \$9,952.00 for a total Change Order amount of a credit in the amount of \$2,645.85.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Zimmerman and, upon vote, unanimously carried the Board approved the following requests for C&L Backhoe Excavating, Inc.:

- Application for Payment Number Three in the amount of \$72,953.90
- Change Order Number Three as a credit in the amount of \$2,645.85

Mr. Willis reported that the 2008 improvements have been completed.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Zimmerman and, upon vote, unanimously carried the Board approved publication of a Notice of Partial Release of Retainage and directed that \$5,000 be held for landscape work still to be completed.

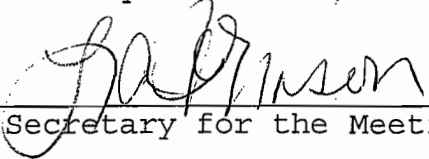
City of Wheat Ridge permitting requirements: Mr. Willis reported that the City has not provided an invoice to the District. He will continue to work with the City on this issue as needed.

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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.

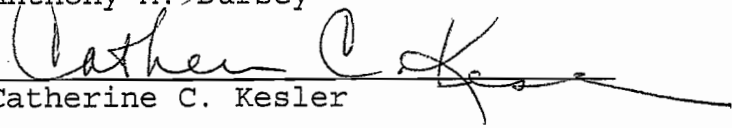
Respectfully submitted,

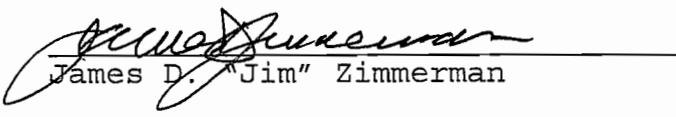
By 
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL DECEMBER 17, 2008 MINUTES OF THE NORTHWEST LAKEWOOD SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


Michael A. Curran


Anthony M. Dursey


Catherine C. Kesler


James D. "Jim" Zimmerman

RESOLUTION NO. 08-12-1

NORTHWEST LAKEWOOD SANITATION DISTRICT
JEFFERSON COUNTY, COLORADO

**A RESOLUTION ADOPTING A FEE TO DEFRAY THE COSTS OF
RENOVATING, REPLACING AND TO THE EXTENT NECESSARY
OPERATING THE DISTRICT'S SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the Northwest Lakewood Sanitation District ("District") operates by and through its Water Activity Enterprise ("Enterprise") a Sanitary Sewer Collection System ("System") that was initially constructed in the 1950s; and

WHEREAS, the Board of Directors of the District and the Board of Directors of the Enterprise (collective the "Boards") have determined that there is a need to renovate on a timely basis the System due to deterioration caused by age and normal wear and tear; and

WHEREAS, the Boards have determined that existing revenue sources are not sufficient to fund the anticipated cost of replacing and renovating the System; and

WHEREAS, in accordance with public comment and the recommendations of a citizens advisory committee the District's Board of Directors sought approval from the eligible electors of the District at an election held on November 6, 2008 election to increase the District's property tax mill levy by three (3) mills for the purpose of generating sufficient revenue to fund on a timely basis the necessary System replacements and renovations; and

WHEREAS, the voters at said election did not authorize the District to so increase its property tax mill levy; and

WHEREAS, the Boards have determined that it is necessary and that it will promote the public health, welfare and safety of the inhabitants of the District for the Enterprise to impose a Facilities Renovation Fee to defer the costs of System repair and renovation and, as necessary, to defray annual maintenance costs and expenses associated therewith; and

WHEREAS, the revenues generated by such Fee shall be accounted for in an Enterprise Facilities Renovation Account or Facilities Renovation Fund; and

WHEREAS, after careful study and consideration, it has been determined that the imposition of a Facilities Renovation Fee on a single family equivalent tap basis is a fair and equitable method of recovering the costs of replacing and renovating the System; and

WHEREAS, in 2006 a Facilities Renovation Fee was established, the collection of which, however, was deferred; and

WHEREAS, the Boards desire to terminate and cancel said prior Facilities Renovation Fee; and

WHEREAS, the Boards desire to establish a new Facilities Renovation Fee in the Enterprise to defray the cost of replacing and renovating, and to the extent necessary repairing the System in the amount of \$150.00 per year, per single family residential equivalent tap.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northwest Lakewood Sanitation District as follows:

Section 1. Facilities Renovation Fee. Effective January 1, 2009, a Facilities Renovation Fee, shall be imposed on each property that is connected to, or which thereafter connects to the District's Sanitary Sewer Collection System, in the amount of \$150.00 per single family equivalent tap, per year or part thereof.

