

***CENTRAL WYOMING REGIONAL WATER SYSTEM
JOINT POWERS BOARD***

MEETING PROCEEDINGS

December 8, 2004

A public meeting of the Regional Water System Joint Powers Board (JPB) was held Wednesday, December 8, 2004 beginning with an Executive Session at 11:30 AM and the regular meeting at 12:00 PM, in the Joint Powers Board Conference Room, Regional Water Treatment Plant, 1500 SW Wyoming Boulevard, Casper, WY.

Board Members Present - Chairman Bertoglio, Vice-Chairman Jones, Secretary Padgett, , Board Members Bentley, Lamb and Peryam.

City of Casper - Bertoglio, Padgett, Lamb, Phillip Stuckert, V.H. McDonald, Tracey Belser

Natrona County -

Salt Creek Joint Powers Board – Jones

Wardwell Water & Sewer District –

Pioneer Water & Sewer District – Sandra Bentley

Poison Spider Improvement & Service District -

Wyoming Water Development Office -

Sandy Lakes Estates -

Lakeview Improvement & Service District -

33 Mile Road Improvement & Service District -

Central Wyoming Regional Water System - John Naquin, Janette Brown, Steve Garner

Central Wyoming Groundwater Guardian Team (CWGG)-

Others - Don Chapin – Crowell, Chapin and Dixon, P.C., Carol Hobza and John Williams – Wyoming Financial Insurance

The JPB meeting was called to order at 12:08 p.m.

1. Vice-Chairman Jones announced that he had Treasurer Workman's Proxy and Secretary Padgett announced that that he had Board Member Peryam's proxy. Chairman Bertoglio announced that Board Member Killean was absent.

2. Chairman Bertoglio asked for a motion to approve the minutes of the November 22, 2004 meeting. Motion made by Vice-Chairman Jones and seconded by Secretary Padgett to approve the minutes of the November 22, 2004 meeting. Motion put and carried.
3. Mr. Naquin asked the Board to reference the handout dated today to include vouchers 6287 through 6314 for a total amount of \$65,772.66. Mr. Naquin offered to answer any questions the Board had with reference to the vouchers. Motion made by Vice-Chairman Jones and seconded by Board Member Lamb to approve the vouchers as of December 8, 2004 in the amount of \$65,772.66. Motion put and carried with Secretary Padgett abstaining from voucher number 6314 for Board Member Peryam.
4. Mr. Naquin asked the Board to reference the Budget vs. Actual handout and offered to answer any questions. Secretary Padgett asked if the Well Testing was completed. Mr. Naquin stated that the testing was complete and the line item went over by a few hundred dollars but money was reallocated at the last meeting.
5. In the Operations update, Mr. Naquin stated that the daily production is averaging 5 to 6 million gallons per day. He also stated that the in-line mixer had been remounted and the electrical was hooked up for it, but the impellers had not arrived as yet. Mr. Stuckert stated that as of 8:00am December 6th, the City had successfully hired all the employees for the Water Treatment Plant. He stated that one Utility Worker II had been hired from in-house and there were still openings for one Utility Worker II and the Plant Mechanic. He also stated that Mr. Naquin had been hired as the Interim Operations Manager and the opening had been re-advertised. Vice-Chairman Jones asked how many employees will be working at the plant. Mr. Stuckert stated that there will be a total of twelve employees designated for Regional Water with the Utility Worker II's being shared employees. Chairman Bertoglio asked Mr. Stuckert how the shared employees will be allocated. Mr. Stuckert stated that the City of Casper requests that the Region pay for the two shared employees and the City will provide staff to upkeep the distribution system, finance assistance, Mr. Hill's and his time. He stated that the City will still continue to track time and cost but will not bill the Region.
6. There was no Public Comment.
7. Old Business:
 - a) Chairman Bertoglio stated that Mr. Garner had reviewed the EPA Study Update in Executive Session.
 - b) Mr. Stuckert stated that the City Council had approved the Temporary Management Contract at last night's meeting and the City is now operating under the Long Term Operations Contract.
 - c) Chairman Bertoglio asked Ms. Belser explain the Insurance Memorandum of Understanding. Ms. Belser stated that the memo states that the Board's current insurance policy for property and liability and auto coverage will remain in effect until October 11, 2005 and that City of Casper employees

will be driving the Board's vehicles. She also stated that the Director's and Officer's coverage went away since the employees are now covered under the City's liability policy. Chairman Bertoglio asked for a motion to execute the Insurance Memorandum of Understanding. Motion made by Vice-Chairman Jones and Secretary Padgett to approve and execute the Insurance Memorandum of Understanding. Motion put and carried.

Chairman Bertoglio stated that the Board can still get the Director's and Officer's coverage, but that there is a clause in the state statutes that states that Joint Powers Boards have no personal liability. Mr. Chapin stated that under the Governmental Immunity Act the individual Board Members are indemnified by the Joint Powers Board instead of their assets. Mr. Chapin stated that if the Board Members are not comfortable with the coverage, the Board can obtain a separate policy for the coverage. Board Member Bentley asked if the Board had the separate policy, would the lawyer fees be paid if the Board was sued. Ms. Hobza stated that the D&O coverage would pay legal fees and any award up to a certain limit. Secretary Padgett asked what the cost would be for the policy. Ms. Hobza stated that she can get a quote and it would not obligate the Board. Chairman Bertoglio asked Ms. Belser to fill out the application to get a quote. Ms. Hobza left a copy of a sample policy for the Board to review.

8. There was no Other Old Business.
9. The Board elected not to take a break.
10. There was no New Business:
11. In Other New Business, Chairman Bertoglio stated that two new items have come up. He stated that the Aquatic Center would have space issues for the next six months and Mr. Forslund asked if two or three members of the staff could use office space at the plant. Chairman Bertoglio stated that he felt uncomfortable because of security issues. The Board stated they would be very uncomfortable with other people using the plant as office space and wish to avoid it.

Mr. Stuckert stated that the North Park Booster Station is scheduled for improvements which include adding a third pump at an estimated cost of \$140,000. According to the engineering report done by CEPI, the additional pump is needed due to development in Bar Nunn and Salt Creek Heights. The booster is owned by the City of Casper. The City of Casper is asking that the Region participate in the \$140,000 in an equitable share. Chairman Bertoglio stated that Mr. Hill was concerned with fire flows and had said that the engineers had not done an allocation yet. Chairman Bertoglio stated that Mr. Hill wanted the Board to know that the City is moving forward with the improvements and asked if the Board would participate for budgetary purposes. Mr. Stuckert stated that the City would like a determination of whether or not the Board will participate because when the bids are brought back to the City Council they will want to know if the Region will participate financially. He stated that when the preliminary design was brought before the Council there was much discussion as

to why the City should pay 100% of the preliminary design. He stated this is a much larger contract with a lot more exposure. Vice-Chairman Jones stated that the Cross-Town Pipeline serves only City customers and was funded mostly by Regional Water. He stated that he would be interested in seeing the numbers before any decision is made. He also stated that he is not against the work being done. Mr. Stuckert stated that he would like a consensus from the Board that they would participate at some level. Chairman Bertoglio stated that as long as there is a clear justification and breakdown of the numbers. Mr. Stuckert stated that the City will bring the information to the Board before going out to bid.

13. There was no Chairman's Report.
14. Chairman Bertoglio stated the next meeting was scheduled for January 12, 2005. Board Member Lamb stated that this would be her final meeting and told everyone that it was good working with them.

A motion was made by Board Member Lamb and seconded by Vice-Chairman Jones to adjourn the meeting at 12:43 p.m. Motion put and carried.

Chairman

Secretary
