

## RECORD OF PROCEEDINGS

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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  
SEPTEMBER 6, 2007

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 Thursday, the 6th day of September, 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  
Richard Billings  
Anthony M. Dursey

Upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the absence of Catherine "Cici" Kesler was excused.

Also In Attendance Were:

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

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

Bill Willis; Martin & Martin

Jeff Rabas; Ramey Environmental Compliance

Julio Zamagni; former Board member

### ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the July 25, 2007 regular meeting. Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the minutes of the July 25, 2007 regular meeting were approved.

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SDA Annual Business Meeting: Following discussion, upon motion duly made by Director Billings, seconded by Director Dursey and, upon vote, unanimously carried, the Board approved appointing the SDA Board proxy for the District.

### FINANCIAL MATTERS

Claims: The Board considered ratifying the approval of the payment of claims through the period ending August 22, 2007, as follows:

General Fund	\$ 5,655.55
Enterprise Fund	<u>365,938.96</u>
Total	<u>\$371,594.51</u>

Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims for the period ending August 22, 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 July 31, 2007 and the schedule of cash position as of September 6, 2007.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending July 31, 2007.

Investments: The Board instructed staff to work with Director Kesler to reinvest the Certificates of Deposit that will mature before the September 26<sup>th</sup> meeting.

2007 Audit: The Board directed staff to solicit proposals for preparation of the 2007 Audit.

2008 Budget: The Board discussed the 2008 budget. Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board appointed the District Manager, Mr. Willis and Mr. Ramey to the budget committee to prepare the 2008 budget.

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Connection fees: Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board approved increasing the tap fees to \$2,150 for the District and collecting \$2,150 for Metro Wastewater, effective January 1, 2008.

Annual Charges from Metro Wastewater Reclamation District: The Board reviewed the correspondence from Metro Wastewater Reclamation District regarding the estimate of 2008, revised estimate of 2007 and final adjustment of 2006 Annual Charges for Service. No action was taken.

### LEGAL MATTERS

Attorney's report: Facilities Renovation Fee. Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board approved imposing a \$15 late charge. A copy of the Resolution is attached hereto and incorporated herein by this reference.

4101 Miller Street: Attorney Flynn reported that excavation of the contaminated soil began today and should be completed within three days.

Main extension from Robb Street to Routt Street: Attorney Flynn distributed drafts of an Application and Agreement for Extension of Sewer Main and an Easement Deed. The Application requires that the improvements have a two-year warranty.

Following discussion, upon motion duly made by Director Billings, seconded by Director Dursey and, upon vote, unanimously carried, the Board approved the Application and Agreement for Extension of Sewer Main between the District and certain residents.

Attorney Flynn reported that the Easement Deed with the Webster's is still a work in progress.

Morningstar Project: The developer has concerns with the indemnification provision in the Application and Agreement for Extension of Sewer Main. The developer has asked that the scope be narrowed.

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Following discussion, upon motion duly made by Director Billings, seconded by Director Dursey and, upon vote, unanimously carried, the Board determined to transmit the Application as drafted, with no changes.

### OPERATIONS MATTERS

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

Engineer's report: 2007 Sewer System repairs. Mr. Willis asked the Board to consider approving payment in the amount of \$3,200 to the City of Lakewood for asphalt repairs associated with the project.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board approved payment of \$3,200 to the City of Lakewood for the District's share of asphalt repairs.

Revised letter to Denver Water. Mr. Willis presented a revised letter. The Board directed Mr. Willis to transmit the letter.

Main extension from Robb Street to Routt Street. No additional information was presented by the engineer.

16<sup>th</sup> Drive Water Infiltration Remedy. Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board ratified the approval of the proposal by Fisher Company Inc. for the water infiltration remedy for an amount not to exceed \$5,694.00.

Carbon filter for 2882 Xenon Street: Mr. Willis explained that the resident at 2882 Xenon Street is experiencing strong odor from the sewer system. He commends installing a carbon filter to mitigate the issue.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Billings and, upon vote, unanimously carried, the Board approved the

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purchase of a carbon filter for an amount not to exceed \$300.

