

RECORD OF PROCEEDINGS

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

PRESENT:

Director Courrau
Director Taylor
Director Wyss

Manager: Jessie J. Shaffer
Ass't. Manager: Randy Gillette
Attorney: Erin Smith
Consulting Engineer: Mike Rothberg, Steve Tamburini
Secretary: Hope Winkler
Visitors:
Lori Akers – WWSD Staff
Walraven Ketellapper – Stillwater Resources & Investments (2:25 to 3:18)

I. Call to Order:

Treasurer Wyss called the meeting to order at 1:07 p.m. It was moved, duly seconded and unanimously passed that Director Town be excused from the October 14, 2010 meeting and that Director Whitelaw be excused from the October 8, 2010, and October 14, 2010 meetings.

II. Reading of the Minutes:

A copy of the September 7, 2010 and the October 8, 2010 meeting minutes of the Woodmoor Water and Sanitation District was provided to each director. It was moved, duly seconded, and unanimously passed that the minutes be approved.

III. Financial Report:

Wyss said that he had no comments. It was moved, duly seconded, and unanimously passed that the Financial Reports for August and September be accepted.

IV. Public Discussion:

1. Gillette stated that Lori Akers had worked for the District for 25 years. Winkler said that it had been an honor and a privilege to work with Lori for all 25 years. Wyss presented Lori with a gift certificate and an "Essential Piece" of the puzzle paperweight. The Board

conveyed their appreciation to Akers. Akers said that the District had come a long way from the time when she started and read meters by hand – walking – and the present when meters are read electronically. She gave her thanks to the Board for their recognition.

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

Taylor reported that:

1. The second draft budget for the Tri-Lakes Wastewater Treatment Facility was presented. The plant may be required to remove phosphorus within the foreseeable future. A \$15,000 study was proposed. Sludge removal estimate was \$165,000. Shaffer said that discussion of the draft budget would take place at the WWSD Budget Workshop Meeting.

VI. **Manager's Report:**

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

1. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer said that a meeting is scheduled for next Wednesday. A merger with the EPCWA is still being discussed.
2. **EL Paso County Water Authority (EPCWA):** Re-combining with the PPRWA is still being discussed. It would involve a step down in the level of activity for the PPRWA and the dues would be approximately \$4,200. The lobbying efforts would continue and legal representation would be maintained. The By-laws of the EPCWA would be kept and the name changed to the PPRWA. Projects would be transferred. The logistics are being ironed out.
3. **Operations: Randy Gillette:** Gillette reported that water sale vs water pumped was 104% for the month of September. Lake Woodmoor is currently at 7090 feet. The operating level of the lake has about a ten foot spread from the beginning of summer to the end. The District is currently supplying water from the lake but will switch to ground water at the end of October. The District will then begin refilling the lake. Using the lake does cut down on electricity and adds a little to the cost of chemicals. It also relieves the well field somewhat.
4. **Subdivision Update:** No new subdivisions to report at this time. WED may revisit the Village Center 3 plat. Challenger Homes may be interested in some of the lots. WED will still put a park in. WED told Gillette that Arbor Mountain is backing out of their agreement. Gillette did receive an inquiry on the SW corner of Knollwood and Hwy 105.
5. **Construction:** Gillette said that the Lake Pump Station VFD is being installed today and will be programmed next week.
6. **Well 22 Well Site:** The paperwork for the Well 22 property is at El Paso County and they have a week to review it.
7. **2011 Draft Budget:** Shaffer distributed copies of the 2011 Draft Budget. He stated that as it stands, the District will be taking money out of its reserves to fund the proposed budget. It was the consensus that a budget workshop meeting should be scheduled for October 25th at 7:30 a.m. Smith will publish the Public Hearing Notice for the November Board Meeting.

8. **Sewer Rate:** Shaffer said that a sewer rate structure change would be discussed at the budget workshop but that he doesn't believe the timing is right for a change.
9. **Dan LaFontaine:** Dan gave notice, he is moving his family to Maine. His last day will be October 22, 2010. The District has advertised in trade publications. LaFontaine will really be missed.
10. **Paul Flack Contract Revision:** The new contract will be a more generalized time and material contract. After discussion, it was moved, duly seconded, and unanimously passed that the first amendment to the District's contract with RBI be approved to include time at \$130 per hour and materials; with the contract total not to exceed \$9,500.

VII. **Special Reports and Subjects:**

1. **Engineer's Report:** Rothberg said that there may be discharge limit changes at the wastewater treatment facility. He would like to take a pilot approach to phosphorus and nitrogen. He wants to know what the plant can currently remove. Then the JUC will know how many dollars to spend opposing the possible limit changes. If the lower limits are adopted, it would redefine secondary treatment. There would be costs involved in opposing or in upgrading the plant and Rothberg would like to identify a ballpark figure. A lower copper limit is a real cost concern.
2. **Attorney's Report:** Smith said that the IRS has determined that Board Members are employees.

VIII. **Old Business:**

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

IX. **New Business:**

1. Walraven Ketellapper arrived at 2:25 p.m. and departed the meeting at 3:18 p.m.

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 property including but not limited to water and storage rights and PPRWA related negotiations and pending litigation. The Executive Session commenced at 2:25 p.m. The Board returned to Regular Session at 4:10 p.m.

Authority Delegation:

It was moved, duly seconded and unanimously passed that the Board delegate authority to Jessie Shaffer to sign stipulations in the Fountain Creek Exchange Application Case based on recommendations of the District’s special water counsel and Bishop & Brogden Assoc.

X. 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 4:11 p.m.

Respectfully Submitted,



James W. Taylor, Secretary