Section 2. Collection of Fee. With respect to existing connections, the Facilities Renovation Fee shall be due and payable on or before May 1 of each calendar year. With respect to new connections, the Facilities Renovation Fee shall be prorated and shall be due and payable at the time of connection to the System.

Section 3. Use of Revenues. The revenues collected from the Facilities Renovation Fee shall be accounted for in the Enterprise in a Facilities Renovation Fund or Facilities Renovation Reserve, and such revenue shall be used to fund the renovation of the System as the Boards determine appropriate; provided, however, nothing herein contained shall preclude the Boards from using the Facilities Renovation Fee revenues for the purposes of defraying increasing costs of operating, maintaining and repairing the System.

Section 4. Duration of the Fee. The Facilities Renovation Fee, as heretofore imposed and established, shall remain in effect until such time as the Boards have determined that sufficient funds have been accumulated for the renovation of the System.

Section 5. Late Fee. Each Facilities Renovation Fee not paid by May 1 of the calendar year for which it is imposed, shall be considered delinquent and if such delinquency continues for five consecutive days, a \$15.00 late fee shall thereafter be imposed; provided, however, any Facilities Renovation Fee imposed on connections made after January 1 of any calendar year shall not be delinquent for a period of 60 days

after the date the Fee is imposed and shall not be assessed a late fee until the 65th day after the Facilities Renovation Fee is imposed.

Section 6. Reaffirmance of Rates, Fees, Tolls and Charges. Except for the Facilities Renovation Fee originally established by Resolution 06-11-1 adopted on or about November 29, 2006, which Facilities Renovation Fee is hereby cancelled and superseded in its entirety, all other rates, fees, tolls and charges of either the District or the Enterprise are hereby reaffirmed and shall remain in full force and effect until otherwise modified by appropriate resolution.

ADOPTED this 17th day of December, 2008 and executed on this 28th day of January, 2009.

NORTHWEST LAKEWOOD SANITATION
DISTRICT

By: Michael A. Curran
Michael A. Curran, President

Attest:

Catherine C. Kesler
Catherine C. Kesler, Secretary/Treasurer



Northwest Lakewood Sanitation District Monthly Report

December 2008

Plant Activities:

- Nov 9th** Darrin – Received a page for an emergency UNCC locate for a water main repair for Consolidated Mutual at 2298 Zinnia Way.
- Nov 10th** Completed locates, and entered UNCC data into database.
- Nov 11th** Completed locates, and entered UNCC data into database.
- Nov 12th** Completed locates, and entered UNCC data into database. Looked for the missing manhole in the Vivian Elementary field. It has now been found and uncovered.
- Nov 13th** Completed locates and entered UNCC data into database. Received a call from SDMS about raw sewage coming out of a manhole at Applejack Liquors. After a quick investigation, the problem was actually water coming from a meter pit. The property owner was advised to call Consolidated Water. Videoed in section 7, for a total of 2 lines and 513 feet. Posted the District's agenda at Gold's Grocery. Spoke to Chuck Mangier of Marina Carwash about his interceptor.
- Nov 14th** Completed locates, and entered UNCC data into database. Posted the District's agenda at Stober and Welchester Elementary.
- Nov 17th** Completed locates, and entered UNCC data into database. Videoed in sections 7, & 13 for a total of 12 lines and 1941 feet. Delivered inspection reduction letter to Gold's Grocery.
- Nov 18th** John – Responded at 4:15am to a page from Consolidated Mutual for an emergency locate at 26th Ave and Hoyt St. Consolidated Mutual was fixing a broken water main. Completed locates, and entered UNCC data into database. Jet in sections 5, 7, and 11, for a total of 7 lines and 1699 feet. Spoke with Chuck Mangier of Marina Car wash regarding his grease interceptor inspection results.
- Nov 19th** Completed locates, and entered UNCC data into database. Jet in sections 1, 2, 11, and 14 for a total of 14 lines and 3527 feet. Completed a tap inspection at 3282 Vivian. Visited King Soopers to see if any repairs had even been attempted

to their interceptor and found nothing had been done. Checked out the missing clean out on Quail Ct and 20th Ave.