### 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,

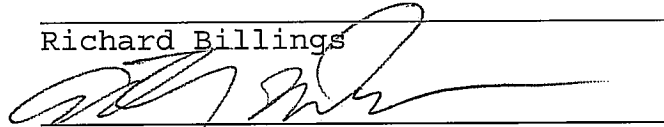
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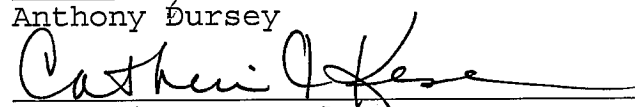
  
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL SEPTEMBER 6, 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



## Northwest Lakewood Sanitation District Monthly Report

July 2007

### Plant Activities:

- July 16<sup>th</sup>** **Bert, Darrin & Mark** - Televised lines in section 4 & 7 for a total of 2,200 feet. Entered televised data into NWLSD pipe program. Processed locates. Entered UNCC locate data into database. Mark – Conducted grease trap inspection on three businesses:
- |                |      |
|----------------|------|
| Conoco         | Pass |
| Glenn's Garage | Fail |
| Lube and Latte | Pass |
- C&L Backhoe demonstrated a tap repair system on Yank Street for: the District Personnel, Martin & Martin, REC and other districts were on site to observe, as well.
- July 17<sup>th</sup>** **Bert & Darrin** – Televised section 7 for a total of 3,525 feet. Entered televised data in NWLSD pipe program. Processed locates, entered UNCC locate data into database.
- July 18<sup>th</sup>** **Bert , Darrin & Mark**– Bert received a phone call from Greg Landmark, property owner at 1710 Viewpoint, asking questions about hooking into the NWLSD system. Bert answered all of Greg's questions and concerns and referred him to Britton Evans at Martin & Martin. Mark & Bert attended the pre-construction meeting at M&M for repairs being done by C&L Backhoe for the year 2007. Mark met with the homeowner of 3263 Taft Ct. concerning a shed built over a sewer main in the easement.
- July 19<sup>th</sup>** **Bert & Darrin** – Televised section 4 for a total of 330 feet. Jetted lines in sections 2, 4, & 12 for a total of 2,350 feet. Entered jet data into the NWLSD pipe program. Processed locates and entered UNCC data into the database. Entered Televising data into the NWLSD pipe program.
- July 20<sup>th</sup>** **Bert, Darrin & Mark** – Televised lines in section 1, 2 & 4 for a total of 1,903 feet. Entered televised data into the NWLSD pipe program. Processed locates, entered UNCC data into database. Mark conducted grease trap inspections on three businesses:
- |                |        |      |
|----------------|--------|------|
| Glenn's Garage | retest | Pass |
| Old Chicago    |        | Fail |
| Taco Bell      |        | Fail |

