

Norwood Sanitation District
Thursday, March 13, 2025 –Regular Meeting
1670 Naturita Street, Norwood, CO 81423
6:30pm

CALL MEETING TO ORDER

Bernice White called the regular meeting of the Norwood Water Commission to order at 6:42pm. The Norwood Sanitation District of San Miguel County, State of Colorado, met in regular session at 1670 Naturita Street, Norwood, Colorado. Those present were as follows:

BOARD MEMBERS PRESENT: **Chair** – Bernice White, **Vice Chair** – Brad Campbell, Mike Grafmyer, Tom Kyle, and Kerry Welch

STAFF: Town Administrative Director – Sara Owens via ZOOM, ORC – Randy, Administrator – Amanda Pierce, Secretary – Shawny Darby

ABSENT: **Vice Chair** – Brad Campbell,

OTHERS:

VIA ZOOM:

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

CONSENT AGENDA

- A. Minutes of February 13, 2025
- B. February Bills and Accounts

Mike Grafmyer made a **motion** to approve the consent agenda as presented. Tom Kyle seconded the **motion**. **All** voted **yes**. **Motion carried**.

BOARD BUSINESS

- A. Resolution 0313 Series 2025: A Resolution of the Board of Directors of the Norwood Sanitation District Authorizing Regular Polling Place Election to be Held May 6, 2025; Designation Polling Location

Mike Grafmyer made a **motion** to approve Resolution 0313 Series 2025: A Resolution of the Board of Directors of the Norwood Sanitation District authorizing regular polling place election to be held May 6, 2025; Designation polling location at Norwood Town Hall, 1670 Naturita Street, Norwood, Colorado 81423. Tom Kyle seconded the **motion**. **All** voted **yes**. **Motion carried**.

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B. Approval of 2023 Financial Audit

Amanda Pierce presented the 2023 financial audit results and discussed it with the Norwood Sanitation District Board of Directors.

Mike Grafmyer made a **motion** to approve the 2023 financial audit as presented. Tom Kyle seconded the **motion**. **All** voted **yes**. **Motion carried**.

BOARD MEMBER REPORTS AND ANNOUNCEMENTS

STAFF REPORTS AND ANNOUNCEMENTS

- Randy Harris, Public Works Director

The Public Works Director's report is hereunto attached.

The Forest Service has been in contact with their lawyer regarding the pump station. Randy likes everything he sees, everything seems to be running well.

Randy has been in contact with numerous people regarding the new permit. There is a coalition of sorts that is pushing back on the State. He will get more information.

Amanda Pierce has been doing a lot of work regarding lining the lagoons. It will be expensive. The ponds must be lined by 2026. West Water recommended we line them during the last study.

Randy is having a hard time finding a lab for the discharge water. So far, no one has been willing to do it. There is possibly one in Loveland, Colorado but we are having a hard time finding one close enough for it. Telluride has been a great resource in helping us. We will likely be out of compliance if we cannot find a lab.

The new shop is complete and we are using it for equipment. We also have a new Public Works truck.

- Amanda Pierce, Administrator

Patrick at DOLA gave a 4-phase breakdown regarding the lagoons. He and Amanda discussed feasibility, design, engineering as well as other funding sources. They are trying to set up a meeting for next week to apply for some DOLA funding.

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Amanda gave an update on Congressional Direct Spending. We made it to the bill and it is recommended that we continue moving forward.

Shawny Darby has submitted her resignation. She will be phasing out and her last day will be June 30th, 2025. The plan moving forward is for her to continue being the designated election official. The position is being posted and will open until filled. It will likely cost an extra \$3000 as a rough estimate to have 2 in the position while training. There are no concerns from the NSD Board.

We have posted RFPs for an attorney on the CML job board, the newspapers, and Grand Junction. They are due April 6th.

Sara Owens has been working on the personnel policy since there are new Federal regulations. We will have a joint work session between the boards when it is completed.

We are getting Sara to the point where she can take on the Norwood Water Commission and more sanitation duties as Amanda is passionate about her Town Clerk position. Salaries will remain the same until May. We are in the process of updating job descriptions as well.

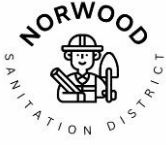
ADJOURN

Mike Grafmyer made a **motion** to adjourn the meeting at 7:36pm. Tom Kyle seconded the **motion**. **All voted yes. Motion carried.**

APPROVED:

APPROVED AS CORRECTED:

NORWOOD SANITATION DISTRICT					
ACCOUNTS PAYABLE MARCH 2025					
		NSD Portion	NWC Portion	TON Portion	
Brad Campbell	Director	\$ 10.00	\$ -	\$ -	
Mike Grafmyer	Director	\$ 10.00	\$ -	\$ -	
Kerry Welch	Director	\$ 10.00	\$ -	\$ -	
Tom Kyle	Director	\$ 10.00	\$ -	\$ -	
Bernice White	Director	\$ 10.00	\$ -	\$ -	
Caselle	Annual Support	\$ 2,857.66	\$ 2,857.67	\$ 2,857.67	
CEBT	Employee Health Insurance	\$ 945.70	\$ 1,804.20	\$ 2,980.70	
Coach's Mother	Freight	\$ 134.38	\$ 134.62	\$ -	
ESRI	ArcGIS System Annual Subscription	\$ 350.00	\$ 350.00	\$ -	
Grand Junction Laboratories	Lab Tests	\$ 760.50	\$ -	\$ -	
Luke Fourney	Deposit Refund	\$ 50.00	\$ -	\$ -	
Norwood Homes LLC	Refund Overpayment - Home Sold	\$ 35.50	\$ -	\$ -	
San Miquel Power	Aerator	\$ 1,939.79	\$ -	\$ -	
San Miquel Power	Pioneer Village Pump	\$ 65.99	\$ -	\$ -	
Southwestern Systems	Jet Clean 02/20/25 County Road AA42	\$ 2,140.00	\$ -	\$ -	
Town of Norwood	Salary Reimbursement	\$ 4,934.64	\$ 9,877.26		
Town of Norwood	FICA Reimbursement	\$ 377.50	\$ 755.61		
Town of Norwood	Amazon.com - Office Supplies Reimbursement	\$ 36.00	\$ 36.00	\$ 161.98	
Town of Norwood	Zoom Reimbursement	\$ 60.54	\$ 60.54	\$ 60.55	
United Life Insurance	Employee Life Insurance	\$ 5.19	\$ 6.05	\$ 61.34	
Vyanet Security	Video Services	\$ 78.36	\$ 78.36	\$ 78.36	
Wendy Crank	Refund Overpayment - Home Sold	\$ 3.50	\$ -	\$ -	
West Elk Supply	Chlorine Cylinder Rental	\$ 25.00	\$ 150.00	\$ -	
TOTAL		\$ 14,850.25	\$ 16,110.31	\$ 6,200.60	



Norwood Sanitation District

PO Box 528; 1670 Naturita St, Norwood, CO 81423

Phone: 970-327-4288 www.norwoodtown.com

REQUEST FOR INFORMATION

Pursuant to the Colorado Open Records Act

Allow three (3) working days for search and completion of records.

