

# RECORD OF PROCEEDINGS

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MINUTES OF A RECONVENED 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 19, 2007

A reconvened 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 19th day of December, 2007, at 4:30 P.M., at the offices of the District, 141 Union Boulevard, Suite 150, Lakewood, Colorado 80226. The meeting was open to the public.

## ATTENDANCE

### Directors In Attendance Were:

Michael Curran, President  
Catherine "CiCi" Kesler  
Richard Billings  
Anthony M. Dursey

### Also In Attendance Were:

Lisa A. Johnson and George Turtle; Special District Management Services, Inc.

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

Bill Willis; Martin & Martin

Wayne Ramey; Ramey Environmental Compliance

## ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the September 26, 2007 regular meeting and the November 14, 2007 special meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Dursey and, upon vote, unanimously carried, the minutes of the September 26, 2007 regular meeting and the November 14, 2007 special meeting were approved.

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Appointment of Secretary: The Board discussed the need to fill the position of Secretary. Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board appointed Catherine "CiCi" Kesler as Secretary.

2008 Meeting Dates: Ms. Johnson reviewed the business to be conducted in 2008 to meet the statutory compliance requirements.

The Board determined to meet on the fourth Wednesday of each month at 4:30 p.m. at the offices of the District, 141 Union Boulevard, Suite 150, Lakewood, Colorado.

District Manager role: The Board directed Ms. Johnson to prepare a job description for the Manager position and present for discussion at the next meeting.

### FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims through the periods ending:

	Period ending October 24, 2007	Period ending November 14, 2007
General Fund	\$ 4,549.05	\$ 8,939.21
Enterprise Fund	\$ 237,445.86	\$ 272,736.58
Metro Wastewater Connection Fee	\$ 7,722.00	\$ -0-
Total Claims	\$ 249,716.91	\$ 281,675.79

Following discussion, upon motion duly made by Director Kesler, seconded by Director Dursey and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the periods ending October 24, 2007 and November 14, 2007.

The Board then considered the approval of the payment of claims through the period ending December 19, 2007, as follows:

General Fund	\$ 3,086.12
Enterprise Fund	<u>352,549.71</u>
Total	<u>\$355,635.83</u>

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

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upon vote, unanimously carried, the Board approved the payment of claims for the period ending December 19, 2007.

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, 2007 and the schedule of cash position as of December 11, 2007.

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, 2007.

Investments: Following discussion, upon motion duly made by Director Dursey, seconded by Director Kesler and, upon vote, unanimously carried, the Board instructed staff to work with Director Kesler on maturing certificates of deposit.

20 Audit: Mr. Turtle reviewed the proposals from Bondi & Co. LLC, \$6,600; Dawn Schilling, LLC, \$5,300; McMahan and Associates, L.L.C., \$8,900 and Simmons & Wheeler, P.C., \$5,500.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the engagement of Dawn Schilling, LLC to perform the 2007 Audit, for an amount not to exceed \$5,300, subject to review of the engagement letter by counsel.

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### LEGAL MATTERS

4101 Miller Street: Attorney Flynn reported that excavation continues. New soil samples were collected and results should be available after January 1<sup>st</sup>.

The Board directed Attorney Flynn to contact Jefferson County and speak with them about their interest in the purchase of the property.

Main extension from Robb Street to Routt Street: Attorney Flynn reported that all required easements have been recorded.

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The petitions for inclusion have been received from Polinsky, Cryan and Blessinger. The Board directed Attorney Flynn to publish for the inclusion hearings to be held at the January meeting.

Facilities Renovation Fee: Attorney Flynn presented Resolution No. 07-9-1 Adopting A Late Fee and Other Provisions Concerning Non-Payment of Sanitary Sewer Charges.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board ratified the adoption of Resolution No. 07-9-1 Adopting A Late Fee and Other Provisions Concerning Non-Payment of Sanitary Sewer Charges. A copy of the Resolution is attached hereto and incorporated herein by this reference.

The Board discussed the concerns of the public regarding the fee. Ms. Johnson was directed to provide a summary of the frequently asked questions to the Board and to draft another letter to customers regarding informing them of the annual sewer service fee and including a survey regarding options for generating revenue for facilities renovations.

Grease trap inspection fee: Following discussion, upon motion duly made by Director Kesler, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the imposition of a grease trap inspection fee in the amount of \$100 per inspection and authorized the transmittal of the information letter to the affected parties. The Board directed Attorney Flynn to draft a resolution amending the Rules and Regulations to incorporate a grease trap inspection fee.