- July 23<sup>rd</sup>** Bert, Darrin & Mark – Televised lines in sections 7 & 8 for a total of 2,589 feet. Entered televised data into the NWLSD pipe program. Processed locates and entered UNCC data into the database. Mark inspected sewer lateral repair at 11181 West 27<sup>th</sup> Place.
- July 24<sup>th</sup>** Bert, Darrin & Mark - Televised lines in sections 3, 7 & 10 for a total of 3,237 feet. Entered televised data into the NWLSD pipe program. Processed the locates and entered UNCC data into the database. Entered jetting data into the NWLSD pipe program. Mark re-inspected the grease traps on the two businesses that failed a few days prior:  
Taco Bell Pass  
Old Chicago Pass
- July 25<sup>th</sup>** Bert & Darrin – televised lines in sections 10 & 13 for a total of 4,068 feet. Entered the televised data into the NWLSD pipe program. Processed locates and entered the UNCC data into the database. Received a call from a homeowner, at 1460 Normandy Rd., asking for the depth of the main line because the homeowner may be putting in a basement with his home remodel.
- July 26<sup>th</sup>** Bert & Darrin – Processed locates and entered UNCC data into the database. Worked on NWLSD pipe program for easement list conversion for maintenance due in 2007.
- July 27<sup>th</sup>** Bert & Darrin – Jetted sections 1, 9 & 13 for a total of 2,870 feet. Entered televised data into the NWLSD pipe program. Processed locates and entered UNCC data into the database.
- July 30<sup>th</sup>** Darrin & Mark – Televised lines in section 13 for a total of 850 feet. Entered televised data into the NWLSD pipe program. Processed locates and entered UNCC data into the database.
- July 31<sup>st</sup>** Bert & Darrin - Processed locates and entered UNCC data into the database. Called Consolidate Mutual to give them the load count of 26 loads for the month of July. Bert finished the easement list of maintenance due in 2007 to go out for bids.
- August 1<sup>st</sup>** Bert & Darrin - Televised lines in section 13 for a total of 3,380 feet. Entered televised data into the NWLSD pipe program. Processed locates and entered UNCC data into the database.
- August 2<sup>nd</sup>** Bert & Darrin – Jetted sections 1, 13 & 17 for a total 3,129 feet. Processed locates and entered UNCC data into the database. Entered jetting data into NWLSD pipe program.
- August 3<sup>rd</sup>** Bert, Darrin & Mark – Televised lines in section 1 & 13 for a total of 2,955 feet. Entered televised data into the NWLSD pipe program. Process locates and entered UNCC data into the database. Received a call from the homeowner at 1680 Winfield Circle asking about a manhole in her front yard. After checking the manhole, the operators confirmed it was from an abandoned line that was replaced years ago. Mark inspected a lateral line repair at 3019 Robb Circle.
- August 6<sup>th</sup>** Bert, Darrin & Mark - Televised lines in sections 13 & 17 for a total of 4,002 feet. Entered televised data into the NWLSD pipe program. Processed locates and entered UNCC data into database. Mark was overseeing the line replacement,

on Oak Street, that C&L Backhoe was conducting. Received a call from the homeowner at 1610 Winfield Drive asking for a map of the laterals from the house to the main line. The operators delivered copies to the homeowner.

**August 7<sup>th</sup> Bert, Darrin & Mark** – Televised lines in sections 13 & 17 for a total of 3,120 feet. Entered televised data into the NWLSD pipe program. Processed locates and entered UNCC data into the database. Received a message on the answer machine for a closing on the property at 2095 Miller Street. Responded to the message and referred them to Special Districts Management. Mark was overseeing the main replacement by C&L Backhoe on Oak Street.

**August 8<sup>th</sup> Bert, Darrin & Mark** – Televised lines in section 17 for a total of 3,172 feet. Entered the televised data into the NWLSD pipe program. Processed locates and entered the UNCC data into the database. Received a call from Kendra, at SDM, about a lateral repair at 2555 Parfet for Thursday August 9<sup>th</sup>. Called the contractor, Pipeline Industries, to schedule an inspection. Mark was still overseeing the main replacement by C&L Backhoe on Oak Street.

**August 9<sup>th</sup> Bert, Darrin & Mark** – Televised lines in sections 11 & 16 for a total of 4,550 feet. Entered the televised data into the NWLSD pipe program. Processed locates and entered UNCC data into the database. Mark conducted 300 feet of inspections for C&L Backhoe's main replacement on Oak Street.

**August 10<sup>th</sup> Bert, Darrin & Mark** – Televised lines in section 18 for a total of 1,511 feet. Entered televising data into the NWLSD pipe program. Processed locates and entered UNCC data into the database. Mark continued inspections at Oak Street. Received a call from Britton, M&M, asking for copies of taps and paint taps on street for 3 addresses on Youngfield.

