

MINUTES
NFRWQPA
April 10, 2009

1. Roll Call

The meeting was called to order by Eric Doering at the NFRWQPA office. Roll was called and the following members were in attendance.

Tony Huerta –Berthoud	Karl Heil - Northglenn
Randy Siddens – Boxelder S.D.	Margaret Medellin – Resource CO M.D.
Stephanie Stewart – East I-25 S.D.	John Holdren - Severance
James Duell – Estes Park S.D.	Eric Doering - St. Vrain S.D.
Dennis Schump - Greeley	Rob Fleck - St. Vrain S.D.
Steve Adams - Loveland	Eric Garner – Windsor

Also present Connie O’Neill Manager for the Association, Tom Renner, Boyd Hanson and Brad Simons.

2. Approval of Agenda

The agenda was approved as presented.

3. Minutes

Ms. O’Neill stated that the location on the minutes from February’s meeting was incorrect. Instead of the meeting being held at Northern it was held at the Evans Community Complex. Mr. Holdren made a motion to approve the minutes as amended. Mr. Siddens seconded the motion and it was approved.

4. Financial Report

Ms. O’Neill stated that as of today all dues were in except for two of the members. Ms. O’Neill will follow up with the two members that have not yet paid their dues. She pointed out that on the balance sheet of the February statement the account balances were low for the Big Thompson Watershed Forum monitoring account and there is no liability listed for USGS. We have paid the USGS balance for 2008 and have not yet signed the 2009 agreement. You will see these expenses come back for the 2009 agreement on the March financial report. Mr. Duell made a motion to approve the financial report. Ms. Medellin seconded the motion and it was approved.

5. Decision Item: Utility Plan, St. Vrain Sanitation District

Mr. Doering turned the meeting over to Mr. Adams for this agenda item. Ms. O’Neill stated that the District has submitted a Utility Plan for review and consideration by the Association. The committee has reviewed the plan and met with representatives from the District and provided them with comments and necessary revisions. Ms. O’Neill stated that the revisions have been received and reviewed by the committee. In addition, comments have been received back from Weld County, Dacono, and Firestone, however Frederick did not respond. Mr. Adams stated that there was a lengthy meeting with the committee and all of the corrections had been made. Mr. Adams gave the recommendation for the approval of the Utility Plan from the committee. Mr. Adams asked for general discussion and no comments were given. Mr. Holdren made a motion to approve the Utility Plan for St. Vrain Sanitation District. Mr. Duell seconded the motion and it was approved.

6. Decision Item: Site Amendment, Town of Windsor

Mr. Adams turned the meeting back over to Mr. Doering. Ms. O’Neill stated that

the town of Windsor has submitted an application for an amendment to an existing site approval. This amendment will address the addition of headworks equipment to the treatment facility. Mr. Garner and Mr. Renner from TEC were present to represent the Town of Windsor. Mr. Garner stated that there is also currently consideration on the alignment of the interceptors and on going discussions with Kodak at this time. He also indicated that they had tentatively planned to put the headworks north of the dike but will move it to the south side. Mr. Siddens made a motion to recommend approval of the Site Amendment for the Town of Windsor. Mr. Huerta seconded the motion and it was approved.

7. **Decision Item: Plan Amendment Review Session, Town of Severance**

Ms. O'Neill explained that in October 2008 the Association gave conditional approval to a Utility Plan for the Saddler Ridge Metro District. The plan identified changes to the existing 208 Wastewater Utility Service Areas. The Town of Severance submitted a request to modify the 208 WUSA boundaries as indicated in the plan. The request would move land from the current Boxelder Sanitation District area in the Severance area. In addition, land would also be designated as a cooperative area between Boxelder Sanitation District and Severance. The sixty day comment period has passed and the only comment received was from Weld County Department of Public Health and Environment stating no concerns. Mr. Doering asked for any comments. Seeing none this decision item will be on the agenda for the April 23rd meeting.