### OPERATIONS MATTERS

Plant Manager's Report: Mr. Ramey presented the November and December 2007 monthly report and a report on contract operations for 2007. Copies of the reports are attached hereto and incorporated herein by this reference.

Engineer's report: 2007 Sewer System repairs. Mr. Willis reported that the project has been completed.

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The Board directed Martin/Martin to publish for final payment.

Denver Water/Moffat Water Treatment Plant. The Board reviewed the response from Denver Water. Mr. Ramey is to draft a response letter to Denver Water.

10<sup>th</sup> and Alkire easement issue: Discussion was deferred.

Morningstar project: Ms. Johnson updated the Board on the status of the project.

### OTHER BUSINESS

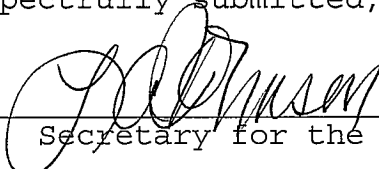
District website: The Board asked staff to obtain a proposal from Community Solutions, Inc. and two other vendors. Director Kesler provided contact information for TechSoft and Mr. Ramey will provide contact information on another website designer.

### ADJOURNMENT

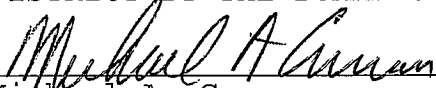
There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

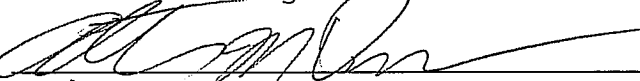
By

  
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL DECEMBER 19, 2007 MINUTES OF THE NORTHWEST LAKEWOOD SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Michael A. Curran

Richard Billings

  
Anthony Dursey

  
Catherine C. Kesler

**RESOLUTION NO. 07-9-1**

**NORTHWEST LAKEWOOD SANITATION DISTRICT**  
**JEFFERSON COUNTY, COLORADO**

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**A RESOLUTION ADOPTING A LATE FEE AND OTHER PROVISIONS  
CONCERNING NON-PAYMENT OF SANITARY SEWER CHARGES**

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**WHEREAS**, the Northwest Lakewood Sanitation District (“District”) has adopted Rules and Regulations concerning the operation of its sanitary sewer collection system, including provisions relating to the non-payment of sanitary sewer charges; and

**WHEREAS**, by Resolution 06-11-1 dated November 29, 2006, the District’s Board of Directors adopted a Facilities Renovation Fee of \$100 per single family equivalent to be imposed by the District at such time as its customer billing and information systems permitted; and

**WHEREAS**, neither the November Resolution, nor the District’s Rules and Regulations expressly provide for the imposition of a late fee with respect to delinquent sewer charges, including but not limited to the Facilities Renovation Fee (hereinafter collectively “Sewer Charge”); and

**WHEREAS**, the Board of Directors desires to amend the District’s Rules and Regulations to specifically provide for a late fee to be imposed with respect to any Sewer Charge, including any tap fee, or other charge, when the same is not paid when due and as a result has become delinquent.

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

**Section 1. Amendment of the District’s Rules and Regulations.** A new Section 10.9.1 is hereby added to the District’s Rules and Regulations to read as follows:

“**10.9.1 Delinquency Charge.** Unless otherwise specifically stated in these Rules and Regulations, any Sewer Charge imposed by the District shall be due upon receipt and deemed delinquent if not paid within sixty (60) days from the date of billing. Pursuant to Section 32-1-1006(1)(d), C.R.S., and Section 29-1-1101, *et seq.*, C.R.S., the District shall assess, with respect to any Sewer Charge that is delinquent, the following:

- (i) A delinquency charge in the amount of \$15.00; and

(ii) All delinquent accounts shall be charged 100% of the costs incurred by the District for collection, including but not limited to any County Treasurer fees, court costs, attorney fees, together with any and all other costs incurred by the District.

**10.9.2 Five Day Grace Period.** Notwithstanding any other provision contained in these Rules and Regulations to the contrary, no delinquency charge shall be assessed with respect to any Sewer Charge that is paid within five (5) days of the due date.”

**Section 2. Reaffirmance of Rules and Regulations.** Except as modified by this Resolution, all terms and provisions of the District’s Rules and Regulations concerning Sewer Charges and the non-payment thereof are hereby ratified and republished; provided, however, that in the event of a conflict between the terms and provisions of this Resolution and any existing Rule, Regulation or Resolution, this Resolution shall control.

