

**MINUTES**  
**NFRWQPA June 28, 2007 Meeting**

**1. Roll Call**

The meeting was called to order at 3:05 p.m. by Chair, Ed Schemm at the Northern Colorado Water Conservancy District offices. Roll was called and the following members were in attendance:

Tony Huerta – Berthoud	Glenn Gibson – Larimer County
Randy Siddens – Boxelder San. Dist.	Cindy Titus – Lochbuie
Jim Kaufman - Brighton	Larry Wyeno – Longmont
Anthony Tuka – Broomfield	Fred Meine – Mead
Jon Mays – Erie	Jim Wright – Mead
Jim Sidebottom – Ft. Lupton	Terry Farrill – South Ft. Collins San. Dist.
Dick Leffler - Fredrick	Rob Fleck – St. Vrain San. Dist.
Dennis Schump – Greeley	Jeff Hodge – Upper Thompson San. Dist.
Josh McGibbon – Hudson	Doug Rademacher – Weld County
David Andre – Kodak	Wayne Ramey – Weld County Tri-Area
Ed Schemm – Larimer County	San. Dist.

Also present were Connie O’Neill, Manager for the Association, Kent Kuster, Anthony Beeson, and Trisha Culp.

**2. Minutes**

Minutes of the May 24, 2007 meeting were considered. Mr. Mays made a motion to approve the minutes. Mr. Rademacher seconded the motion and it passed.

**3. Financial Report**

Ms. O’Neill summarized the May financial report. Mr. Meine made a motion to approve the financial report. Mr. Wyeno seconded the motion and it passed.

**4. Public Hearing: Plan Amendment – Town of Hudson**

Mr. Schemm then opened the Public Hearing portion of the meeting. Ms. O’Neill reviewed the Public Hearing Process. She then gave an overview of the proposed Plan Amendment for a revised service area for the Town of Hudson. She indicated that the new boundary basically followed the Growth Management Area of the Town which includes areas for a new truck stop and a prison. She also indicated that the Town had submitted a Utility Plan that was in the review process with the Utility Plan Committee. The Town had received approval from NFRWQPA for an expansion of their lagoon facility however they are hoping to have approval for a mechanical plant before that expansion would be necessary. Mr. Schemm question whether the Utility Plan had been reviewed. Ms. O’Neill indicated it had not. Mr. Schemm questioned whether the service area expansion was premature without the approval of the Utility Plan. Ms. O’Neill indicated that the previous site approval for the lagoon expansion was approved with a condition that a service area expansion would need to take place. Mr. Sidebottom indicated that the Town of Ft. Lupton is looking into the possibility of sharing the plant in the future. Mr. Kuster questioned whether the previous site application for the lagoon expansion had been submitted to the state yet. Mr. McGibbon indicated that it had not. Mr. Meine question whether there were overlapping service areas. Mr. McGibbon indicated there were not.

Mr. Schemm then opened the hearing for pubic comment. With no comments from the public Mr. Ramey made a motion to approve the plan amendment for the expansion of the Town of Hudson’s service area boundary. Mr. Mays seconded the motion and it passed. Mr. Schemm then closed the Public Hearing portion of the meeting.

**5. Decision Item: Weld County Tri-Area Sanitation District Utility Plan**

Ms. O’Neill state that the Utility Plan Review Committee met earlier in the month with the District to review the Plan. Mr. Farrill indicated that the Committee reviewed the plan which was different than most plans that had been reviewed in that it is really a closure plan. The Committee is recommending for approval of the plan and is requesting the following additional information:

- Information on the public hearings for the consideration of the plan.

- Completed IGA with St. Vrain Sanitation District.
- Letters of support from the affected municipalities.

Mr. Ramey indicated that the District had presented the plan at the Town of Fredrick and Firestone on June 21, 2007. Both entities passed resolutions at those meetings to provide letters of support. He indicated that there have also been public meetings on the inclusion into St. Vrain Sanitation District. The District is planning to have all the necessary information ready for consideration at a November election. He also indicated that St. Vrain Sanitation District will also assume the responsibility for the drainage district. Mr. Wyeno questioned representation of the Weld County Tri-Area on the St. Vrain Sanitation District Board. Mr. Ramey indicated that there is the opportunity for anyone in the District to run as an at-large representative. Mr. Farrill made a motion for conditional approval of the Utility Plan with the previously stated conditions. Mr. Mays seconded the motion and it passed.

