

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
APRIL 27, 2011**

A 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 27th day of April, 2011, at 4:00 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:

Anthony M. Dursey, President
Catherine "CiCi" Kesler
James D. "Jim" Zimmerman
Gregory A. "Greg" Fabisiak
Robert J. "Bob" Burm

Also In Attendance Were:

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

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

Jeff Rabas; Ramey Environmental Compliance

Will Raatz; Martin/Martin Consulting Engineers

ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the March 23, 2011 regular meeting.

Following discussion, upon motion duly made by Director Fabisiak, seconded by Director Kesler and, upon vote, unanimously carried, the minutes of the February 23, 2011 regular meeting were approved.

FINANCIAL MATTERS

Claims: The Board considered approval of the payment of claims through the period ending April 27, 2011, as follows:

RECORD OF PROCEEDINGS

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|-----------------|---------------------|
| General Fund | \$ 11,273.34 |
| Enterprise Fund | <u>76,797.89</u> |
| Total | \$ <u>88,071.23</u> |

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending April 27, 2011.

Financial Statements: Mr. Turtle reviewed with the Board the unaudited financial statements of the District setting forth the cash deposits, investments, and budget analysis, and accounts payable vouchers for the period ending March 31, 2011 and the schedule of cash position as of April 26, 2011.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending March 31, 2011 and the schedule of cash position as of April 27, 2011.

Investments: The Board reviewed the status of investments. There was no action taken by the Board.

Facilities Renovation Fees: The Board discussed the 2011 facilities renovation fee and current delinquent accounts. The Board directed staff not to waive the late fees on the 2011 facilities renovation fee delinquent accounts.

LEGAL MATTERS

31st Avenue Easements: Attorney Flynn presented to the Board the easement from Robert and Joella Carron at 12132 West 32nd Avenue.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board accepted the easement from Robert and Joella Carron at 12132 West 32nd Avenue. Attorney Flynn reported that he continues to meet with the other property owners from which easements are needed to secure executed easements.

4101 Miller Street Property:

Revised proposal from ERM: Attorney Flynn presented to the Board a revised proposal from ERM to include testing and analysis of the Waste Water Treatment Plant building site. The proposal includes soil remediation for the affected area at a cost of \$145,866. Attorney Flynn reported that he spoke with ERM and ERM suggested an alternate action which is to conduct a comprehensive sampling of the affected area to determine exactly the amount of soil remediation necessary to clean the site to a residential

RECORD OF PROCEEDINGS

standard. Attorney Flynn noted that ERM estimated the cost of the comprehensive sampling to be \$20,000.

Following discussion, upon motion duly made by Director Fabisiak, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board directed staff to request a formal proposal from ERM to provide the comprehensive sampling of the affected area.

Additional Insurance Coverage: Attorney Flynn presented to the Board information received from T. Charles Wilson Insurance Services, Inc. to provide insurance agency services.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler and, upon vote, unanimously carried, the Board authorized execution of the Agency Services Agreement with T. Charles Wilson Insurance Services, Inc.

Public Entity Liability Coverage - Liability Endorsement: The Board discussed the Sanitation Maintenance Warranty Deductible Endorsement.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak and, upon vote, unanimously carried, the Board approved the Sanitation Maintenance Warranty Deductible Endorsement.

November 1, 2011 TABOR Election: The Board discussed the November 1, 2011 TABOR Election. Following discussion, the Board determined not to conduct an election in November 2011.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Raatz^{Rabas} presented the March, 2011 monthly report. A copy of the report is attached hereto and incorporated herein by this reference.

Engineer's report:

Insituform Repairs: Mr. Raatz reported that the insituform repairs have been completed.

Mr. Raatz requested that the Board consider approval of a pay request from T. Lowell Construction, Inc., for \$65,500.

Following discussion, upon motion duly made by Director Kelser, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved the pay request from T. Lowell Construction, Inc. for \$65,500.

RECORD OF PROCEEDINGS

Mr. Raatz then requested that the Board consider approval of a Change Order from T. Lowell Construction, Inc., for \$28,200. Following discussion, the Board determined to defer discussion to the May meeting.

Kipling Street Project-Phase B: Mr. Raatz reported that the easements between 27th and 28th are no longer needed.

Award of Contract: Mr. Raatz distributed a bid summary and reported to the Board regarding the bids received for the 2011 Kipling Street Sanitary Sewer Improvements Phase B. He recommended that the Board consider the award of contract to Brannan Construction.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak and, upon vote, unanimously carried, the Board awarded the contract for the for the 2011 Kipling Street Sanitary Sewer Improvements to Brannan Construction for an amount not to exceed \$1,044,500, subject to verification of expansion plans of the Moffat Treatment Plant.

2011 Sewer Improvement Project: Mr. Raatz reported that design is in process.

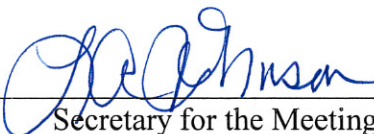
Service Line Repairs on Braun Drive: Mr. Raatz reported to the Board that the Pleasant View Water & Sanitation District has asked that the Northwest Lakewood Sanitation District split the cost of the tap repair at 2200 Braun Drive, for a total project cost of \$5,800. Mr. Raatz recommended to the Board that they add the repair to the District's 2011 Sewer Improvements Project and he estimated the cost to be between \$2,500 and \$3,500.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak and, upon vote, unanimously carried, the Board approved the repair of the service line tap at 2200 Braun Drive and to include the work in the 2011 Sewer Improvements Project, subject to Pleasant View Water & Sanitation District's approval of the timeline to repair and the shared cost.

ADJOURNMENT


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

Respectfully submitted,


By 
Secretary for the Meeting

RECORD OF PROCEEDINGS


THESE MINUTES APPROVED AS THE OFFICIAL APRIL 27, 2011 MINUTES OF THE NORTHWEST LAKEWOOD SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



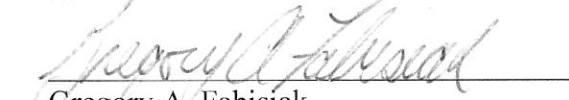
Anthony M. Dursey



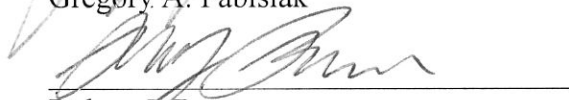
Catherine C. Kesler



James D. "Jim" Zimmerman



Gregory A. Fabisiak



Robert J. Burn