

**MINUTES****NFRWQPA  
May 26, 2005****1. Roll Call**

The meeting was called to order at 3:00 p.m. by Chair Gale McGaha Miller at the offices of the Northern Colorado Conservancy District. Roll was called and the following members were in attendance:

Jim White – Berthoud  
 Ravi Srivastava – Box Elder S.D.  
 Randy Siddens – Box Elder S.D.  
 Gary Behlen – Erie  
 Jim Duell – Estes Park S.D.  
 Gale McGaha Miller – Ft.Collins  
 Tracy Kittell – Greeley  
 Harleigh Pepler – Johnstown  
 Roy Lauricello – Johnstown  
 Ed Schemm, Larimer County  
 Cindy Titus – Lochbuie

Larry Wyeno – Longmont  
 Richard Kraemer – Mead  
 Jim Wright – Mead/Keenesburg  
 Ester Vincent – NCWCD  
 Bill Haas – Northglenn  
 Bob Alberts – Pierce  
 Terry Farrill – South Ft.Collins S.D.  
 Eric Doering – St.Vrain S.D.  
 Lee Lawson – St.Vrain S.D.  
 Ron Witt – Upper Thompson S.D.  
 Mike Geile – Weld County

Also present were Connie O’Neill, Manager for the Association; John Burgeson, Tim Dow, and John Franklin all representing Johnstown; Merle Maass; Troy McWhinney; and Brian Zick with The Engineering Company representing Berthoud.

**2. Minutes**

Minutes of the April 28, 2005 meeting were considered. Mr. Geile made a motion to approve the minutes, Mr. Alberts seconded the motion and it passed.

**3. Financial Report for April**

The financial reports for April were reviewed. Ms. O’Neill summarized the reports and pointed out personnel expenses were above the expected percentage due to the overlap in Managers through April. Those percentages will begin to come back in line over the next few months. Mr. Witt made a motion to approve the financial reports, Mr. Schemm seconded the motion and it passed.

**4. Update – Berthoud & Johnstown IGA**

Ms. O’Neill stated that several e-mails had been sent to the Association members over the last couple of days regarding the IGA. Mr. White distributed an activity timetable and discussed the milestones to date regarding the IGA between Berthoud and Johnstown. Mr. White indicated that although the staff for both Towns had made progress regarding the issues, they were still faced with approval from the boards. Mr. White reiterated the Town’s desire for this to be a regional plant as stated in the resolution with the opportunity

to serve not only Berthoud and Johnstown but also possibly Mead and Weld County. Mr. White indicated that both Towns had met the day before and Berthoud's Attorney had revised the draft IGA following that meeting. That document would be reviewed and submitted to Johnstown. Mr. White indicated that Berthoud would like for the Association to modify the contingency that was placed on the site application approval requiring an IGA.

Mr. Geile asked for clarification of the size of the plant. Mr. Zick indicated it was a 0.25 MGD facility. Mr. Alberts questioned the site application showing a 0.5 MGD plant. Mr. Zick indicated the state is now allowing phasing and 0.25 MGD will be the first phase to expand as necessary. Mr. Behlen asked who would manage the capacity of the plant and Mr. Zick indicated it would be the Town of Berthoud and that a rate structure would be set up to pay for existing debt as well as expansion.

Mr. Kraemer questioned the authority of the Association to include the IGA as a contingency. Mr. Pepler indicated that without the IGA the plant will not be regional and felt that the Towns were close enough to resolution that the condition should not be removed. Troy McWhinney indicated that their development is on hold until Johnstown and Berthoud agree to the IGA. Mr. White indicated that this could be a problem if not resolved by June. Mr. Dow indicated that Johnstown does not want to delay the process but without an agreement it may leave area in Johnstown un-developable.

Mr. Srivastava stated that he felt this was a dangerous precedence to set for the association to require an IGA and may hinder other parties from utilizing the facility. Mr. Schemm reminded the group that these issues were explored in the December 2004 meeting of the Association and both parties indicated a desire for an IGA. Ms. Miller stated that what the association requested was simple an agreement to serve and that it is not uncommon for the board to place conditions on its approval. Mr. Srivastava suggested that we simply state the plant should be regional and let the parties work out the details. Ms. Miller pointed out that both communities are vulnerable without the IGA. Ms. O'Neill indicated that the state will want to see this IGA to move the site application forward. Mr. White reiterated they are not trying to get out of doing the IGA, they simple would like to have their project begin as well but if it is delayed longer than a month it might be a problem. If the Towns can get it done in a month there should be no problem. There was then some discussion of what should be included on next months agenda should the IGA not get resolved. Mr. Zick then outlined the status of the design/plans and specifications process.

## **5. Resource Colorado Water & Sanitation Metro. District**

Ms. O'Neill indicated that Resource Colorado Water & Sanitation Metro. District has submitted their application for a plan amendment. A hard copy of the map and draft language has been sent to the Towns of Hudson, Keenesburg and Weld County and is posted on the web site. This will begin the 60 day comment period for the application and will be on the July agenda for discussion. Mr. Schemm also requested a larger scale map for the application showing the Towns of Hudson and Keenesburg. There was also discussion of the time frame for development in the area.

**6. Site Location & Design Approval Review Policy**

Ms. O'Neill handed out a marked up version of the policy that had incorporated the changes that we had received. Ms. Miller had a question regarding diagram 5 and asked that the diagram include a box to show resolution of issues prior to submitting comments to the division. Mr. Schemm pointed out the need for two tracks for amending a site approval and the difference between major and minor amendments. The existing diagram seems to be for a minor amendment. Ms. O'Neill discussed the difference between a minor and major amendment. Mr. Schemm asked that the Association follow up with the state on the amendment review to assure that our diagram is correct. Mr. Schemm also suggested removing the last sentence in the first paragraph of item #2 due to its redundancy. Ms. Miller stated the intent was to assure that if there is staff approval of an application that an update is given to the Association at the next meeting. Mr. Geile made a motion to approve the policy with the inclusion of the changes that had been discussed. Mr. Kraemer seconded the motion and it was approved.

**7. Utility Plan Policy**

Ms. O'Neill stated that the Executive Committee had requested that this item be placed on their June meeting agenda for further discussion. An e-mail will be sent to the Association with the date and time of that meeting for those that would like to attend.

**8. Other Business**

A. Water Quality Control Commission Report: Ms. O'Neill summarized the May Commission meeting which included approvals of the 303(d) Listing Methodology and the Provisional Implementation Guidance for Determining Sediment Deposition Impacts to Aquatic Life. The June Commission meeting will include the Basic Standards Hearing and is expected to last two to three days.

B. Other Business: Ms. O'Neill announced the Water Quality Forum Retreat scheduled for June 27<sup>th</sup> and 28<sup>th</sup>. She also gave an update on the Nonpoint Source Council's Management Program document.

**9. Adjournment**

There being no further business, the meeting was adjourned at 4:25 p.m