

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on January 14, 2010 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT:

Director Hacker
Director Nasser
Director Town
Director Whitelaw
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
Bill Ray – Corporate Advocates, Inc.

I. **Call to Order:**

President Nasser called the meeting to order at 1:00 p.m.

II. **Reading of the Minutes:**

Copies of the December 10, 2009 and December 22, 2009 meeting minutes of the Woodmoor Water and Sanitation District were provided to each director. It was moved, duly seconded and unanimously passed that both sets of minutes be approved.

III. **Financial Report:**

Director Wyss reviewed the December Financial Report and said he had no comments. It was moved, duly seconded, and unanimously passed that the Financial Report be accepted.

IV. **Public Discussion:**

1. There was no one who wished to appear before the Board.

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

Hacker reported that:

1. The JUC commended Nasser for his work with the JUC over the years.
2. The "Annual Resolution" designating meeting place, time, dates, posting places, etc. was passed.
3. The DMR was good – there were no violations. The average day effluent of the plant was 1.16 million gallons last month.
4. **Water Quality Control Committee:** The EPA wanted to decrease copper limits at the plant within the next two months. Because Jim Kendrick (MSD) was at the meeting to represent the plant, the current limit will be extended until 12-31-2012.
5. Tim Schutz, the PLSD attorney, quoted \$2,500 to rewrite the AJUA to reflect the changes made at the last annual meeting.
6. The JUC is investigating the possibility of obtaining Federal Grant money for plant security.
7. After discussion, it was moved, duly seconded and unanimously passed that the WWSD appoint Jim Whitelaw as its representative to the JUC; that Barrie Town be appointed alternate representative to the JUC; and, that Elizabeth Hacker be appointed second alternate representative to the JUC. A letter confirming the appointments will be written to the JUC with copies to the MSD, the PLSD, and to Burks.

VI. Manager's Report:

Shaffer reviewed the Manager's Report dated January 14 2010, a copy of which is attached hereto.

1. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer said that the PPRWA is tracking the Colorado Springs Utilities (CSU) UPAC Committee discussions. Their report to CSU has been postponed until the CSU March meeting. Donala is contemplating connecting to CSU's lines. There is an engineering meeting next month regarding Super Ditch. Shaffer will attend that meeting with Bishop Brogden Associates. Woodmen Hills applied for membership in the PPRWA and was accepted and it needs to be ratified by the WWSD Board. It was moved, duly seconded and unanimously passed that the PPRWA addendum be approved and that the President be authorized to sign it. Gillette will be attending the El Paso County Water Authority Meeting (EPCWA). It is necessary that a more permanent cost determining method be developed for the Transit Loss Model. The second item of discussion will be whether or not it is appropriate for the EPCWA to be responsible for the Transit Loss Model. If it is not appropriate, then what entity should be responsible? Shaffer reviewed a letter dated January 11, 2010 from the El Paso County Water Authority to the Million Conservation Resource Group together with the attached talking paper. The EPCWA voted to support the effort and the PPRWA will view the presentation next week.
2. **Operations: Randy Gillette:** Gillette reported that the Pumped VS Billed water is related to the billing cycle and the reading differential. Last month the percentage was bad and this month it is extra good. There were three main line breaks. Demand is down. There is 600 gpm going into the lake from the Monument Creek Exchange
3. **Construction:** The White Fawn/Deer Creek project is on hold due to the frozen ground. The contractor will be back in April to finish up. Customers have been very understanding. The

contractor will be responsible to El Paso County for maintaining the roads until asphaltting takes place.

4. **Subdivision Update:** Nothing to report at this time.
5. **Well 22 Acquisition:** A final contract should be presented next month.
6. **Public Relations:** Shaffer stated that he had been interviewed by Chris Woodka of the Pueblo Chieftain and that he thought a decent article had resulted. The Pueblo Chieftain also ran an editorial in which the WWSD was inferred to be acting illegally. An editorial page is only an opinion page. The WWSD has not done anything illegal and two attorneys make sure that it does not. Bill Ray gave a Public Relations update and a copy of his talking paper dated January 13, 2010 is attached hereto.

VII. **Special Reports and Subjects:**

1. **Engineer's Report:** Tamburini said that Tetra Tech is working on a Conservation Plan.
2. **Attorney's Report:** Smith said that she had two resolutions to bring before the Board. Resolution 10-01 is the Annual Administration Resolution setting the time and place of meetings, the posting places, the newspaper for legal postings, etc. It was moved, duly seconded, and unanimously passed that Resolution 10-01 Annual Administration Resolution be approved. Resolution 10-02 is the 2010 Regular Special District Election Resolution. It sets the regular election on May 4, 2010 and enumerates the election rules. Self nominating petitions must be received by Smith's office no later than 3:00 p.m. February 26, 2010. It was moved, duly seconded, and unanimously passed that Resolution 10-02 Regular Special District Election be approved and a copy is attached. Smith stated that in February she will have an omnibus resolution codifying all of the 2009 Resolutions into the Rules and Regulations. She will also have a resolution setting forth the terms and conditions of participation in the District's Augmentation Plan. Board members requested that Smith take a look at the vulnerability of the Board to lawsuits.
3. **Election of Officers:** Smith said that because it is an election year, new officers will be elected at the meeting after the election takes place.

VIII. **Old Business:**

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 Section 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"; 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, property interests, Well 22 Site acquisition, and Super Ditch

negotiations; and pursuant to Section 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" regarding the Pueblo Chieftain Editorial. The Executive Session commenced at 2:05 p.m. The Board returned to Regular Session at 3:43 p.m.

The following motion was made by Director Hacker, duly seconded by Director Town and unanimously passed:

I move to authorize the Board President to sign a letter to Million Conservation Resource Group subject to approval as to form by legal counsel and water counsel.

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 3:45 p.m.

Respectfully Submitted,



Barrie Town, Secretary