Requests should be sent to Amanda Pierce at pierce@norwoodtown.com or sent to the mailing address above.

Name of Requesting Party: _____ Date of Request: _____

Physical Address: _____

Mailing Address: _____

Phone Number: _____ Email: _____

COST/FEES

SERVICE	FEE
Gathering, reviewing, researching, and redacting documents up to 1 hour	Free
Gathering, reviewing, researching, and redacting documents per hour after 1 hour	\$41.37 per hour – 15-minute increments
Copies	\$0.25 per 8½ x 11 *documents/plans larger – actual cost
Emailed	\$1 plus compilation time and copy fee
USB Stick	\$5.00 plus compilation time
Postage	Actual cost

INSTRUCTIONS

Please indicate the information you desire and list each requested document specifically. Please be as specific as possible. Allow three (3) working days for search and completion of records.

REQUESTED DOCUMENTS OR INFORMATION: _____

By signing you agree to the costs and fees that may be associated with this request.

Requesting Party Signature: _____

STAFF FILL OUT INFORMATION BELOW

DEPOSIT NEEDED: NO YES in the amount of: \$ _____ - **Paid On:** _____ **with** _____

Date Request Received: _____ By: _____

Payment Received On: _____ **with** _____

➤ Date Request Completed: _____ By: _____

March 19, 2025

VIA EMAIL

Amanda Pierce, Interim Administrator
Board of Directors
Norwood Sanitation District
PO Box 528
1670 Naturita St.
Norwood, Colorado 81423

Re: Letter of Engagement

Dear Ms. Pierce:

We understand that the Norwood Sanitation District (“Client”) desires to appoint Collins Cole Winn & Ulmer, PLLC, a Colorado professional limited liability company (“Law Firm”), as the Client’s general counsel pursuant to Section 32-1-1001(1)(i), C.R.S., for certain matters as further described below. This letter is intended to outline the terms governing our representation of the Client.

1. Scope of Services.

The Law Firm will advise the Client on all Client-related matters referred to the Law Firm by the Client. We will take our direction from the Board of Directors (“Board”) and the President and/or Secretary of the Board, or such other person as is designated by the Board to be its representative and spokesperson for purposes of communication with the Law Firm. We do not represent (i) any person or entity (except the Client itself); (ii) individual members of the Board; or (iii) employees or agents of the Client (collectively “Other Persons”), and all services are provided only for the benefit of the Client and not for the Other Persons. The Law Firm owes professional responsibilities only to the Client itself. In all matters involving the Client, such Other Persons should retain their own legal counsel.

2. Designation of Attorneys and Assistants.

I, Kathryn G. Winn, a Partner in the firm, am designated as the Attorney primarily responsible for the legal services rendered to the Client. Other qualified Attorneys and

Paralegals may perform services for the Client under my supervision in order to most effectively provide a particular service or to minimize costs.

3. Compensation.

The Law Firm shall provide to the Client a monthly billing statement detailing the services rendered and the amount of time spent in performance thereof. The Client shall pay for the total time of all Attorneys, Paralegals, and Law Clerks at the current rates in effect for the services rendered.

Secretarial and legal assistance services are not routinely billed to the Client, but out-of-the-ordinary use of a secretarial or legal assistance person's time may be billed in the Attorney's reasonable discretion. Paralegals and Law Clerks are utilized when their skills are commensurate with a particular project, so as to minimize the costs billed to the Client. The Attorney supervises the work product of Associate Attorneys, Paralegals, and Law Clerks.

The Client shall pay for Services within thirty days of the date of the invoice. The Law Firm shall not be obligated to perform any Services if payment of fees is sixty days overdue.

The Law Firm's billing rates effective January 1, 2025, are attached and subject to adjustment, but not by more than ten percent collectively at any time without written notice.

4. Expenses.

Expenses for which the Law Firm will or will not receive reimbursement are as follows, along with the rates for such reimbursement:

(a) Mileage.

No charge unless lengthy travel distance.

(b) Out-of-Town Travel.

Expenses at cost without mark-up. Travel time by Attorneys and staff will be billed at current billing rates. Trips will be coordinated with other clients, to the extent possible, to minimize travel costs.

(c) Teleconferencing.

(d) Billed at cost without mark-up Computer Expenses.

No charge, except for computer research, Lexis/Nexis or other special costs; billed at actual cost without mark-up.

(e) Photocopies.

No charge for in-house copying, unless large volume of copying. Outside copying and printing billed at actual cost without mark-up.

(f) Postage.

No charge for usual first-class mailings, such as mailings to the Client, courts, counsel of record and other consultants. Mass mailings, such as election notices, and overnight and special delivery mailings billed at actual cost without mark-up.

(g) Couriers.

Courier service will be used on an as-needed basis with the cost thereof being billed to the Client without mark-up.

(h) Other Reimbursables.

Other reimbursables include our payment of filing fees, costs for service of process and related services, expert witness fees (only as pre-authorized by the Client), court reporter fees for transcript of testimony, court reporter appearance fees, county clerk and recorder's fees for recording of documents, title company's fees for reports of title, publication fees, election materials and other related expenses. All such reimbursables will be billed to the Client at cost without mark-up.

(i) Other Expenses.

Certain services and expenses not otherwise documented herein (e.g., private investigator, special counsel, etc.) may become necessary under certain circumstances. To the extent that such services are required, the Law Firm will first obtain authorization from the Client before incurring such costs. As such expenses are incurred, they will be billed to the Client.

5. Communications between Law Firm and Client.

Written and oral communication between the Law Firm and the Client on the Client's matters shall be made using all current forms of technology including mail, courier, email, POTS, VoIP and cellular telephone, and other electronic means of communication as such technology becomes available. The security of such means of communication, particularly electronic means such as e-mail and cellular telephone cannot be guaranteed, and therefore

a risk exists that privileges such as the attorney-client privilege may be waived if a communication is inadvertently received by persons other than the Client. If the Client desires to avoid the risk of inadvertent disclosure by any particular means of communication, the Client must contact the Law Firm and instruct the Law Firm as to any unacceptable means of communication for Client matters.