**ADOPTED** on the 6th day of September 2007 and executed this 19th day of December, 2007.

NORTHWEST LAKEWOOD SANITATION  
DISTRICT

By: Michael A. Curran  
Michael A. Curran, Chairman

Attest:

Catherine C. Kesler  
Catherine C. Kesler, Assistant Secretary



## Northwest Lakewood Sanitation District Monthly Report

Nov / Dec 2007

### Plant Activities:

- Nov 8<sup>th</sup>** Completed locates and entered UNCC data into data base. Met Patrick, with Martin/Martin, regarding tap inspections.
- Nov 9<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed tap inspection at 3331 Routt St.  
Bert— Worked on reviews of video's done in 2007 for recommendations for 2008 repair, improvements, etc.
- Nov 10<sup>th</sup>** Darrin— Received a page for a possible sewer backup. Darrin responded to 2405 Lee St. and met with the homeowner Doris Valley. Doris explained she had her tap rooted one year earlier. Darrin checked both upstream and downstream manholes and it was determined that flow was normal. Darrin suggested Roto-Rooter come out to cut and televise her tap. When she turns on water in bathroom and in the kitchen, it drains into the crawl space, and then the sump pump comes on, and drains into the back yard.
- Nov 11<sup>th</sup>** Darrin— Received a page to respond to 12840 W.16<sup>th</sup> Dr. for a possible sewer back up. Darrin checked both upstream and downstream manholes for proper flow. The flow was at a normal rate. Darrin discussed the findings with the Homeowner's and it was agreed that the tap was due to be cleaned.
- Nov 12<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed one construction inspection at 20<sup>th</sup> and Rosewood for C&L Backhoe.  
Bert and Darrin-- Jet and root cut for a total of 2,020 feet. Entered jet and cut data into NWLSD pipe program.
- Nov 13<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed two tap inspections, one at 2405 Lee St. and the other at 11305 Benthaven Dr. Performed one construction inspection at Pearson St. and Quail St.  
Bert and Darrin-- Jet and root cut for a total of 2,050 feet. Entered jet and cut data into NWLSD pipe program.

- Nov 14<sup>th</sup>** Mark - Completed locates and entered UNCC data into data base. Located manholes at 2652 Taft Dr, at 22<sup>nd</sup> and Iris, and at Colfax and Youngfield. Inspected manholes at Arbutis and Willow Ln. and at W. 16<sup>th</sup> Dr. Bert and Darrin-- Root cut for a total of 3,042 feet. Entered cut data into NWLSD pipe program. Enter easement cleaning data into pipe program.
- Nov 15<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Bert and Darrin- jet and root cut for a total of 3,068 feet. Entered jet and cut data into NWLSD pipe program.
- Nov 16<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Completed six construction inspections:
1. 30<sup>th</sup> & Quail
  2. 24<sup>th</sup> & Tabor
  3. 12456 W.16<sup>th</sup> Dr
  4. 20<sup>th</sup> Ave & Rosewood
  5. 20<sup>th</sup> & Youngfield
  6. Willow & Alkire
- Nov 19<sup>th</sup>** Completed locates and entered UNCC data into data base. Performed one televised inspection for C&L Backhoe. Bert and Darrin- Jet and root cut for a total of 5,126 feet. Enter jet and cut data into NWLSD pipe program.
- Nov 20<sup>th</sup>** Bert and Darrin-- Root cut for a total of 1,799 feet. Enter cut data into NWLSD pipe program
- Nov 21<sup>st</sup>** Mark – Completed locates and entered UNCC data into data base. Bert—Worked on revising grease trap master list for quarterly and monthly inspections.
- Nov 24<sup>th</sup>** Darrin - Performed an emergency locate at 12905 W.20<sup>th</sup> Ave.
- Nov 26<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Received a call for a possible sewer backup at 1717 Quail. Checked both upstream and downstream manholes and found no problems with main line. Bert and Darrin-Televised for a total of 1,766 feet. Enter televised data into NWLSD pipe program
- Nov 27<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Bert and Darrin- Jetted for a total for 2,439 feet. Entered jet data into NWLSD pipe program.
- Nov 28<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed one construction inspection at Nelson and Newcombe.
- Nov 29<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed one construction inspection at W.16<sup>th</sup> Dr. Bert and Darrin-- Jet and root cut for a total of 3,407 feet. Entered jet and cut data into NWLSD pipe program.

**Nov 30<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Met with construction contractor at Martin and Martin regarding the Robb to Routt sewer line.

**Dec 1<sup>st</sup>** Mark – Received an emergency call about a possible sewer backup at 2581 Newcombe. Checked upstream and downstream manholes and found no problems with the main line. Received two emergency calls for Consolidated Water at 2650 Alkire and at 2600 Alkire.