Collection System Televising			
Date	Section(s)	No. of Lines	Total Footage
7/16/07	4, 7	11	2,200 feet
7/17/07	7	13	3,525 feet
7/19/07	4	2	330 feet
7/20/07	1, 2, 4	7	1,903 feet
7/23/07	7, 8	12	2,589 feet
7/24/07	3, 7, 10	15	3,237 feet
7/25/07	10, 13	20	4,068 feet
7/30/07	13	3	850 feet
8/1/07	13	19	3,880 feet
8/3/07	1, 13	12	2,955 feet
8/6/07	13, 17	14	4,002 feet
8/7/07	13, 17	15	3,120 feet
8/8/07	17	17	3,172 feet
8/9/07	11, 16	22	4,550 feet
8/10/07	18	8	1,511 feet

**Locates (July 16<sup>th</sup> to August 10<sup>th</sup> 2007)**

Locate Address	UNCC Time per Locate	Date
13997 W. 22 <sup>nd</sup> Ave	Level two (2)	7/16/07
2567 Taft Ct.	Level two (2)	7/17/07

3062 Nelson Dr.	Level two (2)	7/18/07
2750 Youngfield St.	Level three (3)	7/18/07
1530 Arbutus Ct.	Level two (2)	7/18/07
3270 Alkire Ct.	Level two (2)	7/18/07
W. 23 <sup>rd</sup> @ Lee St.	Level two (2)	7/19/07
3162 Wright Ct.	Level two (2)	7/19/07
2263 Yellowstone St.	Level two (2)	7/19/07
1915 Zinnia St.	Level two (2)	7/19/07
11620 W. 29 <sup>th</sup> Pl.	Level two (2)	7/20/07
11181 W. 27 <sup>th</sup> Pl.	Level two (2)	7/20/07
13896 W. 22 <sup>nd</sup> Ave.	Level two (2)	7/20/07
13950 W. 20 <sup>th</sup> Ave.	Level two (2)	7/20/07
10927 W. 31 <sup>st</sup> Ave.	Level two (2)	7/23/07
9665 W. 23 <sup>rd</sup> Ave.	Level two (2)	7/23/07
2110 Quail Dr.	Level two (2)	7/23/07
12890 W. 15 <sup>th</sup> Dr.	Level two (2)	7/23/07
2592 Braun Ct.	Level two (2)	7/23/07
3078 Robb Circle	Level three (3)	7/24/07
W. 32 <sup>nd</sup> @ Morningside Dr.	Level two (2)	7/24/07
11236 W. 26 <sup>th</sup> Pl.	Level two (2)	7/24/07
2445 Creighton Dr.	Level two (2)	7/24/07
W. 32 <sup>nd</sup> @ Hillside Dr.	Level two (2)	7/25/07
12245 W. 29 <sup>th</sup> Pl.	Level two (2)	7/25/07
1060 Zang St.	Level two (2)	7/25/07
3000 Youngfield St.	Level two (2)	7/25/07
7 Circle Dr.	Level two (2)	7/25/07
W. 26 <sup>th</sup> @ Skyline Dr.	Level two (2)	7/25/07
34 Skyline Dr.	Level two (2)	7/25/07
12410 W. 16 <sup>th</sup> Pl	Level two (2)	7/26/07
11890 W. Carmel Dr.	Level two (2)	7/26/07
12273 W. 31 <sup>st</sup> Pl.	Level two (2)	7/26/07
12245 W. 29 <sup>th</sup> Pl.	Level one (1)	7/26/07
2560 Urban St.	Level two (2)	7/27/07
12245 W. 29 <sup>th</sup> Pl.	Level two (2)	7/27/07
11003 W. 27 <sup>th</sup> Ave.	Level two (2)	7/27/07
1575 Wright Ct.	Level two (2)	7/30/07
2500 Van Gordon St.	Level two (2)	7/30/07
11800 W. 26 <sup>th</sup> Ave.	Level two (2)	7/30/07
3032 Oak St.	Level two (2)	7/30/07
11735 W. 30 <sup>th</sup> Pl.	Level two (2)	8/1/07
3261 Vivian Dr.	Level two (2)	8/1/07
2064 Creighton Dr.	Level two (2)	8/1/07
1915 Zinnia St.	Level two (2)	8/1/07
W. 32 <sup>nd</sup> @ Miller St.	Level two (2)	8/1/07
1627 Cole Blvd.	Level three (3)	8/1/07
W. 31 <sup>st</sup> Pl. @ Oak St.	Level three(3)	8/2/07
W. 23 <sup>rd</sup> @ Hoyt St.	Level three (3)	8/2/07
13330 W. 20 <sup>th</sup> Ave	Level two (2)	8/2/07
11003 W. 27 <sup>th</sup> Ave.	Level two (2)	8/2/07
2005 Urban Dr.	Level two (2)	8/2/07
1980 Willow Ln.	Level two (2)	8/2/07
2041 Braun Dr.	Level two (2)	8/2/07
13413 W. 21 <sup>st</sup> Ave.	Level two (2)	8/3/07
W. 26 <sup>th</sup> @ Kipling St.	Level three (3)	8/3/07
3117 Owens Ct.	Level two (2)	8/3/07
11289 W. 27 <sup>th</sup> Ave.	Level two (2)	8/3/07
State 58 @ I-70 @ 32 <sup>nd</sup>	Level two (2)	8/3/07