6. Cloud Services.

During and/or after termination of our engagement we may use cloud services. Where we do so, or where we use a subcontractor to provide cloud services, we will ensure an appropriate level of security.

7. Disclaimer of Warranties.

There can be no warranties as to the success of any matter undertaken by the Law Firm in the representation of the Client. All expressions made by the Law Firm relative thereto are solely matters of the Law Firm's opinion.

8. Power of Attorney to Execute Documents.

The Client grants to the Law Firm the power to execute documents connected with the representation of the Client, which have been generally approved by the Client, including pleadings, applications, protests, contracts, commercial papers, settlement agreements and releases, verifications, dismissals, orders, and all other documents associated with the services provided hereunder.

9. Document Retention/Destruction.

Files created and compiled by the Law Firm for work on Client matters, including correspondence, pleadings, research, and any other documents prepared by the Law Firm, will not be retained indefinitely. Law Firm will retain files for sixty days following conclusion of a matter or conclusion of representation, at which time Client may retrieve the file(s), so long as the Client has paid all fees and costs, or the file(s) may be disposed of at the discretion of the Law Firm, except that we will not destroy (i) original documents entrusted to us for continued representation as part of our services; and (ii) any documents that the Client is obligated by law to retain.

10. Entire Agreement.

The terms herein represent the entire agreement of the parties concerning the representation of the Client by the Law Firm. The agreement represented by this letter may not be amended or modified except in writing and signed by both parties hereto.




11. Term.

The agreement represented by this letter shall commence upon mutual execution by the Client and the Law Firm and will remain in effect until terminated by written notice of either party.

Collins Cole Winn & Ulmer, PLLC, a professional limited liability company

Norwood Sanitation District

By: 
Title: Kathryn G. Winn
Date: Shareholder

By: _____
Title: _____
Date: _____

BILLING RATES

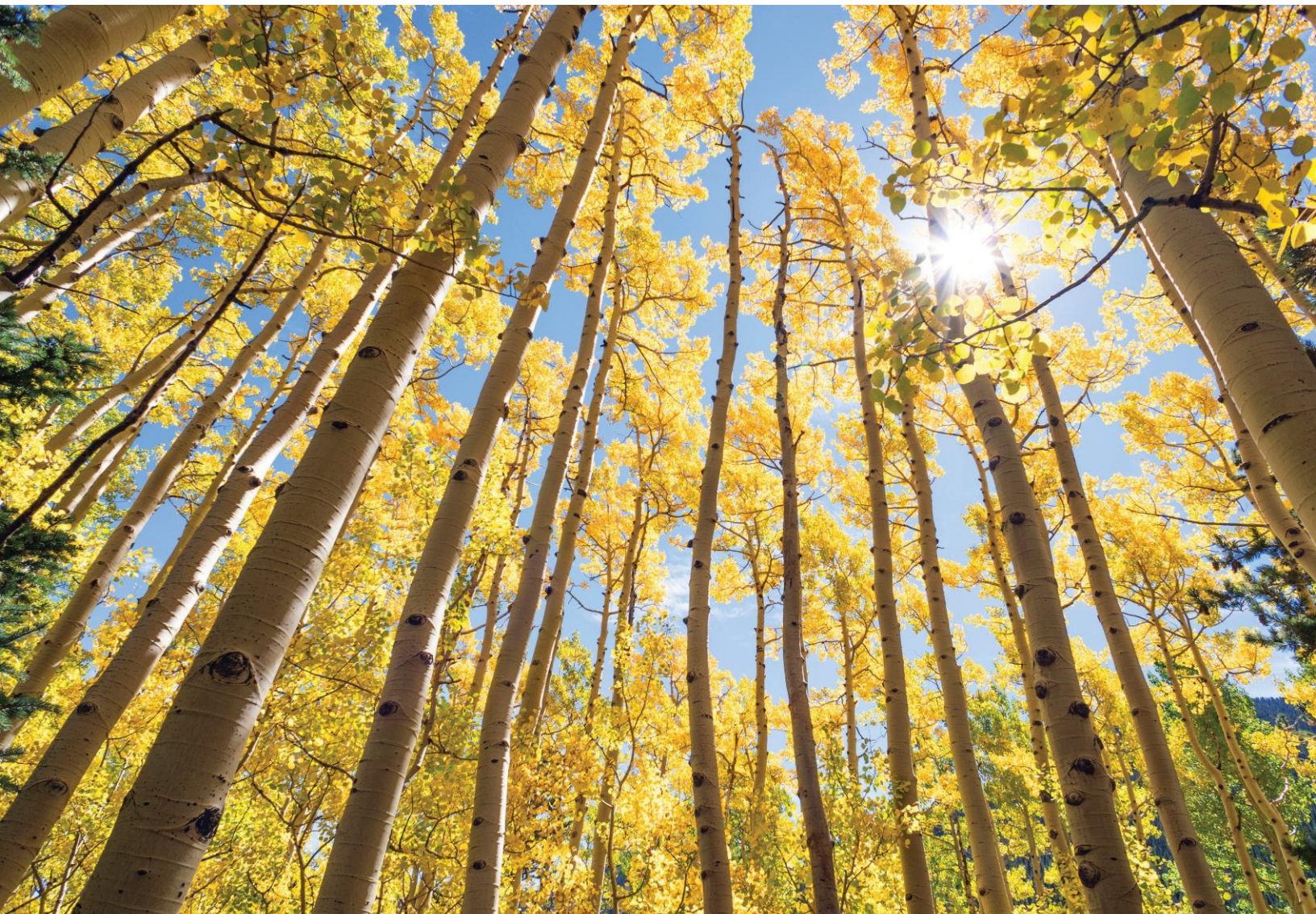
Effective 1/2025

<u>Name</u>	<u>2025 Rates</u>
Partner	\$440 - \$475
Associate	\$230 - \$400
Paralegal	\$220 - \$265

*Kathryn G. Winn's 2025 rate is \$440/hour.

Proposal for Norwood Sanitation District

General Counsel Legal Services





March 19, 2025

VIA EMAIL

Amanda Pierce, Interim Administrator
Norwood Sanitation District
PO Box 528
1670 Naturita St.
Norwood, Colorado 81423

RE: Proposal for Legal Services

Dear Ms. Pierce:

We are pleased to submit this proposal on behalf of Collins Cole Winn & Ulmer, PLLC ("CCWU") to provide general counsel legal services to the Norwood Sanitation District ("District"). Enclosed you will find information about the people and practices that make up CCWU.

CCWU is a premier local government law firm in Colorado. Our law firm exclusively provides general and special counsel representation to Colorado's municipalities, special districts, intergovernmental authorities, libraries, and a variety of other forms of local government. We believe that attorneys representing local governments should have the same priority as their clients: the well-being of the community. We strive to help our clients both solve their existing legal problems and prevent future ones, working proactively to provide experienced, pragmatic legal representation in a cost-effective manner.