**Dec 3<sup>rd</sup>** Mark – Completed locates and entered UNCC data into data base. Performed one tap inspection at 13670 Wide Acres.

**Dec 4<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed one construction inspection for Consolidated Water at 13670 Wide Acres. Performed five grease trap inspections.

- |    |               |        |
|----|---------------|--------|
| 1) | China Garden  | Passed |
| 2) | Papa Johns    | Passed |
| 3) | Jimmy's wings | Passed |
| 4) | Talfolinos 1  | Passed |
| 5) | Talfolinos 2  | Passed |

**Dec 5<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed five grease trap inspections

- |    |                 |        |
|----|-----------------|--------|
| 1) | Gold's Grocery  | Passed |
| 2) | Paramount Lanes | Passed |
| 3) | Senior Burritos | Passed |
| 4) | Food Concepts   | Passed |
| 5) | Pizza Hut       | Passed |

Bert and Darrin -Televised for a total of 2,009 feet. Entered televised data into NWLSD pipe program.

**Dec 6<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Performed one grease trap inspection at Smash Burger. Mark made an appointment to inspect again, on 12-14-07.

- |    |              |        |
|----|--------------|--------|
| 1) | Smash Burger | Failed |
|----|--------------|--------|

Bert and Darrin-- Jetted for a total of 1,299 feet. Entered jet data into NWLSD pipe program.

**Dec 7<sup>th</sup>** Mark – Completed locates and entered UNCC data into data base. Bert and Darrin—Retrieved the camera and tractor from M/H # B-20. Bert cleaned out cement slurry from the flow line invert.

## Collection System Televising

Date	Section(s)	No. of Lines	Total Footage
11-16-07	15	3	313.5
11-26-07	7,10	11	1766.6
12-4-07	20	13	1816.6
12-5-07	15,16	10	2009.3

Address	UNCC Time per Locate	Date
2465 Iris St	3	11-05-07
Applewood Center & Youngfield	3	11-07-07
2571 Hoyt St	2	11-07-07
2535 Routt St	2	11-07-07
12525 W. Colfax	2	11-07-07
2200 Willow Lane	2	11-07-07
13950 W.20 <sup>th</sup> Ave	3	11-07-07
I-70 & Highway 58	2	11-07-07
I-70 & Highway 58	3	11-07-07
Colfax & Colorado Mills	2	11-08-07
13950 W.20 <sup>th</sup> Ave	2	11-08-07
1815 Winfield Dr	2	11-08-07
1925 Taft Street	2	11-08-07
11380 W.27 <sup>th</sup> PI	2	11-08-07
3097 Owens Ct	2	11-09-07
13950 W.20 <sup>th</sup> Ave	2	11-09-07
15 Twilight Dr	2	11-09-07
I-70&32 <sup>nd</sup> Ave	2	11-12-07
I-70 & 32 <sup>nd</sup> Ave	2	11-12-07
38 Hillside Dr	2	11-12-07
2070 Miller St	2	11-12-07
1815 Winfield St	2	11-12-07
12432 16 <sup>th</sup> Dr	2	11-12-07
12431 16 <sup>th</sup> Dr	2	11-12-07
12422 16 <sup>th</sup> Dr.	2	11-12-07
12082 W.27 <sup>th</sup> Dr.	2	11-12-07
11944 Applewood Knoll Dr	2	11-12-07
3275 Quail St	2	11-12-07
11954 Applewood Knolls Dr	2	11-12-07
3275 Quail St	2	11-12-07
2401 Hoyt St	2	11-13-07
2405 Lee St	2	11-13-07
11380 W.27 <sup>th</sup> PI	2	11-13-07
1716 View Point St	2	11-13-07
W.32 <sup>nd</sup> & Youngfield St	2	11-14-07
2400 Miller St	2	11-15-07
13950 W.20 <sup>th</sup> Ave	1	11-15-07

