

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on September 13, 2011 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT:

Director Town
Director Taylor
Director Whitelaw
Director Courrau

Manager: Jessie J. Shaffer
Ass't. Manager: Randy Gillette
Attorney: Erin Smith

Secretary: Marsha Howland

Consulting Engineer: Mike Rothberg
Steve Tamburini

Visitors: Walraven Ketellapper – Stillwater Resources
Candice Hitt – Our Community News
Jim Manire – BLX Group
Roger Hartman – THC Utility Management Specialist

I. **Call to Order:**

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

II. **Reading of the Minutes:**

Copies of the August 22, 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:**

Director Wyss was not present to review the financial reports.

Note: Shaffer asked the Board to consider moving Item 9 G from New Business to Item 11A, Action on Contracts on the meeting agenda. This action was approved.

IV. **Public Discussion:**

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

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

1. The JUC meeting was held on September 13, 2011. Director Whitelaw attended. Whitelaw reported that the JUC decided to delay the construction of the storage shed until 2012. Whitelaw stated that sludge removal will also start in 2012. The reports from the City of Monument, Palmer Lake and WWSD were all good.

VI. **Manager's Report:**

Shaffer reviewed the Manager's Report dated September 13, 2011, a copy of which is attached hereto.

1. **Pikes Peak Regional Water Authority (PPRWA):**

- A. **Flaming Gorge Task Force Assessment:** Shaffer stated that it appears the task force will receive funding partially from CWCD to move forward. Shaffer stated that the PPRWA will not be funding this project and will only have minimal representation to the task force. Shaffer stated the feasibility study of the Flaming Gorge should be complete by the end of 2011 or early 2012.
2. **Operations – Gillette:** Gillette reported that WWSD is in the process of switching to ground water this month. Due to Lake Woodmoor water levels decreasing and the warm climate, WWSD is experiencing some customer complaints about taste and odor issues in their water. Lake Woodmoor is at 7090 feet. Gillette reported the meter reading process is on track. Gillette stated that he presented the trail signage proposal to the WIA Board. The WIA Board approved the signs. Gillette will review the trail map and a decision will be made as to where the signs will be posted on the trail.
3. **Construction:** Gillette stated that Well 7 is out of the ground. It will require a new pump and motor. Gillette does not have a completion date for this project at this time. Gillette stated that the Come and Go Gas Station is moving forward.

4. **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:**

1. **Consider \$500.00 towards Wastewater Nutrient Conflict:** Shaffer asked the Board to consider a \$500.00 payment towards the wastewater nutrient conflict. Shaffer stated that the Colorado Nutrient Coalition would like to send letters to a few Colorado State Senators trying to point out that the EPA standards for the nitrogen and phosphorus are not feasible for small entities. The Coalition is asking for additional payments to fund this project.

Motion:

It was moved by Director Taylor, duly seconded by Director Whitelaw and unanimously passed to make a payment of \$500.00 to the Colorado Nutrient Coalition.

IX. **New Business:**

1. **Draft Public Power Point Presentation:** Shaffer presented the public power point presentation to the Board for approval. Shaffer has set up public meetings with WIA, Tri-Lakes Chamber of Commerce and the Kiwanis Club for public relations for the JV Ranch acquisition. The power point presentation starts with the history of WWSD and continues through to the conclusion of the JV Ranch purchase. The Board made a few suggestions to improve the presentation. Shaffer will make the changes and e-mail the new presentation to the Board. The Board discussed different questions and answers that may come up during the public presentation for Shaffer's direction. The final power point presentation will be posted on WWSD's website for customer viewing.
2. **Draft Renewable Water Acquisition Brochure & Customer Letter:** Shaffer presented the customer letter and brochure to the Board, a copy of which is attached hereto. The brochure is a summary of the power point presentation. Shaffer will make the same changes to the brochure as the Board suggested on the power point presentation so they are both in sync. The Board suggested the letter should be downsized to one page. The letter and brochure will be mailed to the customers this week.
3. **Draft Press Release:** Shaffer presented a draft press release to the Board for consideration, a copy of which is attached hereto. Shaffer stated that WWSD would release this draft to the press after the customer letter and brochure had been mailed. The Board suggested that the public meeting schedule be added to the release. Bill Ray will make this change.

4. **Draft Cost Estimator Demonstration:** Shaffer presented the cost estimator that will be available on WWSD's website. The residential customer will be able to use the calculator to compare their 2011 invoices to the estimated 2012 billings.
5. **Discussion & Designation of Board Representation for Specific Public and Financing Engagements:** Shaffer stated that WWSD would like Board representation at specific public and financial meetings. Jim Manire stated that the gnatt chart, a copy of which is attached hereto, shows specific meetings highlighted in green that involves Board representation. Manire stated that Board representation demonstrates support to the rating agencies. Director Town stated he would be able to attend these engagements.
6. **Schedule Board Work Session for Public Relations:** Bill Ray suggested to the Board a work session to prepare them for public questions and answers pertaining to the JV Ranch purchase. The Board decided to hold this work session on Friday, September 23, 2011 at 11:00 a.m.
7. **Consider Approval of 90-day O&M Reserve Resolution:** Smith presented the Board with Resolution 11-07, a copy of which is attached hereto. Smith stated that Shaffer along with Jim Mainer recommend to the Board adoption of this Resolution which states the District will have a 90 day O&M fund balance maintained based on the amounts budgeted for the current fiscal year.

Motion:

It was moved by Director Taylor, duly seconded by Director Courrau and unanimously passed to Adopt Resolution 11-07.

X. **Executive Session:**

It was moved, duly seconded, and unanimously approved that the Board move into Executive Session pursuant to (1) C.R.S. 24-6-402(4)(a), for "discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest"; and (2) C.R.S. 24-6-402(4)(e), to "determine 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 acquisition and disposal of water and storage rights and negotiations regarding financing the same, and supplemental water policy changes." The Executive Session commenced at 3:25 p.m. The Board returned to Regular Session at 5:05 p.m.

XI. **Action on Contracts:**

1. **Consider Approval of Sherman & Howard Engagement Letter:** Shaffer stated the Sherman & Howard engagement letter is for standard services relative to bond council. There is a fixed fee of \$80,000 plus contingency of \$1,000 for supplies. It is noted in the letter that if WWSD does not receive the bond proceeds, the total fee will be waived.


Motion:

It was moved by Director Taylor, duly seconded by Director Courrau and unanimously passed to approve engaging Sherman & Howard as bond and disclosure counsel in accordance with the terms of the September 12, 2011 letter and waives and consents to the conflict of interest as described in same letter.

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 5:08 p.m.

Respectfully Submitted,


James Taylor, Secretary