Our legal representation is designed to put the District's needs and best interests at the forefront of every action we take. We provide a higher standard of representation by working with our clients to develop strategies, identify solutions, set and manage realistic legal budgets, and prioritize work.

Our team of nine attorneys and three paralegals are well equipped with the professional and technical knowledge to handle District matters as efficiently as possible. Our experience gives us a depth that few local government law firms have, and no single attorney can equal. If any one of our attorneys or paralegals has not previously encountered an issue that arises, odds are that another attorney in our firm has.

We are not aware of any existing conflict of interest that would impact our representation of the District. If we become aware of any potential conflict, we would immediately disclose the conflict.

In addition to the information provided in this proposal, we invite you to explore our website www.cogovlaw.com, which provides greater detail on our experience, services, and the team that makes up CCWU.

We would like to thank you for your consideration of our proposal, and we look forward to the opportunity to serve you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kathryn Winn".

Kathryn Winn

Why Collins Cole Winn & Ulmer



Responsiveness

We only take on new clients when we are certain that our staffing and workload will allow us to provide high-quality, responsive legal services at a reasonable cost to both the prospective client and our existing clients.



Leaders in Colorado Local Government Law

We strive to make Colorado a place we all want to live, work, and play. We are active with the Special District Association (SDA) and State Legislature, lecture frequently on areas of specific interest to Colorado local governments, and annually prepare the Special District Board Member Manual and present the SDA Board Member Workshops.



Economy & Value for Money

We are committed to the highest standards of professional ethics and competency. CCWU understands that we represent local governments, and our attorneys are held to a high standard by the public we serve. Our experience allows us to tailor our services to fit your needs. We can attend every Board meeting, file all statutory compliance filings, and run your elections – but only if you need us to. If you only need us to answer one or two questions a year, we're here for that as well.



Competence, Focus and Experience

Representing local governments is what we do. The nature and extent of specializing in Colorado local government law allows us to assist special districts on a daily basis with the issues they face. Our attorneys have experience in all areas of law affecting local government, enabling us to manage effectively and efficiently the legal affairs of the entities we represent. We emphasize a transaction practice focused on avoiding litigation.

All of our paralegals, attorneys and administrative staff are available to assist with the District's legal needs when their expertise and experience would be helpful. Our firm utilizes the most current high-tech assets and support needed to serve the all of our clients.



Intergovernmental Relationships

We serve as general counsel to many park and recreation, metropolitan, water, sanitation, and fire districts, authorities and municipalities and have drafted hundreds of intergovernmental agreements, MOU's, Board Bylaws, and various Resolutions.



Straightforward Billing

Our billing structure is comprehensive and straightforward and designed to provide the client with the best legal services at the lowest cost. We believe you should pay for only the work you need. We do not bill for extraneous items, such as copies, secretarial time, mileage, postage, or phone costs.



REFERENCES

Siri Roman
General Manager
Eagle River Water & Sanitation District
(970) 476-7480
sroman@erwsd.org

Diana Miller
General Manager
Perry-Park Water & Sanitation District
(303) 681-2050
dmiller_ppwsd@comcast.net



III. PROPOSAL REQUIREMENTS

TO

**MURRAY DAHL BEERY & RENAUD LLP
RESPONSE TO THE NORWOOD
SANITATION DISTRICT'S
REQUEST FOR PROPOSALS
FOR LEGAL SERVICES**

Attorneys at Law

710 Kipling Street, Suite 300 Lakewood, Colorado 80215 Main 303.493.6670 Fax 303.945.7960
Direct 303.493.6678 jrivera@mdbrlaw.com



Joseph Rivera

III. PROPOSAL REQUIREMENTS
1. COVER LETTER

April 5, 2025

Original sent via electronic mail to: pierce@norwoodtown.com

Amanda Pierce, District Administrator
Norwood Sanitation District
P.O. Box 528
1670 Naturita Street
Norwood, CO 81423

Re: Cover Letter to Provide Legal Services to the Norwood Sanitation District

Dear Ms. Pierce:

On behalf of Murray Dahl Beery & Renaud, LLP (“MDBR” or the “Firm”), I am pleased to submit this proposal to provide legal services to the Norwood Sanitation District (the “District”). MDBR has broad and deep experience representing all varieties of local governments throughout the State of Colorado and on both sides of the Continental Divide. We believe our Firm is uniquely qualified and fully capable of providing the District effective, expeditious, and cost-effective legal services.

The Firm proposes that I, Joseph Rivera, the Firm’s special counsel, serve as lead attorney to the District, remotely attending all District meetings as requested, with Nicholas Klein, an associate of the Firm, to serve as the designated back-up. Gerald Dahl, Carmen Beery and Thad Renaud would also be available to assist should the need arise. This team approach takes advantage of each attorney’s particular area of expertise and ensures the District will always have access to an attorney who will be available to assist with any issue the District may encounter.

MDBR’s proposal is organized according to *III. Proposal Requirements* as listed in the District’s RFP. As set forth below, we believe that you will find our qualifications and experience to be consistent with the needs of the District.

Thank you very much for your consideration of this proposal. Please feel free to contact me with any questions you may have. I would appreciate the opportunity to meet with the District to discuss this opportunity further.

Sincerely,

MURRAY DAHL BEERY & RENAUD LLP

A handwritten signature in black ink, appearing to read 'JR', is written over a light blue horizontal line.

Joseph Rivera, Special Counsel

JMR/cw



III. PROPOSAL REQUIREMENTS – 2.

2. FIRM/ATTORNEY PROFILE

MDBR was founded in January of 2005 by four members of the Public Law Department at Gorsuch Kirgis, LLP. The Firm takes pride in its outstanding professionalism by combining top notch legal analysis with creative problem-solving, along with a high level of customer service and attention to detail. We recognize every special district and its issues are unique, and our attorneys have the advantage of having addressed all manner of local government legal issues in a variety of other jurisdictions.

The Firm currently has six attorneys (three partners; one of-counsel; one special counsel; and one associate) with a cumulative total of over 100 years of experience representing local governments. Each attorney enables the Firm to foster an environment of collaboration where attorneys can provide superlative work through the combined strengths of the individual attorneys who comprise the Firm. Recognizing that each specific problem calls for a specific solution, the experience of the Firm's attorneys allows us to provide our clients a comprehensive yet focused approach to the practice of law.

The Firm is in the business of representing local governments. We know that developing strong relationships with the District's staff is a critical component to providing high quality legal representation to the District. So that we are prepared to answer any questions the District or community members may ask, the Firm's attorneys endeavor to work closely with District staff to develop a thorough understanding of the issues the District faces.



