

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on March 10, 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: Mike Rothberg, Steve Tamburini

Secretary: Hope Winkler

Visitors: Harriet Halbig – OCN
Dave Miller

I. **Call to Order:**

President Nasser called the meeting to order at 1:30 p.m.

II. **Reading of the Minutes:**

Copies of the February 11, 2010 meeting minutes of the Woodmoor Water and Sanitation District were provided to each director. It was noted that on the Agenda page, the day of the meeting in March should be Wednesday instead of Thursday. It was moved, duly seconded and unanimously passed that the minutes be approved as amended.

III. **Financial Report:**

Director Wyss reviewed the February pre-audit Financial Report. Winkler said that the numbers will change when December's audited figures are known.

IV. **Public Discussion:**

1. Dave Miller appeared before the Board to request approval of a Residential Water Well Permit Application by Beverley Miller to change or increase use of well with existing Well Permit No. 143356A, a copy of which is attached. Miller stated that it is an old Dawson Well

200' deep already in existence on his property. He would like to serve an additional property adjacent to the well's lot. Palmer Lake has informed the State Engineer that its lines are too far away to serve the adjoining 1 acre piece of property and that they are willing to have the one existing well serve both pieces of property. There could be no septic system, if a house is built, the Palmer Lake Sanitation District would serve the property for sewage. The Town of Monument has also declined service. The well draws a relatively small amount of water from the aquifer. The use of the well for irrigation would be cut back from 1 acre to ¼ acre. Future use would be less than recent historic use. The matter will be discussed in Executive Session.

2. There were no others who wished to appear before the Board.

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

Whitelaw reported that:

1. The DMR was good – there were no violations. The plant is running well. Copper was within current limits.
2. It was the consensus that each of the District Managers present should have an opportunity to speak to the JUC prior to the Plant Manager's Report.
3. **Wastewater Utility Council:** A lengthy discussion was held on the merits of paying membership dues to the Wastewater Utility Council. The Monument Sanitation District belongs and Palmer Lake Sanitation District will join. Whitelaw recommended that the WWSD join - the dues are approximately \$210 per year for a collection system of this District's size. Jim Kendrick has been attending the meetings and reporting the happenings. After discussion, it was the consensus of the JUC that the plant should join the Wastewater Utility Council and that the Districts should reimburse Monument Sanitation District some of its expense involved in having Kendrick attend meetings.
4. The State may in the next few years require "report only" for selenium, phosphorus, and aquatic life. "Report Onlys" tend to turn into "Limits" later.

VI. **Manager's Report:**

Shaffer reviewed the Manager's Report dated March 11, 2010, a copy of which is attached hereto.

1. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer said that he would need some direction on the structural organization of the PPRWA. Smith said that the WWSD's rights as a member; and any negotiation instruction should take place in Executive Session. Shaffer said that Parker's District Manager, Frank Yaeger, asked the PPRWA to join the Colorado Wyoming Coalition. A \$20,000 down payment would be required for a seat at the table. The monies are to fund a study to see if an EIS for the project would be feasible. The study should be complete sometime in the fall. Million's project is similar in nature and Million has already filed their EIS. Barber of the PPRWA wants a Task Force approach and the El Paso County Water authority voted to contribute \$5,000 to that end. The PPRWA has not yet discussed the project.

2. **Operations: Randy Gillette:** Gillette reported that the lower ratio of water billed to water pumped last month was thought to be due to explainable causes. However, it was only 87% in February and other scenarios, such as a possible leak, are being investigated. Gillette said that the frost line is four feet deep and any leak may not yet show. Operators are walking lines that don't have much visibility from a road and checking swampy areas and stream flows. Lake Woodmoor is at 7096.50 feet which is two feet from the operating range. The Lake is filling on schedule. Shaffer said that Gillette and the operators are doing a fine job and capturing all available water credits.
3. **Construction:** Village Center 4 is in the planning stage only.
4. **Subdivision Update:** No new subdivisions to report at this time. One Supplemental Water Agreement was terminated (Danny Mientka, Airport Equities – Brookmoor Office Park – 2.5 A/F).
5. **Well 22 Acquisition:** Shaffer said that the final draft of the agreement was given to Plowman this week.
6. **Water Court Filing:** Shaffer said that the District's Water Court Decree, District's water policy, and Augmentation Plan are not yet finished.

VII. **Special Reports and Subjects:**

1. **Engineer's Report:** Rothberg said there was nothing other than Executive Session.
2. **Attorney's Report:** Smith said that she had nothing other than Executive Session.
3. **Election:** Smith said that there were no more applicants than there were vacancies on the Board. A copy of the Resolution cancelling the election and declaration deeming the candidates to be elected is attached hereto.

VIII. **Old Business:**

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

IX. **New Business:**

1. **May Meeting Change:** Nasser stated that he would be unavailable on May 13th and requested that the Board consider rescheduling the May Board Meeting. After discussion, it was the consensus that the May Regular Meeting of the Board of Directors should be moved from May 13, 2010 to May 6, 2010 at the same time and place. Hacker asked about the April Board meeting. Town will miss the April Board Meeting unless it is rescheduled. It was determined that a quorum will be available.

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"; pursuant to Section 24-6-402(4)(b), C.R.S., for "Conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions related to a possible foreclosure of property within the District and a request for expanded well use; and pursuant to Section 24-6-402(4)(e) C.R.S.,

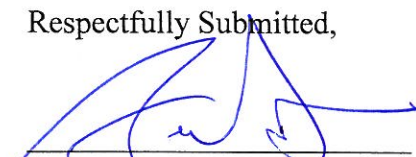
“Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators” all related to water and storage rights negotiations, property interests, and a potential new opportunity. The Executive Session commenced at 2:30 p.m. The Board returned to Regular Session at 3:42 p.m.

It was moved, duly seconded and unanimously passed that the Board approve Dave Miller’s request for expanded well use and that the President be authorized to sign it.

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 3:44 p.m.

Respectfully Submitted,



Barrie Town, Secretary