1865 Tabor St.	Level two (2)	8/3/07
11003 W. 27 <sup>th</sup> Ave.	Level two (2)	8/3/07
2035 Union Dr.	Level two (2)	8/3/07
13906 W. 22 <sup>nd</sup> Ave	Level two (2)	8/6/07
13907 W. 22 <sup>nd</sup> Ave	Level two (2)	8/6/07
Union @ Mtn Shadows Dr.	Level two (2)	8/6/07
11003 W. 27 <sup>th</sup> Ave	Level one (1)	8/7/07
2800 Youngfield St.	Level three (3)	8/7/07
12858 W. 26 <sup>th</sup> Ave.	Level two (2)	8/7/07
2180 Braun Dr.	Level two (2)	8/7/07
2455 Iris St.	Level two (2)	8/7/07
3040 Oak St.	Level two (2)	8/8/07
12000 W. 29 <sup>th</sup> Pl.	Level two (2)	8/8/07
2615 Oak St.	Level two (2)	8/8/07
2440 Urban St.	Level two (2)	8/8/07
11595 W. 32 <sup>nd</sup> Ave.	Level two (2)	8/8/07
10991 W. 30 <sup>th</sup> Pl.	Level two (2)	8/8/07
2455 Iris St.	Level two (2)	8/9/07
W. 27 <sup>th</sup> Pl. @ Simms St.	Level two (2)	8/9/07
13950 W. 20 <sup>th</sup> Ave	Level three (3)	8/9/07
3130 Youngfield St.	Level two (2)	8/9/07
3 Rangeview Cr.	Level three (3)	8/9/07
W. 22 <sup>nd</sup> Pl. @ Iris St.	Level two (2)	8/9/07
2960 Simms St.	Level two (2)	8/9/07
2555 Parfet St.	Level one (1)	8/9/07
13047 W. 20 <sup>th</sup> Ave	Level two (2)	8/10/07
2955 Simms St.	Level two (2)	8/10/07
3318 Swadley St.	Level two (2)	8/10/07
11181 W. 27 <sup>th</sup> Pl.	Level two (2)	8/10/07
2552 Taft Ct.	Level two (2)	8/10/07
W. 23 <sup>rd</sup> @ Kipling St.	Level two (2)	8/10/07
W. 20 <sup>th</sup> @ Owens Ct.	Level two (2)	8/10/07
3130 Youngfield St.	Level two (2)	8/10/07
2800 Youngfield St.	Level three (3)	8/10/07
W. 18 <sup>th</sup> Ave. @ Union St.	Level two (2)	8/10/07

**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