III. PROPOSAL REQUIREMENTS – 3.

3. RELEVANT EXPERIENCE

Each attorney is admitted to practice law in Colorado and is in good standing with the Colorado Bar. Below are brief bios of each attorney who would be providing services to the District. Their respective résumés are provided in **Attachment 1**.

Joseph Rivera

Since 2007, Mr. Rivera's practice has been almost exclusively devoted to the representation of Colorado's local governments. His practice focuses on general municipal representation and representing local governments in real estate litigation. Mr. Rivera has experience guiding clients through the day-to-day issues of governing, including drafting ordinances and resolutions, responding to information requests (CORA and CCJRA), serving as counsel to boards, councils, and planning commissions, navigating employment issues; prosecuting code violations, and advising liquor and business licensing and tax authorities. Mr. Rivera currently serves as the Assistant City Attorney for the City of Wheat Ridge and Assistant Town Attorney for the Town of Georgetown. Mr. Rivera formerly served as the Town Attorney for the Town of Monument and the Town of Morrison.

He also has an active and varied litigation practice and has acted as special counsel for several Colorado local governments in real estate litigation, including condemnation, quiet title actions, land use matters, and employment matters. In addition to being a member of the Colorado Bar, Mr. Rivera serves on the executive committee for the Local Government Counsel Section of the Colorado Bar Association and serves as the section's representative to the Colorado Bar Association's Board of Governors.

Gerald Dahl

Mr. Dahl was admitted to the Colorado Bar in 1976 and is a founding partner of the Firm. He has been a city and town attorney for his entire career representing both statutory and home rule municipalities on election matters, drafting numerous ballot questions and TABOR notices, as well as handling recall elections, special elections, and election contests. Mr. Dahl regularly writes and lectures on local government land use, annexation, and public officials' duties and responsibilities. He has also worked with several Colorado counties, assisting them with sales tax and water conservancy matters, and in revising their land use regulations. Mr. Dahl is the City Attorney for the City of Wheat Ridge and the town attorney for the Towns of Georgetown, Poncha Springs and Mt. Crested Butte.

Carmen Beery

Since her admission to the Colorado Bar in 2000, Ms. Beery has provided direct advice to municipal staff and officials, planning commissions, licensing authorities, and boards of adjustment on the multitude of issues that arise in local government operations, such as Open Records Act requests, Sunshine Law issues, the review of proposed contracts, easements, ordinances and resolutions. Additionally, Ms. Beery has drafted and provided guidance related to licensing rules and regulations, contracts, intergovernmental agreements, and policies for the Firm's governmental clients. Ms. Beery has also advised clients on licensing matters such as liquor, marijuana, and short-term rentals. She will contribute to the Town's success by offering expertise and experience in election, land use, TABOR and taxation, and statutory compliance matters. Ms. Beery is the city attorney for the Cities of Idaho Springs and Edgewater.

Thad Renaud

Mr. Renaud was admitted to the Colorado Bar in 1993. He has practiced in the areas of local government, land use and real estate law. He has been the Town Attorney for the Town of Frisco since 2004 and served as the City Attorney for the City of Edgewater from 2008 to 2023. He has acted as special counsel for several Colorado cities and towns in various land use and litigation matters. Mr. Renaud has written and lectured on topics as varied as the regulation of speech in public forums; the law of subdivisions in Colorado; and the use of local code provisions to promote affordable housing.

Malcolm Murray

Malcolm M. Murray, of counsel at the Firm, possesses considerable experience in condemnation matters and has served as general counsel and special counsel to several urban renewal authorities. Mr. Murray would be available to provide to the Town his considerable knowledge and experience in providing advice on urban renewal and redevelopment issues.

Mr. Murray specializes in the representation of municipalities, counties and other public agencies in condemnation and redevelopment matters. He is a past Assistant Attorney General representing the Colorado Department of Highways. His practice includes extensive litigation experience with particular emphasis in condemnation and environmental matters. His land use experience includes complex litigation as well as annexation and zoning of property throughout the state. Mr. Murray was admitted to the Colorado bar in 1976.

Nicholas Klein

Mr. Klein is an Associate attorney with the Firm who was admitted to the Colorado Bar in 2022. His experience includes advising the Firm's clients in the areas of municipal election law, liquor licensing, land use law and litigation, code enforcement, business licensing, and drafting of a wide variety of ordinances and agreements. He serves as the municipal prosecutor for the Towns of Frisco, Hayden, Mt. Crested Butte and City of Leadville. He is the Deputy City Attorney for the Cities of Edgewater and Idaho Springs.



III. PROPOSAL REQUIREMENTS – 4.

4. PROPOSED APPROACH

Since its founding twenty years ago, the Firm has been committed to the practice of local government law and has extensively demonstrated experience in providing a wide variety of legal services to special districts and municipalities. We serve as general or special counsel to dozens of Colorado local governmental entities across the state on a wide variety of matters.

Each of the senior attorneys of the Firm have performed nearly every legal service related to the successful functioning of a local government, and we have a team approach that takes advantage of particular areas of expertise. The Firm regularly consults and works hand-in-hand with boards, commissions, and staff. We consider ourselves a part of our clients' day-to-day operations and are readily available to assist with any issue the District may encounter.

The Firm's attorney's will keep the District ahead of changes in the law by keeping apprised of and informing the District of any important changes in statutes, legislation or court decisions, or other new legal requirements affecting special districts. Additionally, the Firm will provide general legal counsel to the Board of Directors and District staff on open meetings, public records, and employment/personnel matters. We would also draft contracts, agreements, resolutions, and policies as well as advise the District on among other things, litigation matters, contract negotiations, and regulatory compliance.

The Firm knows how to clearly and succinctly explain complex legal issues and the Firm's attorneys provide timely, concise and clear communications to elected officials and District staff. The Firm maintains a general policy of responding to all voicemail and e-mail messages as soon as possible, but no later than one business day. MDBR maintains a policy of sending an e-mail message confirming receipt of a request or inquiry and providing a date by which District elected officials or staff should expect a response.

The Firm's attorneys understand that legal issues facing its clients are dynamic and unique to each client. The Firm prides itself on its outstanding professionalism and identification of its clients' needs, as well as its ability to utilize creativity in order to achieve effective results for our clients. Our attorneys have the advantage of having addressed similar issues in a variety of other local government matters. When working with MDBR, the client receives comprehensive legal advice that is cost-effective, functional and responsive to the client's needs. Providing personalized, effective counsel to a client means combining expertise in the law and originality in problem-solving.