2 Youngfield St	2	11-15-07
12422 W.16 <sup>th</sup> Dr	3	11-15-07
3361 Routt St	2	11-20-07
W.32 <sup>nd</sup> Ave & Youngfield Service Rd	3	11-20-07
3650 Tabor Ct	2	11-20-07
1865 Tabor St	2	11-20-07
W.32 <sup>nd</sup> Ave & Youngfield Service Rd	3	11-20-07
W. Colfax & Normandy Rd	3	11-21-07
3115 Xenon St	2	11-26-07
2931 Oak St	2	11-26-07
13950 W.20 <sup>th</sup> St	2	11-27-07
9745 W.23 <sup>rd</sup> Ave	2	11-27-07
12345 W.18 <sup>th</sup> Dr	2	11-27-07
2545 Routt St	2	11-27-07
Eldridge St & Coors Dr.	2	11-27-07
Linda Vista Dr & Nelson Ct	2	11-27-07
W.32 <sup>nd</sup> Ave & Youngfield Service Rd	2	11-27-07
2535 Creighton Dr	2	11-27-07
2519 Ward Dr	2	11-28-07
13670 Wide Acres Rd	2	11-28-07
10 Morningside Dr	2	11-29-07
W.20 <sup>th</sup> Ave & Denver West Pkwy	2	11-29-07
Denver West Pkwy & W.20 <sup>th</sup> Ave	2	11-29-07
Denver West Pkwy & W.20 <sup>th</sup> Ave	2	11-29-07
13095 W.15 <sup>th</sup> Dr	2	11-29-07
W.27 <sup>th</sup> Ave & Youngfield	3	11-29-07
W.23 <sup>rd</sup> Ave & Linda Vista Dr	2	11-29-07
I-70 & W.32 <sup>nd</sup> Ave	2	11-29-07
W.32 <sup>ND</sup> Ave & I-70	3	11-29-07
I-70 & Highway 58	2	11-29-07
1930 Owens Ct	2	11-30-07
Applewood Center Dr & Youngfield	2	11-30-07
2931 Oak St	2	12-03-07
2650 Van Gordon Dr	2	12-04-07
Newcombe Dr & W.20 <sup>th</sup> Ave	2	12-04-07
13670 Wide Acres Rd	2	12-04-07
N.31 <sup>st</sup> Ave & Youngfield St	3	12-04-07
3067 W.Robb Cir	2	12-05-07
13680 Wide Acres Rd	2	12-06-07

NWLSD  
Jan - Dec  
YTD 2007

Contract Operations		Actual YTD 07	2007 Budget	% YTD
<b>Operator Services</b>	<b>YTD Qty</b>			
<b>Task #1</b>				
<b>Daily Operations</b>				
Customer Compliants	97	\$ 6,305.00		
Inspections	131	\$ 9,825.00		
<b>Sub Total</b>		<b>\$ 16,130.00</b>	<b>\$ 53,000.00</b>	<b>30.43%</b>
<b>Locates</b>				
Level 1	272	\$ 4,420.00		
Level 2	680	\$ 22,100.00		
Level 3	85	\$ 5,525.00		
Level 4	3	\$ 195.00		
<b>Locates Sub Total</b>		<b>\$ 32,240.00</b>	<b>\$ 33,000.00</b>	<b>97.70%</b>
<b>Grease Trap Sub Total</b>	<b>182</b>	<b>\$ 13,575.00</b>	<b>\$ 13,000.00</b>	<b>104.42%</b>
<b>Total Task #1</b>		<b>\$ 61,945.00</b>	<b>\$ 99,000.00</b>	<b>62.57%</b>
<b>Task #2</b>				
<b>Collection System Oversight</b>				
Managerial Oversight	12	\$ 54,000.00		
<b>Total Task # 2</b>		<b>\$ 54,000.00</b>	<b>\$ 54,000.00</b>	<b>100.00%</b>
<b>Task #3</b>				
<b>Emergency Services</b>				
On call	12	\$ 4,200.00		
Emergency	49	\$ 26,400.00		
<b>Total Task # 3</b>	<b>61</b>	<b>\$ 30,600.00</b>	<b>\$ 15,000.00</b>	<b>204.00%</b>
<b>Task #4</b>				
<b>Maintenance</b>				
Cleaning & Hot Spots	112,386	\$ 47,568.84	\$ 69,490.00	68.45%
14" less				
15" more				
Rooting	79,368	\$ 43,652.40	\$ 48,912.00	89.25%
14" less				
15" more				
Televising	107,436	\$ 51,568.80	\$ 55,567.00	92.80%
<b>Total Task # 4</b>	<b>299,190</b>	<b>\$ 142,790.04</b>	<b>\$ 173,969.00</b>	<b>82.08%</b>
<b>Additional Expenses for 2007</b>		<b>\$ 2,201.12</b>		
<b>Total Operations Services</b>		<b>\$ 291,536.16</b>	<b>\$ 341,969.00</b>	<b>85.25%</b>

Due to the cut off date for Dec 2007 there will be footage for Jetting, Rooting and Televising that will be completed in 2007 but not invoiced until Jan 2008.

This is estimated to be \$ 12,400.00

Jetting est 6,500 ft

Root est 12,000

Televising est 6,000 ft.