

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on March 10, 2011 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT:

Director Town
Director Taylor
Director Wyss
Director Whitelaw
Director Courrau

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

Secretary: Marsha Howland

Visitors: Ronnie Sperling – Buchanan & Sperling P.C.
Candice Hitt – Our Community News

I. Call to Order:

President Town called the meeting to order at 1:05 p.m.

II. Reading of the Minutes:

Copies of the February 2, 2011 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 January and February 2011 financial reports. Wyss suggested that we allocate the budget per the bell shape curve instead of splitting the budgeted amounts equally per 12 months. Shaffer said we could look at that for the next year budget. Shaffer also noted that on the February 2011 statement, the sick and discretionary time the District owed Hope Winkler at the time of her retirement was expensed into the overtime account instead of the salary account. This

has been corrected and Marsha Howland will distribute new February statements to the Board. It was moved, duly seconded, and unanimously passed that they be accepted.

IV. **Public Discussion:**

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

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

Taylor and Gillette reported that:

1. In Our Community News there was an article stating that all the agencies in this area were no longer allowing copper piping in new homes. Gillette contacted Jim Kendrick and was told that only the Town of Monument had a Resolution that states no copper pipes in new homes. A correction will be made in the Community News.
2. Jim Hendricks spoke at length about the nitrogen phosphorus standards that the EPA is looking at. He requested that each of the entities that make up the JUC have their attorneys send a letter to the Division of Water Quality explaining the financial distress they are putting upon us using these standards. Shaffer explained that the problem is the criteria that the EPA is using to set their standards; they are based on rivers in Maryland and Florida. They are not taking into consideration our elevation or climate. We have been trying to negotiate with the EPA to get them to reconsider their methodology. Per the last correspondence they are not going to entertain any new ideas, nor consider the costs for small entities.

VI. **Manager's Report:**

Shaffer reviewed the Manager's Report dated March 10, 2011, a copy of which is attached hereto.

1. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer reported that Pikes Peak Regional Water Authority is now the official name. The PPRWA approved the 2nd Amended Establishing Agreement, a copy of which is attached hereto, as originally presented. Shaffer asked the Board to consider if we want to continue to be a member agency of the PPRWA and accept the agreement as is or resign our membership. Shaffer stated that if we remain active we need to attend all the meetings, as we do now, but need to be vigilant to make sure we are aware ahead of time of any debt that is authorized, so we would have the opportunity to quit the agency at that time if we do not agree with the authorization. Town asked what the membership brings to the District. Shaffer stated that it is mainly a social network for us. It makes us aware of new projects, and keeps the District up to date on what is happening with the other member agencies. Shaffer also presented the following project participation agreements. Wyss asked if Woodmoor could elect not to participate in projects and still retain membership with the PPRWA. Shaffer explained that Woodmoor has the option to accept or decline individual projects, which does not affect the membership. Members who elect to participate in new projects are responsible for the fees and assessments. Courrau asked if it is possible for

Woodmoor to join a project at a later date if so decided. Shaffer stated that there is a provision in the agreements that allow the existing project participants to assess a fee for later date acceptance to a project. The projects are as follows:

- A. Southern Delivery System Project Participation Agreement, a copy of which is attached hereto, which is a study of what it will take for a non SDS participant to utilize SDS in order to convey water. Shaffer stated that he did not see any merit in Woodmoor participating in this study at this time.
 - B. Super Ditch Project Participation Agreement, a copy of which is attached hereto, Shaffer stated that he feels Woodmoor is in a different position and we have different opportunities from the other group members of the PPRWA concerning Super Ditch. He stated that if Woodmoor decides to pursue Super Ditch, we should do it on our own and not as part of PPRWA.
 - C. Colorado-Wyoming Project Participation Agreement, a copy of which is attached hereto, which is an on-going study in which Woodmoor has already contributed \$5000.00 towards. Shaffer does not foresee additional cost this year. Until the study is complete and published we will not know if additional funds will be needed.
2. **SWSP for District Wide Augmentation Plan:** Shaffer stated that Woodmoor has asked the Monument Hill Golf Course to go thru our formal policy and application procedure. Gillette stated that he has met with the golf course and they have made a lot of changes in their grounds crew; and they are looking at their irrigation system for ways to keep their consumption down. Gillette also spoke to them on how to help them stay out of the Tier 3 water billing. Gillette has had good success working with the golf course and feels we can help them with their operations to move forward. Shaffer reported that we have their augmentation plan formalized. We will need to acquire a license from them to enforce the terms and conditions that the State requires from Woodmoor under the augmentation plan. Erin Smith will work with Shaffer to complete this process.
 3. **Operations – Gillette:** Gillette reported that the water pumped vs. water billed is at 97% for the month of February 2011. He hopes to continue seeing these high percentages over the next few months. Gillette is tracking our wastewater flows versus water actually sold, for this month the wastewater plant received 16.3 million gallons and we billed 16.8 million gallons. This shows that 3% of the water was unaccounted for. Gillette was pleased with the outcome. He will continue to track this on a monthly basis.
 4. **Source Water Protection Plan:** Gillette explained that this Plan is part of our Consumer Confidence Report to identify how well protected our water is from contamination. Gillette has been working with Rural Water which provided the attached flyer. What they are looking for is what kind of potential sources of contamination can affect us. This flyer will let our community know we are looking at how to protect our water sources. We have completed the mapping of all our sources and now will start assessing what kind of potential risks there are to those sources. Gillette is planning on having a meeting – inviting the El Paso Health Department, Monument and Palmer Lake Sanitation Districts and the general members of the community to discuss this issue. General concerns at this time are the gas stations with underground storage tanks. The meeting will also discuss contamination from other sources such as forest fires and other possibilities of contamination.

Gillette will inform the Board of the meeting date when finalized. Shaffer wanted to commend Gillette on all the work he has done on this project.

5. **Construction:** Gillette reported that in the Crossroads Shopping Center a Papa John's has been proposed, and in Valley Vista Estates Filing 3 Lot 4 there have been discussions about opening a Come and Go gas station. Both projects are pending. Gillette also reported that Lot 13, Misty Acres is resolved. All the Supplemental Water Reserve Fees have been paid with the exception of one which should be paid by the end of the month.
6. **Other Topics:** None

VII. **Special Reports and Subjects:**

1. **Engineer's Report:** Nothing to report.
2. **Attorney's Report:** Nothing to report.

VIII. **Old Business:**

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

VIII. **New Business:**

1. Public Relations Survey, (draft attached), Shaffer reported that he has been working with our public relations consultant to jump start our public relations campaign. The purpose of the survey is to receive honest feedback from our customers. The first part of the survey is for services and communications, to find out how customers feel about what we are doing and a few questions about some additional services we might be looking at. Part two concerns the Districts current water supply. Part three deals with future water supply and the Districts waste water removal program. Shaffer asked the Board for suggestions for any additional content they would like to see on the survey. After further discussion the Board decided to add a check box separating residential from business customers, and highlight our web address since customers will be able to complete the survey on-line. Whitelaw asked what percentage of return we are looking for, Shaffer stated that our consultant is hoping for 25%.
2. CWPDA lease renewal, a copy of which is attached hereto, Shaffer stated that this lease is identical to our current lease.

Motion:

It was moved by Director Wyss, duly seconded by Director Taylor and unanimously passed that the Board approves the CWPDA lease.

Motion:

It was moved by Director Wyss, duly seconded by Director Taylor and unanimously passed to approve both the PPRWA 2nd Amended Establishing Agreement and the Participation Agreement for

Colorado – Wyoming Project.

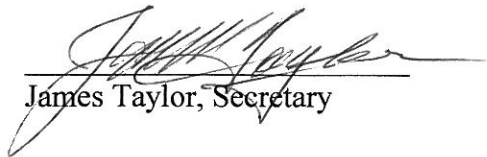
3. **Executive Session:**

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 to water related services contracts. The Executive Session commenced at 2:15 p.m. The Board returned to Regular Session at 3:26 p.m.

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 3:30 p.m.

Respectfully Submitted,


James Taylor, Secretary