III. PROPOSAL REQUIREMENTS – 5.

5. FEE STRUCTURE

The Firm would provide all town attorney services required by the Town at the hourly rates indicated below. The Firm expects to attend the vast majority of the Board’s meetings via zoom/teams. And, when the need for travel arises, after clearing it with the Board, the Firm will charge 1/3 travel time and mileage.

<u>Attorney</u>	<u>Hourly Rate</u>
Joseph Rivera	\$ 235.00
Carmen Beery	\$ 235.00
Gerald E. Dahl	\$ 235.00
Thad Renaud	\$ 235.00
Nicholas Klein	\$ 160.00
Paralegals	\$ 115.00

Detailed billing entries are provided by the Firm’s attorneys and paralegals which allow our clients to check the status of pending projects and requests.

MDBR charges standard amounts for copying, postage, mileage, and delivery services, as set forth in more detail in the Schedule of Costs below.

SCHEDULE OF COSTS

1. **Long Distance Telephone Charges:** There is no charge for long distance calls.
2. **Faxes:** There is no charge for faxes received or for faxes sent within the local calling area. For faxes sent outside of the local calling area, the client is charged for the long distance telephone connection.
3. **Copying and Scanning:** Document scanning and copying charges are \$.10 per page for black and white copies, and \$.50 per page for color copies made within the Firm. Copying, collating, binding, and scanning performed outside the Firm shall be charged at actual cost. The decision to use outside scanning, copying, collating and binding services shall be made on a case-by-case basis as the circumstances require.
4. **Deliveries:** Items delivered by commercial messenger service are billed at the actual rate charged by the service.
5. **Legal Research:** The charge to the Client includes the usage amount billed directly to the Firm from its on-line legal research provider in relation to the Client’s case.
6. **Mileage:** Mileage is charged at a rate consistent with the guidelines published by the IRS.

7. **Other Costs:** Other third party costs will be billed to clients at the same rate the Firm is billed for the third party services.



III. PROPOSAL REQUIREMENTS – 6.

6. REFERENCES

Town of Mt. Crested Butte

Carlos Velado
P.O. Box 5800
911 Gothic Road
Mt. Crested Butte, CO 81225
970-901-9477

Town of Georgetown

Greg Sund, Interim Town Administrator
Town of Georgetown
404 6th Street
Georgetown, CO 80444
(303) 569-2555 ext. 3

City of Wheat Ridge

Patrick Goff, City Manager
City of Wheat Ridge
7500 W. 29th Avenue
Wheat Ridge, CO 80033
(303) 235-2805

Town of Poncha Springs

Lance Hostetter, Town Administrator
P.O. Box 190
Poncha Springs, CO 81242
(719) 539-6882 Ext. 104

Town of Monument

Don Wilson, former Mayor of Monument
(720) 849-8854



III. PROPOSAL REQUIREMENTS – 7.

7. CONFLICT OF INTEREST STATEMENT

MDBR currently has not conflicts of interest with the District based upon the information known as of the date of this proposal. Additionally, there are no foreseeable or potential conflicts between the District and the Firm's present public entity clients.



ATTACHMENT 1

TO

**MURRAY DAHL BEERY & RENAUD LLP RESPONSE
TO THE NORWOOD SANITATION DISTRICT'S
REQUEST FOR PROPOSALS FOR LEGAL SERVICES**

ATTORNEY RÉSUMÉS



Joseph Rivera, Special Counsel

Murray Dahl Beery & Renaud LLP
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Lakewood, CO 80215
Direct dial: 303-493-6678
Email: jrivera@mdbrlaw.com

Education

J.D. School of Law, University of Colorado, 2004
M.S. Public Policy Research, School of Justice Studies, College of Public Programs, Arizona State University, Tempe AZ, 1998
B.A. Political Science, University of Colorado at Boulder, 1994

Professional Experience

Mr. Rivera's practice focuses on general municipal representation and real estate litigation. Mr. Rivera's local government practice extends over a broad range of municipal legal services, including general counsel to municipal administrators and governing bodies, counsel of planning commissions, the prosecution of municipal code violations, and advising liquor licensing authorities. Mr. Rivera currently serves as the Assistant City Attorney for the City of Wheat Ridge and Assistant Town Attorney for the Town of Georgetown. Mr. Rivera formerly served as the Town Attorney for the Town of Monument and the Town of Morrison.

Mr. Rivera also represents governmental entities in condemnation matters, quiet title actions, and land use litigation throughout Colorado. He also advises Colorado municipalities on employment matters, police matters, land use and zoning issues, real property acquisition, and liquor licensing.

Prior to joining MDBR, Mr. Rivera served as an Assistant City Attorney for the City and County of Denver for approximately seven years. While with Denver, Mr. Rivera practiced extensively in federal court defending constitutional claims under 42 USC 1983, employment discrimination claims under Title VII, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), tort claims against the City and its employees in state court in addition to providing legal advice to human resource managers. Mr. Rivera also served as a deputy district attorney for 17th Judicial District (Adams and Broomfield Counties) for approximately three years and before that served as a Judicial Fellow to Colorado Supreme Court Justice Alex Martinez.

Before becoming an attorney, Mr. Rivera worked as campaign staff and designed and implemented public policy initiatives for elected officials at the municipal, state, and federal levels.

Bar Admissions

United States District Court of Colorado, 2007, Colorado, 2004

Professional Affiliations

Executive Council, Government Counsel and Litigation Sections, Colorado Bar Association
Metro City Attorneys Association

Reported Cases

Forest View Co. v. Town of Monument, 18SC793
Town of Monument v. State Bd. of Land Comm'rs, 17CA1663

Speeches/Presentations

- *Urban Renewal and Eminent Domain: Challenges to Using Condemnation to Combat Blight*. CLE International, Denver, Colorado 2015.
- *Update on Condemnation Law*. Colorado Municipal League Attorney's Conference, Colorado Springs, Colorado 2017.



Thad W. Renaud, Partner

Murray Dahl Beery & Renaud LLP
710 Kipling Street, Suite 300
Lakewood, CO 80215
Direct Dial: 303-493-6676
Email: trenaud@mdbrlaw.com

Education

J.D. with honors, University of Texas School of Law, 1993
B.A. in Political Science with emphasis in Public Administration, University of Texas at Arlington, 1990

Professional Experience

Mr. Renaud's practice focuses on general municipal representation of local governments. His particular specialty involves advising local governments in land use regulatory matters and representing local governments in land use litigation. He also represents private individuals and homeowners associations on a variety of land use and development issues. Mr. Renaud currently serves as the Town Attorney for the Town of Frisco, and as special counsel to the Town of Hayden. Mr. Renaud formerly served as the City Attorney for the Cities of Edgewater, and Cherry Hills Village and as Assistant City Attorney for the City of Lafayette.