**6. Decision Item: NFRWOPA Policy Changes**

Ms. O'Neill began the discussion with the changes to the Site Location and Design Approval Review Policy. She summarized the changes being recommended by both the Executive Committee and the Utility Plan Review Committee. She indicated that since the agenda had gone out, there had also been a suggested change submitted by Mr. Kuster with the Colorado Department of Public Health and Environment. Mr. Kuster pointed out that since there are now fees associated with the submittal of a site application to the state, it will be important for the applicants to make the submittal as opposed to the Counties' previous coordination process. It was suggested that the policy be amended to reflect this. Mr. Schemm agreed with the need to change the Larimer County process as a result of the fees. He also pointed out a need to continue to help coordinate the process and suggested tabling the item until that process could be worked out. Mr. Farrill suggested adopting the suggested changes with the understanding that additional changes are needed to meet the state issues. Mr. Mays suggested making all the necessary changes prior to consideration. He then made a motion to table the item to allow for additional changes to address the states concerns. Mr. Ramey seconded the motion and it passed.

The discussion then moved to the proposed changes to the Plan Amendment Process. Ms. O'Neill summarized the proposed changes as recommended by the Utility Plan Review Committee. She indicated that Mr. Kuster suggested the removal of the second sentence in section C.7. which reads "If the WQCD agrees with the amendments, they will be deemed approved." Mr. Kuster stated that the Division does not have the authority to give such approval. Mr. Wyeno question whether Utility Plans were required or requested. Ms. O'Neill indicated that the policy reads request. Mr. Wright stated his support for Utility Plans but voiced a concern for the cost associated with the plans for small communities. Ms. O'Neill pointed out that for small facilities the Utility Plan Committee has the ability to determine, on a case by case basis, if there are items that do not apply. Mr. Schemm stated that he was more comfortable with the guidance and the list of suggested information after using it to complete a plan. Mr. Meine stated that the biggest problem that Mead had with their Utility Plan related to service area boundaries. Ms. O'Neill pointed out the addition of service area guidance in the Utility Plan Guidance Document which would be discussed next. Mr. Farrill then made a motion to approve the revised Plan Amendment Process as presented with the removal of the second sentence in section C.7. as well as modifying the third sentence to read "The plan will then be submitted to the WQCC on a ..." Mr. Rademacher seconded the motion and it passed.

The discussion then moved to the proposed changes to the Utility Plan Guidance document. Ms. O'Neill indicated that there were two handouts with recently received suggestions for additional changes to the guidance. She also summarized the proposed changes being recommended by the Utility Plan Review Committee. Mr. Farrill indicated that the Committee had put a lot of work into the proposal. He voiced agreement with the suggestion from Jackson Kelley but questioned the intent of the Erie suggestions. He stated that his recommendation would be to move ahead with proposal

including similar language as suggested by the letter from Jackson Kelley but to have further conversations with Erie about their concerns. Mr. Mays stated that Erie felt there should be additional criteria evaluated when a conflict arises over a service area boundary. These additional criteria included municipal boundaries and water rights. He suggested that the land use agency should be able to determine who could best provide service. Mr. Schemm suggested that more time is needed to look into those issues. Mr. Farrill stated that he felt some of the issues were addressed but perhaps not strong enough. He suggested that the Utility Plan Review Committee work with the Town of Erie to address these issues and then bring back additional amendments.

Mr. Meine brought up concerns for communities that do not have boundary agreements with the County in addition to cost concerns for small communities. Mr. Farrill indicated that small communities who extend their boundaries will need to have a plan for service. Mr. Mays then suggested tabling the item until the next meeting. Mr. Farrill indicated that it would probably not be feasible to have changes made by July. Mr. Mays then made a motion to table the item for a month. Mr. Meine seconded the motion. The motion failed by a vote of 6 to 9. Mr. Farrill then made a motion to adopt the suggested revisions to the Utility Plan Guidance Document including similar language to that suggested by Jackson Kelly in the letter from Ronda Sandquist and meet with Erie to determine a future amendment to address their concerns. Mr. Mays seconded the motion and it was approved.

**7. Other Business**

- A. Water Quality Control Commission: Ms. O'Neill indicated that at the June Commission meeting a hearing date of August 14, 2007 was set for the appeal of the Mead site application for their new wastewater treatment facility by the proponents of the East I-25 District.
- B. Water Quality Forum: Ms. O'Neill indicated that she recently attended the Water Quality Forum retreat. At that meeting the Water Quality Control Division – Permits Section indicated that they would be updating several policies that may affect folks with permits. Those updates will be posted in the Water Quality Bulletin which is available on the Division's webpage. They will also be presenting those at the Forum meetings.
- C. Water Quality Control Division Fees: Ms. O'Neill stated that the Division's fees would go into effect beginning July 1, 2007. Mr. Kuster indicated that it will be important for applicants to contact him via e-mail when they are ready to submit an application in order to obtain a customer number. He indicated that the Division will not be able to begin the review of an application until the fee has been paid. He also indicated that to expedite the process, applicants may want to submit the payment for the site application and design review at the same time. He also indicated that if people have questions on the process they should contact him.

**8. Adjourn**

There being no further business, the meeting was adjourned at 4:20 p.m.