

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
SEPTEMBER 22, 2009

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 Tuesday, the 22nd day of September, 2009, 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; Special District Management Services, Inc.

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

Wayne Ramey; Ramey Environmental Compliance

Will Raatz; Martin/Martin Consulting Engineers

ADMINISTRATIVE MATTERS

Minutes: The Board reviewed the minutes of the August 26, 2009 regular meeting.

Following discussion, upon motion duly made by Director Zimmerman, seconded by Director Burm and, upon vote, unanimously carried, the minutes of the August 26, 2009 regular meeting were approved, as amended.

District Website: Director Burm reported that he is working with Andrew on revisions to the website. Director Burm will send his suggested revisions to the Board for review and comment.

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FINANCIAL MATTERS

Claims: The Board considered approval of the payment of claims through the period ending September 22, 2009, as follows:

General Fund	\$ 5,143.46
Enterprise Fund	<u>17,556.20</u>
Total	\$ <u>22,909.61</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 September 22, 2009.

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, 2009 and the schedule of cash position as of August 31, 2009.

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 August 31, 2009.

Investments: The Board directed staff to work on maturing certificates of deposit with Director Kesler and authorized the reinvestment of those Certificates of Deposits at the best available rates for maturities that do not exceed 12 months.

2010 Budget: Ms. Johnson reported that staff will have a draft budget for discussion at the October meeting.

LEGAL MATTERS

Denver Water/Moffat Water Treatment Plant issues:
EXECUTIVE SESSION: Attorney Flynn reported that he has started a letter to Denver Water and he will have it completed soon.

Senate Bill 09-087: Ms. Johnson discussed with the Board Senate Bill 09-087 reporting requirements, mode of eligible elector notification and the possible creation of an electronic boundary map. The Board authorized staff to post the District's information on the District website. The Board determined to wait on the creation of an

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electronic boundary map until it was determined what type to send to Jefferson County. Attorney Flynn will confirm with Jefferson County the type of boundary map required.

Attorney's report: Municipal Exclusion of City of Lakewood Properties. Attorney Flynn reported that he is working with the City of Lakewood on the exclusion of these properties.

Webster V. Polinsky, et al. including the District. Attorney Flynn explained the complaint received. He has tendered the complaint to the Special District Property and Liability Pool for representation. A resolution is pending.

4101 Miller Street: VCUP application. Attorney Flynn presented and reviewed a revised proposal from Environmental Resources Management "ERM". The Board directed staff to determine if the District needs to re-apply for a permit due to the remediation not being completed within 24 months. The Board will consider the revised proposal at the October meeting. The Board directed Martin/Martin to provide a cost estimate to bring the property out of the floodplain designation.

Sewer Service Agreement: Attorney Flynn reported to the Board that he is continuing to work with College Park Water and Sanitation District ("CPWSD") to draft a new agreement based on previous discussions.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Ramey presented the August/September 2009 monthly reports. Copies of the reports are attached hereto and incorporated herein by this reference.

Mr. Ramey presented bids from six vendors for project signs for Board review. The Board directed Mr. Ramey to purchase two signs from Grainer.

Engineer's report: 2009 Improvements. Mr. Raatz presented Pay Application #2, in the amount of \$120,166.57. Following discussion, upon motion duly made by Director Kesler, seconded by Director Fabisiak and, upon vote, unanimously carried, the Board approved Pay Application #2, in the amount of \$120,166.57.

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Vivian Street Easements-Sanitary Sewer Replacements. Mr. Raatz reported that Martin/Martin is waiting for one additional homeowner to consent to an easement and then the project can move forward.


Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the Board approved the additional rehabilitation on Winfield Street.

Commercial and Facilities Renovation Fee billing for 2010: Mr. Raatz presented two options for the commercial and facilities renovation fee billing for 2010. The Board determined to discuss the issue further at the October meeting.

ADJOURNMENT


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

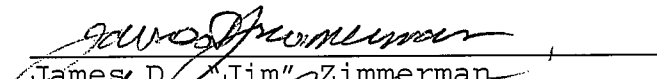
Respectfully submitted,

By  Secretary for the Meeting


THESE MINUTES APPROVED AS THE OFFICIAL SEPTEMBER 22, 2009 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. Burm