

**MINUTES**  
**EXECUTIVE COMMITTEE – NFRWQPA**  
**AUGUST 2, 2006**

**1. Determination of a Quorum**

The meeting was called to order by Chair Ed Schemm at 1:00 p.m. Executive Committee members present were: Ed Schemm, Jeff Hodge, Randy Siddens, Terry Farrill, Earl Smith, and Cindy Titus. Also present was Connie O'Neill, Manager for the Association and Randy Ristau with the Water Quality Control Division. A determination of a quorum was made and the meeting continued.

**2. Approval of Minutes**

The minutes of the June 12, 2006 meeting were considered. Mr. Farrill made a motion to approve the minutes. Mr. Siddens seconded the motion and it passed.

**3. Cache la Poudre Monitoring Group**

Ms. O'Neill handed out a revised version of the Monitoring Group proposal prepared by Mr. Siddens. Ms. O'Neill also discussed the items that were e-mailed to the group. The Monitoring Group had prepared an outline of what they felt they needed and would be requesting of the NFRWQPA. From that Ms. O'Neill worked with Mr. Schemm to prepare the Monitoring Group proposal which included the group's purpose and responsibilities. The handout from Mr. Siddens is a modified version of that proposal. Mr. Siddens discussed the differences in the two documents. He also discussed what the group had been focusing on.

Mr. Schemm pointed out at the last meeting everyone was not in agreement on the concept of the group and establishing it as a committee of the NFRWQPA. Mr. Farrill indicated that the goals were not clear at the last meeting. Mr. Siddens stated the group would like to have the support of the NFRWQPA when they present to CDPHE and EPA. Mr. Farrill requested that he purpose be better clarified in the proposal. It was decided to change the purpose to read:

**Purpose of Poudre Monitoring Committee:**

- To explore the opportunities to balance discharge monitoring with ambient monitoring along section 11 and 12 of the Cache la Poudre River in an effort to
  - Eliminate redundancy in monitoring.
  - Facilitate coordination.
  - Provide standardization of data analysis & methods.
  - Share data.

Mr. Siddens then made a motion to appoint the Poudre Monitoring Committee as per the revised proposal. Mr. Smith seconded the motion and it passed.

Mr. Schemm pointed out that the NFRWQPA should be kept informed of the group's progress. He also pointed out his concern with the group listing that their goal is to protect and improve. Ms. O'Neill clarified that any additional goals established by the group beyond this approved proposal would need to be considered by the NFRWQPA for approval.

**4. 2005 Update to Water Quality Control Commission**

Ms. O'Neill summarized the information that had been distributed including a letter from the Sierra Club opposing our update, a response letter from the NFRWQPA, a draft presentation to the Commission, and two memos from Mr. Ristau. Mr. Ristau summarized his two memos. Mr. Schemm asked is the state has additional expectations of the

NFRWQPA. Mr. Ristau indicated that the state would not tell the 208 agencies how to function and that the second memo talks about where 208 agencies are today. Mr. Schemm stated that he felt it is healthy to look at the process as a whole however a significant amount of our time is spent on mediation. Mr. Farrill added that the Association would welcome the Sierra Clubs input but they have not participated and are now making accusations that are not correct. The Committee thanked Mr. Ristau for his participation.

5. **Clarification to Site Location & Design Approval Review Policy**

Ms. O'Neill introduced the next item and indicated that she and Mr. Schemm had discussed the possible need to update section 4 of the policy with the Associations expectations. Mr. Schemm indicated that historically the Association has looked at two hour storage, dual pumps, and berming in sensitive areas. Mr. Farrill indicated that the berming came from Ten State Standards and has evolved from there. He indicated a concern that a list may be too confining and suggested guidance.

The Committee agreed that the policy should be updated to allow for staff approval or certification only with an approved utility plan. A revised draft will be sent to the Committee for approval prior to being placed on the Associations agenda for consideration. The Committee then discussed further the need for guidance with lift stations. It was agreed that Ms. O'Neill will work on guidance that includes generally accepted standards for lift stations with the Utility Plan Review Committee. Mr. Farrill also offered to assist with the guidance.

