

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on September 3, 2009 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT:

Director Hacker
Director Nasser
Director Wyss

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

Secretary: Hope Winkler

Visitors: Harriet Halbig – OCN
Rocky Wiley – Tetra Tech, Inc.
Zach Collins – Staff engineering tech.

I. **Call to Order:**

President Nasser called the meeting to order at 1:00 p.m. It was moved, duly seconded, and unanimously approved that the absences of Directors Town and Whitelaw be excused.

II. **Reading of the Minutes:**

Copies of the August 13, 2009 meeting minutes of the Woodmoor Water and Sanitation District were provided to each director. It was noted that on page 3 under "2010 Board Election" the words "must run" should be changed to "may run". It was moved, duly seconded and unanimously passed that the minutes be approved as amended.

III. **Financial Report:**

Due to the timing of the meeting, there was not yet a financial report available. It will be placed in everyone's mail box by the end of next week.

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 JUC Meeting is out of synch and has not yet taken place.

VI. **Manager's Report:**

Shaffer reviewed the Manager's Report dated September 3, 2009, a copy of which is attached hereto.

1. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer said that a meeting of the Colorado Springs Utilities (CSU) UPAC Committee was held yesterday. UPAC seems to be seeing the global picture. Bamberger of Summit Economics gave a well-written report. The Super Ditch meeting was postponed. The PPRWA was working on a conservation plan and intended to approach it as a group. The WWSD budgeted \$25,000 as its share. Wiley was working with grant programs. The Colorado Water Conservancy Board paperwork was submitted. The CWCB was in agreement but probably will not support the effort now as some members have done their own plans. Shaffer said that he had asked Wiley for a proposal.
2. **Conservation Plan Proposal – Rocky Wiley, Tetra Tech:** Wiley reviewed the Conservation Plan Proposal dated 9-1-09, a copy of which is attached. He said that any partnership with Colorado Springs Utilities or others would pretty much require that the WWSD have a conservation plan. Wyss asked if such a plan could be “bought off the shelf”. Wiley said that some things are the same for everyone but that he would be identifying all possible methods of conservation available to the WWSD -- tailor made to fit the WWSD. I.e. water usage – cost benefit – customer acceptance – residential/commercial ratio as examples. The WWSD started years ago with voluntary watering restrictions and progressed to mandatory restrictions. This would be part 2 of 3. The effectiveness of each method would need to be measured. Hacker said that after evaluation the WWSD could decide which methods to be kept and which ones to throw out, if any. Wiley said that public relations makes a program work – community awareness (the Poster Contest for example). After discussion, it was moved, duly seconded and unanimously passed that the Board approve the Letter Agreement Conservation Plan Proposal offered by Tetra Tech, a copy of which is attached.
3. **Operations: Randy Gillette:** Gillette reported that the Pumped Water VS Billed for August is not yet available as billing is not complete. Woodmoor Lake is at 7089 feet and staff will begin shifting back to a 50/50 blend of surface and well water. Water line flushing will begin on Sept. 21 for the area north of Woodmoor Dr. and in the Forest Subdivision. A notice has been placed on the billing statements.
4. **Construction:** A pre-construction meeting was held with the contractor on the White Fawn/Deer Creek project this week. The contractor will be mobilizing next Tuesday. One lane of Deer Creek Rd. will be dug up. Collins is working on making some changes to the planned Monument Creek Exchange Pumping Upgrade Project due to some different data collection statistics.
5. **Subdivision Update:** There are no new starts. Collins is working on final acceptance of some of those already in existence.
6. **Well 22 Site Acquisition:** The agreement with the property owner is being drafted.

7. **Arbor Mountain:** The supplemental water agreement final draft is in the approval process. To date two of the three entities (WWSD, Town of Monument, and Tim Irish are the involved parties) have approved it. A closing date will need to be set.
8. **Special District Transparency Notice – Senate Bill 09-087:** A copy of the transparency bill is attached hereto. It is not a big departure from current procedures. The meeting posting requirement did change from 3 days to 72 hours. It also requires that the District provide basic information to its constituents on an annual basis. A variety of methods are available for compliance.
9. **LIRF Study:** Shaffer said that a meeting has been scheduled for next week with Bishop-Brogden and Veronica Sperling.
10. **Identity Theft Recovery:** The SDA Pool is providing coverage to both the District and its employees and Board Member in varying amounts.

VII. Special Reports and Subjects:

1. **Engineer's Report:** Tamburini said he had nothing other than Executive Session material.
2. **Attorney's Report:** Smith said that she had provided a budget calendar to Shaffer. Shaffer said that he would have a draft budget at the October Board Meeting and then would ask that a budget workshop be scheduled.
Landlord/tenant Letter: Smith said that the District can't disclose personal information to a third party. She has developed a cover letter and Form of Authorization for a tenant to sign. The District could then disclose information to the landlord (provided the tenant signs the form). This would be administrative in nature. Smith stated that Erica Olson would attend the October 8th Board Meeting as Smith will be out of town.

VIII. Old Business:

1. Smith reviewed and made minimal changes to the Second Amendment to Water Rights Consulting and Brokerage Agreement, Dated August 9, 2005 between the WWSD and Stillwater Resources & Investments, Inc.. Therefore, as approved at the August Board Meeting, the agreement was signed by Benny Nasser, President of the WWSD, sated September 3, 2009, and a copy of the signed agreement is attached hereto.

IX. New Business:

Executive Session:

It was moved, duly seconded, and unanimously approved that the Board move into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S., for "conference with general counsel on specific legal questions" related to water and storage rights, Well 22 well site contract, and the Arbor Mountain Contract; and pursuant to 24-6-402(4)(a), C.R.S., for "discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest"; related to property interests, water rights, storage rights negotiations, the Well 22 well site contract, and the

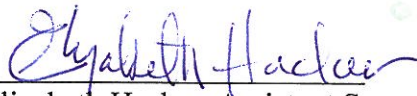
Arbor Mountain contract; and pursuant to Section 24-6-402(4)(e) C.R.S., “Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators” all related to water and storage rights negotiations, Well 22 well site contract and the Arbor Mountain Contract. The Executive session commenced at 2:18 p.m. The Board returned to Regular Session at 3:08 p.m.

Arbor Mountain Contract: It was moved, duly seconded and unanimously passed that, the supplemental water contract with Arbor Mountain be approved and that the President be authorized to sign it when all other parties have executed the contract at the closing.

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 3:10 p.m.

Respectfully Submitted,


Elizabeth Hacker, Assistant Secretary