

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

MEETING PROCEEDINGS

January 16, 2024

A public meeting of the Central Wyoming Regional Water System Joint Powers Board (Board) was held Tuesday, January 16, 2024, at 11:30 a.m., in the Joint Powers Board Conference Room, Regional Water Treatment Plant, 1500 SW Wyoming Boulevard, Casper, WY.

Board Members Present - Chairman Bertoglio, Vice-Chairman North, Secretary Waters, Treasurer Cathey, and Board Members Pollock and Sabrosky. Board Members Aars and Pacheco were absent.

City of Casper – Bertoglio, Cathey, Pollock, Tom Brauer, Bruce Martin, Mark Anderson, Janette Brown

Natrona County – North

Salt Creek Joint Powers Board –

Wardwell Water & Sewer District – Sabrosky

Pioneer Water & Sewer District – Waters

Poison Spider Improvement & Service District –

Wyoming Water Development Office -

Sandy Lakes Estates –

Lakeview Improvement & Service District -

33 Mile Road Improvement & Service District –

Mile-Hi Improvement and Service District –

Central Wyoming Groundwater Guardian Team (CWGG) –

Others — Charlie Chapin and Alia Scott – Williams, Porter, Day & Neville, P.C.; George Moser – Wyoming Water Development Commission; Frank Schwarzrock – Town of Bar Nunn

The Board meeting was called to order at 11:31 a.m.

1. In Announcements, Mr. Martin stated that Ms. Alia Scott, with Williams, Porter, Day &

Neville, P.C., is joining the meeting online.

2. Chairman Bertoglio asked for a motion to approve the minutes from the December 12, 2023, Regular meeting. A motion was made by Secretary Waters and seconded by Vice-Chairman North to approve the minutes from the December 12, 2023, Regular meeting. Motion put and carried.
3. Mr. Martin stated that there was one additional voucher, voucher 8652, added to the voucher listing that was sent out in the agenda packet. Mr. Martin asked the Board to reference the voucher listing on the screen.

Mr. Martin stated that voucher 8641 will be considered later in the meeting.

Mr. Martin stated that vouchers 8642 and 8645 are for pumps for RWS booster stations.

Mr. Martin stated that vouchers 8644 and 8651 for the Sheet Metal Specialties are for the HVAC Chiller Replacement Project No. 21-040.

Mr. Martin stated that voucher 8646 for Wyoming Water Development Office in the amount of \$750.00 is for the Pathfinder Modification Project Readiness-to-Serve Water Allocation for 2024 per the contract.

Mr. Martin stated that voucher 8649 for Titan Plumbing, LLC in the amount of \$7,355.84 is for the Ammonia Piping Replacement Project. Mr. Martin stated that the ammonia piping for the surface water plant has been replaced.

Mr. Martin stated that voucher 8650 for Engineering Associates in the amount of \$669.92 is for the Caisson No. 2 Rehab Project No 21-040.

Mr. Martin stated that voucher 8652 for Grainger in the amount of \$8,267.49 is for a hoist / trolley.

Mr. Martin stated that the vouchers are in good order and recommended approval of vouchers 8642 through 8652 in the amount of \$711,633.03.

Secretary Waters asked if the amount of the first voucher on the list, voucher 8641, is included in this total. Mr. Martin stated that it is not as it will be considered later in the meeting.

A motion was made by Secretary Waters and seconded by Vice-Chairman North to approve the January 2024 voucher listing to include voucher numbers 8642 through 8652 in the amount of \$711,633.03. Motion put and carried.

4. Mr. Martin asked the Board to reference the Water Production chart on the screen. Mr. Martin stated that there were 153 MG of water produced in December, which is 16 MG below the five-year average of 169 MG.

Mr. Martin stated that the year-to-date water production was 2.16 BG, which is 146 MG

below the five-year average of 2.31 BG.

Mr. Martin asked the Board to reference the Comparative Income Statement on the screen. Mr. Martin stated that the FY24 Interest Earned does not include the interest earned from WyoStar in December as the amount was not available until after the Financial Report was compiled.

Mr. Martin stated that System Development Charges (SDC) year-to-date are \$146,923 compared to \$85,610 last year. Mr. Martin stated that there has been a bit of an increase in SDC revenues this year.

Mr. Martin stated that Water Utility Charges year-to-date are currently \$4,991,414, compared to \$5,399,536 last year, which correlates with the decrease in water sales earlier this Fiscal Year.