Mr. Renaud's local government practice has involved a broad range of municipal legal services including general counsel to municipal administrators and governing bodies, counsel of planning commissions and boards of adjustment on land use matters, the prosecution of municipal code violations in both bench and jury trials, and advising liquor licensing authorities. Mr. Renaud's practice addresses matters such as annexation, zoning, subdivision, economic development through public-private partnerships, real estate purchase and sale, intergovernmental agreements and subdivision improvement agreements.

Mr. Renaud also has extensive experience in the preparation of local legislation and has drafted ordinances addressing topics as varied as the comprehensive regulation of adult uses, affordable housing through inclusionary zoning, public improvement assessment districts, growth management and water conservation.

Professional Memberships and Activities

Colorado Bar Association
Denver Bar Association
Colorado Municipal League
Metro City Attorney's Association



Gerald E. Dahl, Partner

Murray Dahl Beery & Renaud LLP
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Lakewood, CO 80215
Direct dial: 303-493-6686
E-mail: gdahl@mdbrlaw.com

Education

B.A., Political Science, University of Colorado, 1972
J.D., University of Colorado, 1976

Professional Experience

Since 1976 Mr. Dahl has practiced in local government law, emphasizing land use regulation, annexation, government operations, public officials' roles and responsibilities, and governmental liability.

Mr. Dahl represents private and government interests in the planning and development of land. His practice in this field is statewide. He has authored numerous complete land use codes for municipalities and counties. He specializes in land use code diagnosis and revision to implement planning goals. He is a frequent speaker on land use and local government issues.

From 1984 to 1990, Mr. Dahl was General Counsel to the Colorado Municipal League. He represented the League in legislative matters before the Colorado General Assembly and supervised the conduct of litigation including participation by the league as amicus curiae in cases involving substantial statewide questions of municipal interest.

From 1978 to 1984, Mr. Dahl was General Counsel to the Northwest Colorado Council of Governments. This work included litigation of water and land use matters and drafting and defense of county and municipal zoning and subdivision regulations.

Representative Clients

City of Wheat Ridge
Town of Georgetown
Town of Poncha Springs
Colorado Municipal League

Professional Memberships

Colorado Bar Association
International Municipal Lawyers Association

Representative Publications

Annexation in Colorado, Colorado Municipal League, 2014, 2017

Colorado Land Planning and Development Law, Editor Donald L. Elliott, Esq., 2012

Transferable Development Rights: Planning and Practice in Colorado, Colorado Municipalities, 2010

Land Use Law, National Business Institute, 1998; 2000; 2003; 2008; 2012

Boundary Law in Colorado, National Business Institute, 1991; 1992; 1996; 2002; 2003; 2007

Negotiating and Drafting Joint Venture Agreements with Private Development Interests, National Institute of Municipal Law Officers, 1992

The ABC's of Planning, Land Use and Zoning, Colorado Municipal League 1992; 1995



Carmen Beery, Partner

Murray Dahl Beery & Renaud LLP
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Lakewood, CO 80215
Direct Dial: 303-493-6679
Email: cbeery@mdbrlaw.com

Education

B.S., Communications/Theater, Manchester College (IN), 1995
J.D., University of Colorado School of Law, 2000

Experience

Ms. Beery's practice has focused on local government representation since her admission to the bar in 2000. She currently serves as City Attorney for the City of Idaho Springs; general counsel to the planning, zoning and licensing boards of the City of Edgewater; and special counsel to the Town of Snowmass Village. Additionally, she provides legal counsel to the governing bodies, staff, boards and commissions of the Firm's other municipal clients.

Ms. Beery advises on the broad range of legal issues of particular concern to local government, such as marijuana licensing matters, taxation, planning and zoning, TABOR, public employment issues and law enforcement issues. She reviews, evaluates, provides guidance and drafts licensing rules and regulations, ordinances, resolutions, contracts, intergovernmental agreements, and policies and procedures. She has conducted training sessions for local government officials and employees on planning and zoning, police department liability, quasi-judicial decision-making, and various types of licensing. She has also represented private individuals and entities in state and local government issues.

Professional Memberships

Colorado Bar Association
Colorado Municipal League

Sample of Presentations, Publications

How to Survive a Recall, CML Annual Conference, August 2020
A Conversation on Quasi-Judicial and Ex Parte Issues, Colorado Municipalities, Dec 2017
Liquor Law Training for Municipal Officials (with CO Dept of Revenue) 2014
Working With Your (Municipal) Attorney, Colorado Municipalities, Dec 2014
Wheat Ridge Police Department Citizen's Police Academy: Criminal Law, 2011, 2009, 2008
Edgewater Teen Court, Student-Attorney Trainer and Advisor, 2009-2010
Lorman Seminars: The Municipal Perspective of Plat and Subdivision Law, 2005
NBI Seminars: Major Land Use Laws in Colorado, 2004; *Impact Fees in Colorado*, 2004



Malcolm M. Murray, Of Counsel

Murray Dahl Beery & Renaud LLP
710 Kipling Street Suite 300
Lakewood, CO 80215
Direct Dial: 303-493-6677
Facsimile: 303-945-7960
Email: mmurray@mdbrlaw.com

Education

U.S., Civil Engineering, U.S. Military Academy, 1968
M.A., Government, Georgetown University, 1970
J.D., University of Denver College of Law, 1976

Experience

In more than 40 years of the practice of law, Malcolm Murray has specialized in urban renewal, eminent domain, and land use law. He is one of Colorado's pre-eminent land use attorneys and has served as litigation counsel on a number of important land use cases. He has worked with a number of counties and municipalities in the preparation of land use and zoning codes.

He is one of the state's leading authorities on urban renewal law and has helped form urban renewal authorities in Lakewood, Vail, Steamboat Springs and Parker. He serves as general counsel or special counsel to a number of urban renewal authorities and downtown development authorities.

Mr. Murray's experience advising urban renewal authorities and municipalities often involves negotiating complex land development agreements with major developers. He is also called on to advise municipalities in complex agreements that do not involve urban renewal. He also has been involved in financial aspects of public-private partnerships, including tax increment financing, municipal bonds and related borrowings.

Mr. Murray has represented both governmental and private clients in eminent domain litigation as well as property tax matters involving property valuation. In addition, he is often called upon to litigate contentious land use disputes on behalf of municipalities. Mr. Murray is a frequent speaker to continuing education groups on land use, condemnation and urban renewal issues.