- Nov 20th** Completed locates, and entered UNCC data into database.
- Nov 21st** Completed locates, and entered UNCC data into database. Jet in sections 3, 6, 7, and 17, for a total of 15 lines and 3482 feet.
- Nov 22nd** Completed locates, and entered UNCC data into database. Jet in sections 1, and 3, for a total of 12 lines and 3369 feet.
- Nov 24th** Completed locates, and entered UNCC data into database.
- Nov 25th** Completed locates, and entered UNCC data into database.
- Nov 26th** Completed locates, and entered UNCC data into database. Updated grease trap spreadsheets and files.
- Dec 1st** Completed locates, and entered UNCC data into database. Jet and root cut in section 20 for a total of 16 lines and 3238 feet. Called in the load count to Consolidated Mutual.
- Dec 2nd** Completed locates, and entered UNCC data into database. Jet and root cut in sections 5, 7, and 8, for a total of 14 lines and 2500 feet. Wrote a report for Martin and Martin concerning 2590 Parfet.
- Dec 3rd** Completed locates and entered UNCC data into database.
- Dec 4th** Completed locates, and entered UNCC data into database. Created a file of video logs for 2009 repairs.
- Dec 5th** Completed locates, and entered UNCC data into database. Added more information to the video file of repairs for 2009. John – Responded at 11:15pm to a UNCC emergency locate at 10885 Linda Vista Dr. for Excel Energy regarding a gas leak.
- Dec 8th** Completed locates and entered UNCC data into database. Dave Gillespie from Martin and Martin came to the plant to download information into the pipe program for updates and edits.
- Dec 9th** Completed locates, and entered UNCC data into database.

Collection System Televising			
<u>Date</u>	<u>Section(s)</u>	<u>No. of Lines</u>	<u>Total Footage</u>
11-13-08	7	2	513.4
11-17-08	7, 13	12	1940.8

Address	UNCC Time per Locate	Date
11435 W.28 th Pl	2	11/06/08
2615 Oak St	2	11/06/08
2615 Oak St	2	11/06/08
2615 Oak St	2	11/06/08
2615 Oak St	2	11/06/08
10885 Linda Vista Dr	2	11/07/08
12599 W.27 th Ave	2	11/07/08
13580 Wide Acres Rd	2	11/10/08
12684 Willow Ln	2	11/10/08
11085 Linda Vista Dr	2	11/10/08
10231 W.25 th Ave	2	11/10/08
3567 Urban St	2	11/10/08
11225 W.32 nd Ave	2	11/10/08
12 Morningside Dr	2	11/10/08
3050 Oak St	2	11/13/08
3121 Oak St	2	11/14/08
2112 Routt St	2	11/17/08
3282 Vivian St	2	11/18/08
3032 Oak St	2	11/18/08
10219 E.25 th Ave	2	11/18/08
2175 Tabor St	2	11/18/08
13190 W.16 th St	2	11/19/08
10540 W.23 rd Pl	2	11/24/08
2590 Parfet St	2	11/24/08
12995 W.15 th Dr	2	11/24/08
9890 W.26 th Ave	2	11/25/08
1526 Cole Blvd	2	11/25/08
2451 Kipling St	2	11/26/08
2112 Routt St	2	11/26/08
37 Hillside Dr	2	11/26/08
2615 Oak St	2	12/01/08
11745 W.20 th	2	12/01/08
10829 W.30 th St	2	12/01/08
2112 Routt St	2	12/02/08
3107 Owens St	2	12/03/08
11715 W.20 th St	2	12/04/08
W.22 nd & Urban	2	12/05/08
3240 Youngfield St	2	12/05/08
2902 Oak St	2	12/05/08
11690 W.22 nd Pl	2	12/05/08
Wide Acres Rd & Orchard Rd	3	11/11/08
W.10 th Ave & Youngfield St	3	11/11/08
Quail Ct & W.20 th Ave	3	11/14/08
W.20 th Ave & Urban Dr	3	11/17/08
24 Hillside Dr	3	11/17/08
2112 Routt St	3	11/17/08
13640 Braun Dr	3	11/18/08
W.22 nd Pl & Urban Dr	3	11/20/08
2115 Robb St	3	12/04/08

Footage Report

	Projected 2008		YTD Actual 2008		Current		% YTD
	Footage		Footage		Footage		
Cleaning & Hot Spots	173,490		124,817		13,743		71.94%
14" less							
15" more							
Root Cutting	85,810		83,245		4,071		97.01%
14" less							
15" more							
Televising	111,134		64,380		2,454		57.93%
Total Task # 4	370,434		272,442		20,268		74%