Mr. Martin stated that Reimbursable Contract Expense is \$2,092,147, which includes December expenses. Mr. Martin stated that this line item is approximately \$134,000 more than last year, but it is where it was expected to be at this time of the Fiscal Year.

Chairman Bertoglio asked for a motion to approve the December 2023 Financial Report as presented. A motion was made by Board Member Pollock and seconded by Treasurer Cathey to approve the December 2023 Financial Report as presented. Motion put and carried.

5. Mr. Martin stated that the WTP Manager position has not been filled yet so he will present the WTP Operations Update.

Mr. Martin stated that the WTP Manager position is still being advertised. Mr. Martin stated that after getting through the holidays, the advertisement was refreshed. Mr. Martin stated that as it has been in the past, this is a difficult position to fill, and it is proving to be challenging this time. Mr. Martin stated that efforts were renewed on the advertisement in hopes to see more applications come in.

Mr. Martin stated that the WTP Plant Maintenance Supervisor position has been filled with a promotion from in-house with one of the Plant Mechanic II's. Mr. Martin stated that this leaves an open Plant Mechanic position. Mr. Martin stated that this position has been advertised, applicants were interviewed, and we are waiting to complete an offer for the position.

Mr. Martin stated that production is approximately 5.5 to 6.0 MGD. Mr. Martin stated that we are seeing lower water levels in the wellfield than are typically seen this time of year. Mr. Martin stated that usually when pumping from the wells, we see a level of 3 – 5-feet of water, and now we are seeing water down at the 2-foot level. Mr. Martin stated that we are definitely experiencing a reduced water level this year. Mr. Martin stated that he has also received several calls from people on the other side of the river on Chamberlain Road with their private wells drying up. Mr. Martin stated that they are experiencing the same thing with their wells.

Mr. Martin stated that later in the meeting there will be an update on the Wellfield Management Plan by Mr. Moser with the WWDC. Mr. Martin stated that hopefully when they get into the water modeling, this will make some sense of what is going on with the well water levels.

Mr. Martin stated that right now we are just on the edge of being able to produce what we need with the wells. Mr. Martin stated that four well pumps that were ordered were supposed to be here today, but due to the weather, they are looking at delivering them tomorrow. Mr. Martin stated that once a couple of the new pumps are installed it should help boost production. Mr. Martin stated that staff have also been running the surface plant a bit to see if it can be run in the wintertime or not. Mr. Martin stated that it ran last week for a little bit and put out a bit of water. Mr. Martin stated that the Operators tried again yesterday but ran into some issues. Mr. Martin stated that we want to make sure we can run the surface water plant in the winter if we need to. Mr. Martin stated that it is not the best option, as it is more challenging to treat the colder water, but we need to know if it is available should it be needed.

Mr. Martin stated that the Chiller Project is continuing and is nearing completion. Mr. Martin stated that the completion date is in April, so there is some time left on the project.

Mr. Martin stated that staff have been working on the Raw Water Gates. Mr. Martin stated that there are a couple of gates that were in the open position, and the gate operators failed, which caused the heavy cast iron gates to fall down and are now jammed closed. Mr. Martin stated that staff is having a difficult time getting the gates open, so the Maintenance staff is working with some of the Distribution staff to determine how to get them opened. Mr. Martin stated that we are fine right now, but when we are in the middle of summertime production, they need to be open.

Mr. Martin stated that staff is also doing maintenance on the surface water plant and are getting ready to install some of the well pumps once they arrive.

Chairman Bertoglio asked if the wells on Chamberlain Road are upstream of the WTP. Mr. Martin stated that they are right across from the wellfield. Chairman Bertoglio stated that he is just curious if wells are drying up all the way up the river. Mr. Martin stated that these private wells are right across the river from the wellfield. Mr. Martin stated that some of the residents have drilled their wells lower to get more water; others are able to lower their pumps down if there is water available in the well. Mr. Martin stated that they are definitely seeing reduced water levels.

Board Member Sabrosky asked if this is typical in drier years, and if it has been seen before. Mr. Martin stated that this is the most dramatic that has been seen. Mr. Martin stated that he is going to go back and look at data.

Secretary Waters stated that this is perplexing and doesn't make sense.

Chairman Bertoglio stated that it was an awful dry fall.

The time was turned over to Mr. Anderson for the Transmission System Update.

Mr. Anderson stated that the weekly security checks and tank sampling continue to be completed each week.

Mr. Anderson stated that the system chloramine residuals are looking really good right now. Mr. Anderson stated that this cold weather will help the residuals even more.

