

MINUTES
NFRWQPA
September 25, 2008 Meeting

1. Roll Call

The meeting was called to order at 3:04 p.m. by Steve Adams. Roll was called and the following members were in attendance:

Tony Huerta - Berthoud
Fred Walker – Boxelder Sanitation Dist.
Ed Burke – Brighton
Jon Mays – Erie
Earl Smith – Evans
Carol Webb – Fort Collins
Dick Leffler – Frederick
Dennis Schump - Greeley
David Andre - Kodak

Larry Wyeno – Longmont
Steve Adams – Loveland
Jim Wright – Mead
Margaret Medellin – Resource CO Metro
John Holdren – Severance
Rob Fleck – St. Vrain San. Dist.
John Jordan – Timnath
Dennis Wagner – Windsor

Also present, Connie O’Neill Manager for the Association Jill Bennett and Ed Schemm with Larimer County and Matt Benak with Jacobson Satchell.

2. Approval of Agenda

Mr. Adams added Continuity of the 208 management to committee the agenda as item # 9.

3. Minutes

Minutes of the July 24, 2008 meeting were considered. Mr. Mays made a motion to approve the minutes, Mr. Burke seconded the motion it was approved.

4. Financial Report

Ms. O’Neill discussed the CDT accounts which closed due to investments with Lehman Brothers. All funds were transferred to ColoTrust. Our reserves are now with ColoTrust. Our portion of funds with Lehman Brothers could, eventually have value come back. NFRWQPA lost approximately \$6,700.00 in our main reserve account. The monitoring account for Big Thompson Watershed Forum lost approximately \$1,200.00. Mr. Holdren made a motion to approve the financial report. Mr. Fleck seconded the motion and it was approved.

5. Decision Item: Utility Plan Update, Resource Colorado Water and Sanitation Metro District.

The Utility Plan is for Resource Colorado. Mr. Benak from Jacobson Satchell Consultants presented a brief background statement. The District is approximately 1 year later than they originally projected with build out projected in 2028. The reason for the revised plan is the slow down in the housing market. The district will delay the MBR use and will use SBR in the initial phase. The first Utility Plan was approved in April of 2007. Mr. Fleck read the recommendation for approval from the Utility Plan Review Committee with the following conditions:

The District will need to address minor issues identified by the Committee in the Wastewater Characterization section of the report which include:

1. To provide additional clarification, the wastewater characterization language in section 3.8.1 could read “wastewater would then flow by gravity through automatic screening and grit removal, and then be pumped to the SBR basins for biological treatment.”
2. Figure 3-2 references page 25 of the Utility Plan Guidance document. This should be page 27 of the document.
3. Figure 3-1 should be updated to reflect current wastewater utility service areas. In addition the reference to “Hudson’s proposed WUSA” should be removed on page 3-1.
4. Section 3.4.6 had previously replaced the 2017 date with 2020. That has now been changed back to 2017. Please verify that this is the correct date.
5. Beginning after section 5.1.1 the footers show September 2007 and continues until the bottom of page 5-11.

Mr. Mays made a motion to approve the revised Utility Plan with conditions. Mr. Wyeno seconded the motion and it was approved.

6. Decision Item: Site Application, Resource Colorado Water and Sanitation Metro District, New Wastewater Treatment Facility.

The district has submitted a Site Application for the first phase of the new waste water treatment facility. The actual location of the facility will be in the northern part of the Resource Colorado 208 boundary. Both Weld County Health and Planning have indicated no concerns with the application. Mr. Mays made a motion to recommend approval of the application. Mr. Holdren seconded the motion and it was approved.

7. Presentation: Larimer County 1041 Regulation

Ms. Bennett with Larimer County Planning presented on the 1041 Regulation Development process. The proposed regulation applies to unincorporated Larimer County to ensure adequate mitigation of possible impacts from large projects. The 1041 Regulation would replace location and extent the zoning process for designated activities. There are a number of activities that can be designated including water and sewage treatment systems. Right now Larimer County is in a hearing process for developing regulation framework and regulation for power plants. The next designation to consider will be transmission pipelines (water and sewer) and above ground water storage facilities. Right now Larimer County is trying to figure which “major” facilities should be designated, and define what kinds of facilities should be designated. Larimer County is seeking input now and are not working with a time line. Review criteria that are included in the draft power plant regulation would probably apply to all projects.

Mr. Adams asked how Larimer County is going to do this considering staffing and cost? Ms. Bennett stated that the staff of Larimer County thinks they can accomplish the review. She also stated that there is flexibility and they are also looking at an appeal process. Mr. Wright stated he has seen this used to stop growth. He also questioned the need for the process and if condemnation powers would be affected. Ms. Bennett stated it does not change the condemnation powers. Larimer County has no plan to use this plan as growth control. It is to give authority to the Board of County Commissioners instead of Planning Commission for approvals. Mr. Scheme stated that the purpose is to give citizens an opportunity to express their concerns to elected

officials who might be able to do some negotiation to resolve the issues. It is not meant to replace what this group does. Mr. Burke would like to be able to coordinate with the 208 process. There was additional discussion about the regulation and possible impacts to proposed water projects. Ms. Webb then stated support for a workgroup.

Mr. Adams suggested that there be a link on NFRWAPA website to the Larimer County 1041 site. Ms. O'Neill will work with Ms. Bennett to form a workgroup.

8. November – December Meeting Date

Due to the Holidays it was decided that the November and December meetings be combined on December 11, 2008. If there are not agenda items in December there will not be a meeting.

9. Chairman Discussion

Mr. Adams explained that Mr. Hodge the Chairman, resigned from Upper Thompson Sanitation District, so we are without a chairman. With this vacant position the Vice Chair, Mr. Doering becomes chair for the rest of the term. Mr. Doering has agreed to take this role on at this time.

It was suggested that Mr. Adams remain as Secretary/Treasurer as he is on signature cards. The group discussed leaving the vice chair position vacant. Ms. Medellin made a motion to support leaving the vice chair vacant until the next regular scheduled election. Mr. Wyeno seconded the motion and the motion was approved.

10. Other Business Water Quality Control Commission

A. Water Quality Control Commission

Ms. O'Neill did not attend the WQCC meeting in August as this was a limited meeting to take final action on previous decisions.

B. Regulation # 22 Work Group Update

The workgroup is in progress. Meeting notes and documents are posted on the Water Quality Forum website. NFRWQPA has submitted two issues for consideration, pilot treatment process and requiring utility plans. The pilot treatment processes has not been discussed yet.

In preliminary discussion regarding utility plans specific clarification on the following items was suggested.

1. IGAs between parties when service/capacity is to be shared.
2. Lift Stations and the necessary information to be submitted to demonstrate capacity
3. Lift stations and the necessary information to demonstrate managerial and financial capacity.

C. Other Items/ Reports

Mr. Walker stated that the Boselder Sanitation District would like to submit additional comments for consideration regarding the revisions to the Utility Plan and Site Application Policies. He stated that these comments are meant to help clarify the documents and aid in consistency.

11. Adjourn

There being no further business. Mr. Mays made a motion to adjourn the meeting. Mr. Wright seconded the motion and the meeting was adjourned.