8. **Decision Item: Site Amendment, City of Greeley**

Ms. O'Neill stated that the City of Greeley submitted an amendment application to address upgrades to the existing aeration system. Ms. O'Neill reminded members that amendment applications can be submitted without an approved Utility Plan. Greeley does not have an approved Utility Plan yet however they are in the process of completing one. Mr. Hanson explained that the amendment will result in an increase in aeration for more complete nitrification. Mr. Heil made a motion to recommend approval of the Site Amendment for the City of Greeley. Mr. Siddens seconded the motion and it was approved. Ms. O'Neill stated that the map in the engineering packet from the City of Greeley and the 208 plan do not quite match up. She pointed this out to the City and has received a revised map that is now consistent with the 208 plan.

9. **Discussion Item: Regulation 22 Proposed Changes**

Ms. O'Neill stated that this is a follow up for the Regulation 22 work group. Overall there was agreement with the Division's initial proposed changes. Ms. O'Neill stated that there has been a recent proposal from Jackson Kelley that effects service areas that has caused us some concern. Jackson Kelly had previously proposed this but the workgroup discussed it and felt that alternative language which stated that service areas should be consistent with the 208 plans was more appropriate. There will be another workgroup meeting on April 13, 2009 where this can be discussed further. Ms. O'Neill stated that she has talked to CDPHE and they are in the process of getting an Attorney General's office opinion of the proposal. She had also talked with PPCOG who indicated they would not be in favor of the proposal. Also a representative with DRCOG was at the workgroup meeting where this was originally discussed and indicated that DRCOG would probably not support the proposal. Ms. O'Neill stated that she was looking for direction from the membership as to whether they would object to this proposal. She indicated that we need to make a decision by April 28, 2009 for party status. This proposal has not been submitted to the WQCC yet. Ms. O'Neill asked for comments and suggestions. There was a question about the purpose of the proposal. Ms O'Neill explained that they are trying to address issues from the past regarding service area boundaries.

Ms. Stewart asked what was being interpreted as a Water Quality Management Plan. Ms. O'Neill indicated that these are the 208 plans. Ms. Stewart stated that she thought the goal was to expand the ability for coverage rather than reduce it. She questioned whether the language allowed for coverage under an IGA. Ms. O'Neill stated that she thought the workgroup proposal did and that the proposal from Jackson Kelley limited the ability to plan. Mr. Doering asked for other comments. Hearing none he reiterated that he felt Ms. O'Neill was on the right track.

10. **Other Business**

a. Water Quality Control Commission

Ms. O'Neill explained that the main idea at the March hearing of interest to our region was the ARRA funding implementation items.

b. ARRA Funding

Ms. O'Neill stated that we are not seeing a huge number of site applications for ARRA funds. Our schedule should allow for consideration of all the applications by the deadline.

c. Reg. 38 Update

Ms. O'Neill explained that many changes are being proposed and many as the result of previous changes to the basic standards. The hearing will be held in June. She indicated that all members will see changes to the segments they discharge to. We have requested mailing status to stay up to date on the proposals. If anyone has questions or wants specific information on their segments please let Ms. O'Neill know. Ms. O'Neill has not heard from any members requesting that NFRWQPA take a position or any action on a proposal. Ms. O'Neill asked for any additional or different direction from the membership. No additional requests were made at this time.

d. Larimer County 1041 Regulations.

Ms. O'Neill stated that she has not received a draft yet from Larimer County for distribution. Ms. O'Neill explained that Larimer County is concerned that the regulation may impact their ability to meet the sixty day review period in the Site Application process as per Regulation. 22. They may suggest that the language in Regulation 22 be changed to require land use approval prior to Site Application submittal. Mr. Heil stated that the indefinite delay from the Larimer County process could cost a lot of extra money. Mr. Siddens suggested finding out how the counties that have 1041 in place are affected by the Site Application process. Mr. Huerta stated that the Larimer County process is better than others. Ms. O'Neill will carry these comments to the workgroup.

e. 604b Funds

Ms. O'Neill explained that she has been working with the Executive Committee on this item. The Association has an opportunity for additional 604b funding this year as a result of the ARRA funding. The Division has proposed a plan for the use of these funds. The 208 agencies met with the Division yesterday to discuss this proposal. After a very productive meeting the staff from all of the 208 agencies determined that they will recommend supporting the Divisions proposal. This decision was made because of the extensive requirements associated with the ARRA funds and the benefit to the local agencies from the states proposal. Ms. O'Neill will continue to work with the Executive Committee to finalize this.

11. **Adjourn**

There being no further business. The meeting was adjourned at 2:05 p.m.