6. **Project Status Reports**

**A. 2005 Audit**

Ms. O'Neill indicated that the 2005 Audit had not been completed yet and the auditor is in need of some additional information that will be discussed later in the agenda.

7. **Status of Operation**

**A. Financial Report Format**

Ms. O'Neill summarized a revised financial report format that had been e-mailed out and included suggested changes. She requested input from the Committee on how the reserve accounts are addressed. The accountant has suggested either including a footnote or establishing separate accounts. She also requested input on the auditing budget. The accountant has suggested showing it as an expense for 2006 and possibly revising the budget.

The Committee decided to identify the reserve accounts through footnotes. The capital reserve account is funded by an amount of \$750 per year and the fund balance carry over is the operating reserve. Mr. Farrill made a motion to amend the 2006 budget to show a line item for \$3,500 for the audit. Mr. Smith seconded the motion and it was approved. The Committee also decided that it would be appropriate for the entire packet to be included with the monthly meeting agenda.

Ms. O'Neill indicated there was an additional question from the auditor on the balance in the monitoring accounts. At this point the accounts include the money from BTWF earmarked for paying the USGS agreement plus interest. In 2006 the Association also established a MOA with BTWF to address the interest earned in 2006. The agreement did not establish how the Association would handle money that was in the account that had been earned as interest prior to 2005. The auditor requested information on the status of this money. The Committee made a decision to move all uncommitted funds from the monitoring accounts to the main NFRWQPA account.

## **B. Status of Poudre Account**

Ms. O'Neill presented a summary of the Poudre account. She indicated the money in the account was remaining from the Poudre stakeholder project and interest. Ms. O'Neill indicated that the auditor is asking whether the money is restricted. Mr. Farrill questioned whether there was an original agreement with the contributors. Mr. Schemm indicated that he felt it would be appropriate to refund the money to the contributors. Mr. Smith added to refund the interest. Mr. Farrill questioned whether there should be any money kept for administration. There was then discussion about how to refund the money. Mr. Hodge made a motion to refund the amount in the account as of the date of the meeting, including the interest, to the contributors in the same proportion as it was originally given. Mr. Smith seconded the motion and it passed.

## **C. Transcript Policy**

Ms. O'Neill reviewed the previous policy discussion. Mr. Farrill indicated that the District's Attorney had recommended that the meeting not be taped and if they are the tapes destroyed after minutes are approved. The Committee then discussed record retention requests that had been received. Mr. Farrill suggested that if we keep recording the meetings that we advise the group as a whole. Mr. Smith suggested consulting an attorney. Mr. Schemm asked that we follow up with Steve Adams and the City of Loveland's Attorney. The item will be included on the next Executive Committee meeting agenda for further discussion.

## **D. Board Insurance**

Ms. O'Neill indicated that this was a carry over item from the previous meeting. Mr. Adams had also forwarded an e-mail from the City of Loveland's Attorney with their input. It was decided that we qualify as a "public entity" per the definition provided by the City and therefore would have some immunity. In addition, the Association is a recommending entity only. It was determined that no additional liability insurance for the Board would be needed.

## **E. NFRWQPA Meeting Time**

Ms. O'Neill stated that she had followed up with Northern Colorado Water Conservancy District with other room availability times. Northern indicated the room was available on a first come first serve basis and it fills up fast so we would need to let them know well in advance. It was decided that the Association would do a survey at the next regular meeting to determine what meeting time would be preferred. The times listed as options would be 1:30 p.m., 2:00 p.m., 2:30 p.m., and 3:00 p.m. We will use this to determine the meeting time starting in January.

## **8. Other Business**

The Committee requested that Ms. O'Neill write a letter to Mr. Ristau thanking him for his time. Mr. Siddens questioned the formula used to calculate the estimated membership dues. Ms. O'Neill indicated that the dues are based on per capita so the dues will increase if there has been a population increase. Mr. Schemm suggested that we verify that the sanitation district dues are based on a residential tap count multiplied by the capita per tap. This capita number should be consistent with the census data for the area to ensure consistency.

Mr. Siddens then asked how the Associations had approached satisfaction surveys in the past. Mr. Farrill indicated that he conducts an informal survey each year with the contacts for the nominations committee.

## **9. Adjourn**

There being no further business, the meeting was adjourned at 4:08 p.m.