

## RECORD OF PROCEEDINGS

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A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on February 12, 2009 at the Woodmoor Water and Sanitation District No. 1 office.

### PRESENT:

Director Hacker  
Director Nasser  
Director Whitelaw  
Director Wyss

Manager: Jessie J. Shaffer  
Ass't. Manager: Randy Gillette  
Attorney: Erin Smith  
Consulting Engineer: Mike Rothberg

Secretary: Hope Winkler

Visitors: Harriet Halbig – OCN  
Charlie Stanzione & Dan Niemela – Bishop Brogden Assoc.  
Ronnie Sperling – Buchanan and Sperling

### I. **Call to Order:**

President Nasser called the meeting to order at 1:02 p.m. It was moved, duly seconded and unanimously passed that Director Town's absence be excused.

### II. **Reading of the Minutes:**

Copies of the January 8, 2009 meeting minutes of the Woodmoor Water and Sanitation District were provided to each director. It was moved, duly seconded and unanimously passed that the minutes be approved.

### III. **Financial Report:**

Wyss reviewed the preliminary January, 2009 Financial reports.

### IV. **Public Discussion:**

There was no one from the public who desired to speak.

### V. **Joint Use Committee (JUC) Report:**

Nasser reported that:

1. The wastewater plant is running excellently.

2. It was agreed at the JUC Meeting that the Policies, Practices, and Procedures of the JUC Committee should be reviewed by the Boards. Nasser asked the WWSD Board to do so and get comments to him on February 24<sup>th</sup> at 8:00 a.m.
3. There was a discussion on the possibility of solar or wind power generation for power at the wastewater plant. Morgan is investigating.

#### VI. Manager's Report:

Shaffer reviewed the Manager's Report dated February 12, 2009, a copy of which is attached hereto.

1. **Pikes Peak Regional Water Authority (PPRWA):** The PPRWA is pursuing a conservation plan grant. They are number 3 in line and awaiting legislator approval for the money. The Northern Structure Committee discussed obtaining a more finite engineering study. GMS and Tetrattech asked to bid and the cost would be around \$38,000. Since the study would have involved only one option, it was decided to wait until more than one option could be studied.
2. **Operations: Randy Gillette:** Gillette reported that two home fires will cause a shortage in the Pumped vs. Billed percentage. Amwest's rig failed while putting the pipe and pump back into Well 11, dropping pipe and all into the well. At this point we don't know the status of the well. The well casing will be TV'd next week.
3. **Construction:** The Lake refill is on schedule. The Monument Creek Exchange is being used as much as possible. About 1 ½ acre feet of exchange water was purchased from Donala. An effluent credit agreement is in place with Donala at \$50.00 per acre foot.
4. **Subdivision Update:** Knollwood Village Lot 1 Filing 2's shell building is going up.
5. **Lake Woodmoor Easement:** The Colorado Lakeshore Holdings (Bob Irwin) easement agreement is still in progress. The easements are on the east side of Lake Woodmoor for bank stabilization.
6. **Newsletter:** The WWSD Pipeline draft was distributed for comment. The magnet stating recommendations for disposal of unused medications will be mailed with it. It was noted that the water saving rebate application is available on the WWSD Website.
7. **Staffing:** Shaffer said that what he believes the District should look for is a person with Civil Engineer/Utility Technician training and not a professionally licensed engineer. Advertising will proceed shortly.
8. **Conditional Water Rights:** The Monument Creek Exchange System has conditional water rights in the amount of 2.5 CFS and a diligence report filing is required every six years. When the filing is made, the amount of water the District can prove is being put to beneficial use is made permanent and the rest remains a conditional right.
9. **Lawn Irrigation Return Study (LIRF):** Niemela reviewed the concept of Lawn Irrigation Return Flow Study & Conceptual Plan for Augmentation, a copy of which is attached. He suggested that the District use a set percentage approach (12 – 18% of irrigation) which would result in somewhere between 16.6 and 23.0 acre feet of water credits. Pond evaporation @ 15% could be offset by LIRF. Niemela estimated legal costs to be between 25,000 and 35,000 dollars with engineering costs to be between 15,000 and 23,000 dollars. If the Board wished to have detailed 2007 figures, the additional cost would be \$12,000.

#### VII. Special Reports and Subjects:

1. **Engineer's Report:** Rothberg said he had nothing further until Executive Session.
2. **Attorney's Report:** Smith said that she had brought Resolution 09-02 for the Board's consideration. The resolution incorporates resolutions made to date into the Rules and Regulations approved in 2006. It was moved, duly seconded, and unanimously passed that Resolution 09-02 be approved.

VIII. **Old Business:**

1. There was no other Old Business to come before the Board at this time.

IX. **New Business:**

**Executive Session:**

It was moved, duly seconded, and unanimously approved that the Board move into Executive Session pursuant to 24-6-402(4)(b) C.R.S., "Conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions;" in regard to a water court filing and pending litigation; and 24-6-402(4)(e) C.R.S., "Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators" in regard to water resources, and a land transaction for Well 22. The Executive session commenced at 2:10 p.m. The Board returned to Regular Session at 4:08 p.m.

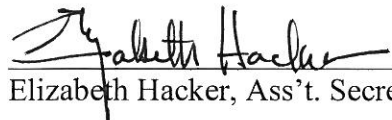
It was moved, duly seconded and unanimously passed that the Board authorize filing of a blanket Augmentation Plan and Lawn Irrigation Return Flow Credit.

It was moved, duly seconded and unanimously passed that the Board ratify Sherman & Howard's Retainer Agreement.

XI. **Adjournment:**

There being no other business to come before the Board, it was moved and duly seconded that the meeting be adjourned. The motion passed unanimously and the meeting adjourned at 4:15 p.m.

Respectfully Submitted,



Elizabeth Hacker, Ass't. Secretary