Mr. Murray is a founding partner of Murray Dahl Beery & Renaud LLP, which was formed in 2005 to represent cities, towns and other governmental entities. Attorneys in the firm serve as general counsel to Wheat Ridge, Idaho Springs, Frisco, Georgetown, Edgewater and a number of other entities.

From 1983 to 2005, Mr. Murray was a member of the Public Law Division of the law firm of Gorsuch Kirgis LLP. From 1980 to 1983, Mr. Murray was an Assistant Attorney General for the State of Colorado, representing the State Department of Highways on eminent domain matters, construction claims, personnel issues, and access control matters. From 1975 to 1980, he served on the staff of Governor Richard D. Lamm as Assistant for Natural Resources. His duties supervising natural resource departments involved issues such as air quality, water quality, energy, highways, and mined land reclamation.

Professional Memberships and Activities

Colorado Bar Association
Denver Bar Association
American Bar Association
Denver Water Board (Commissioner, 1987-1993)
American Planning Association
Metro City Attorneys Association



Nicholas Klein, Associate

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Direct dial: 303-493-6678
Email: nklein@mdbrlaw.com

Education

J.D. J.D., University of Colorado School of Law, 2022
B.A. Florida State University, 2018

Professional Experience

Mr. Klein is an associate attorney at MDBR. He currently serves as Town Prosecutor for the Towns of Frisco, Hayden, and Mt. Crested Butte and the City of Leadville. He also works on legal matters for all of our representative clients. He regularly attends meetings of the Idaho Springs planning commission and has experience attending meetings of municipal governing bodies. Prior to joining our firm, Mr. Klein interned for Judge Christine Arguello at the Colorado District Court and clerked in Xcel Energy's general counsel office.

Professional Memberships

Colorado Bar Association
Colorado Municipal League

NORWOOD SANITATION DISTRICT

San Miguel County, Colorado

Resolution No 0410 Series: 2025

A RESOLUTION APPOINTING A NEW DESIGNATED ELECTION OFFICIAL

WHEREAS, a regular special district election for Board Candidates of the Norwood Sanitation District shall be conducted in accordance with Local Government Election Code, Title 1, Article 13.5, C.R.S., and all laws amendatory thereof and supplemental thereto; and

WHEREAS, the terms of office of Directors Grafmyer, Campbell, and Welch shall expire after their successors are elected at the regular election to be held on May 6, 2025 and take office; and

WHEREAS, pursuant to C.R.S. 32-1-804(2) the Board of Directors of the Norwood Sanitation District, San Miguel County, Colorado is authorized to designate a Designated Election Official to exercise the authority of the Board in conducting the election;

WHEREAS, the designated Election Official assigned on February 13, 2025 has resigned from her position effective immediately; and

WHEREAS, a new Designated Election Official needs to be appointed

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTOR'S OF THE NORWOOD SANITATION DISTRICT THAT:

- The Board of Directors designates Amanda Pierce as the designated election official.
- The Board of Directors delegates the authority and responsibility to appoint qualified election judges for the regular election to the Designated Election Official.
- The Board of Directors does hereby further instruct the Designated Election Official to publish such notice of the regular election as required by law.

ADOPTED at the regular meeting of the Norwood Sanitation Board of Directors held April 10, 2025.

NORWOOD SANITATION DISTRICT

Chair

ATTEST:

Interim Administrator



MEMORANDUM

DATE: March 24, 2025
FROM: Colorado Water Quality Control Division
RE: Temporary Discretion for COG591000 Certifications

The Water Quality Control Division acknowledges that certain terms and conditions incorporated into newly issued certifications under the COG591000 permit (domestic wastewater treatment plants that discharge to receiving waters that are unclassified; use protected; reviewable; or are designated threatened and endangered species habitat) issued by the division for discharging wastewater from your treatment system may present compliance challenges for certain facilities authorized to discharge under the permit. Through this communication, the division will pause on initiating enforcement actions for entities certified under the COG591000 permit, as set forth below.

Until further notice, the division will exercise enforcement discretion on the following terms and conditions of certifications issued under the COG591000 permit for all certified facilities:

- Effluent limitations and monitoring.
 - The division will **not** take enforcement action for exceedances of effluent limitations contained in the certification.
 - The division will **not** take enforcement action for failure to monitor or report for Whole effluent toxicity (WET) requirements.
 - However, Permittees are required to continue to monitor for parameters included in their previous permit or certifications (e.g., certifications under COG589000, COG588000, or individual permit) and report the results of such monitoring on Discharge Monitoring Reports in accordance with the Permit.
- Compliance schedules and special studies.
 - If the permit certification contains compliance schedules, the division will **not** take enforcement action for non-compliance with compliance schedules to meet future effluent limitations (e.g., activities to meet total ammonia and/or total inorganic nitrogen final effluent limitations).
 - The division will **not** take enforcement action for non-compliance with special study requirements for groundwater protection requirements (e.g., lining lagoons) and for inflow and infiltration studies, which are included in some, but not all, permit certifications.
 - Permittees must comply with report-only requirements in any special studies in the certification (e.g., provide the accurate latitude and longitude of your outfall location).

While the division will not initiate enforcement actions for the items mentioned above, it expects permittees to continue properly operating and maintaining their current wastewater treatment systems. This includes maintaining compliance with the following Regulation 62 standards and effluent limitations in

permit certifications: BOD₅, total suspended solids, total residual chlorine, pH, and oil and grease. Some discharges to irrigation ditches do not include requirements for total residual chlorine. If your certification does not include this requirement, you do not need to comply with the requirements for total residual chlorine. The results of such monitoring shall be reported on Discharge Monitoring Reports in accordance with the Permit.

The division requires permittees to comply with all other terms and conditions in their permit certification.

Additionally:

- This enforcement discretion does not apply to permittees currently under an open formal enforcement action (Notice of Violation, Cease and Desist Order, Clean Up Order, Order for Civil Penalty, or District Court Action). Permittees with an open action should contact their compliance & enforcement specialist.
- While the division intends to honor the provisions of this memo until further notice, the commitments in this memo do not limit or preclude the division from pursuing action in the future, should conditions warrant formal enforcement.
- This memo is not intended and cannot be relied upon to create rights, substantive or procedural, enforceable by any party in litigation with the division. The division reserves the right to act at variance with this memo if warranted by the particular facts in question. The division also reserves the right to change this approach at any time, with appropriate notice.

The division is working to address concerns expressed by permittees. As it develops a more formal plan, the division will work closely with COG591000 permittees to ensure the plan addresses these concerns. Implementing this plan will require additional information from permittees and the division looks forward to partnering with permittees on this effort.

If you have any questions regarding this memo or the discretion provided, please contact the Clean Water Program Manager, Nathan Moore, at nathan.moore@state.co.us or (720) 263-6232.