Mr. Anderson stated that staff checked all the non-draining fire hydrants for the month.

Mr. Anderson stated that an ARV fitting on one of the Salt Creek waterlines broke. Mr. Anderson stated that it was an easy fix, but it did make a mess by 71 Construction.

Mr. Anderson stated that WD staff pulled out Airport Booster Pump No. 2 and got measurements for an adapter plate. Mr. Anderson stated that as soon as that comes in the new Airport pump will be installed.

Mr. Anderson stated that WD staff also pulled the Pioneer Booster Pump No. 1 and are in the process of building the base for it to match the existing plumbing to fit the new pump. Mr. Anderson stated that once they are done with Pump No. 1, they will move on to Pump No. 2.

Mr. Anderson stated that staff is currently making repairs to tank and booster security lights that have failed. Mr. Anderson stated that maintenance is done on the security lights every six months.

Vice-Chairman North asked if the security lights are being replaced with LED lights. Mr. Anderson that they are. Mr. Anderson stated that they will not be buying any more fixtures or parts for fixtures, if the bulb just needs to be changed, they do that. Mr. Anderson stated that they now change out the full light fixture to LED.

6. There was no Public Comment.

7. In Old Business:

a. Mr. Martin stated that in the last couple of months the Board has discussed the water rights related to the dissolution of the Wardwell Water and Sewer District. Mr. Martin stated that Ms. Scott has drafted two letters and requested that they be put on the agenda for Board discussion. Mr. Martin turned the time over to Ms. Scott.

Ms. Scott stated that in accordance with the Joint Powers Agreement and the Asset Transfer Agreement for the rights and responsibilities associated with the JPB, there is language that states that a formal request in letter form, hand delivered to the Chairman, needs to be asserted in order to request to withdraw from the JPB in the event that an entity needs to withdraw. Ms. Scott stated that at this time, based on the trajectory of the dissolution, there are only a couple of items to still be completed, and then the dissolution will be final. Ms. Scott stated

that at this time she feels it is appropriate to request that the Wardwell Water and Sewer District withdraw as a member of the JPB based on the pending dissolution.

Ms. Scott stated that also under the Asset Transfer Agreement, the Wardwell Water and Sewer District requests written consent by RWS to transfer its rights and responsibilities to the Town of Bar Nunn. Ms. Scott stated that following the discussion today, and hopefully that written request being submitted to her, she would also ask the State of Wyoming Attorney General's Office for the same type of written consent, which is consistent with the requirement of the language in the Asset Transfer Agreement. Ms. Scott stated that she is happy to answer any questions or clarifications. Ms. Scott stated that if need be, the Board could consider the request and table it, it's not urgent, but she would like to move forward with requesting it from the State.

Mr. Chapin asked what the two outstanding items to be done are, so the Board understands. Ms. Scott stated that they are currently waiting on the Board of Control meeting on the surface water right petitions, which is going to be taking place on February 6th at 11:00 a.m., and we are waiting on her request to the State to transfer the rights and responsibilities. Ms. Scott stated that she hasn't yet sent them a similar letter because she thinks it is important that Regional had the discussion first and we figure out what that looks like since it is Regional's document, but it requires that the State also approve. Ms. Scott stated that she also needs to get a new title for a trailer that never had a title. Ms. Scott stated that following the surface water right petitions being granted, she will then transfer all of the assets to Bar Nunn.

Mr. Chapin asked if there was any reason why we wouldn't wait to get the surface water rights transfer before we have this discussion and the approval of the Board. Ms. Scott stated that she thinks it could wait, she just has it on her To-Do list, and she wanted to give it to the Board and have enough time to have the right discussions and make sure that everyone's questions are answered.

Secretary Waters asked if this is a requirement of the dissolution process to withdraw from Regional Water. Chairman Bertoglio stated yes, they have to do that. Chairman Bertoglio stated that this is their request for us to do this. Chairman Bertoglio stated that the Board will then still have to amend the Joint Powers Board Operating Agreement.

Chairman Bertoglio asked if the Board accepts this request, is it done by resolution, because the State still has to approve it. Mr. Chapin stated that he thinks that a resolution is a good way to reference it. Mr. Chapin stated that the Board has to approve it. Chairman Bertoglio asked if the Board puts an amendment to the Operating Agreement through a resolution. Chairman Bertoglio asked if it needs to be a total new amendment. Mr. Chapin stated that depending on how many things the Board wants altered in the agreement, if it is a straight amendment, without making any other changes in the Agreement, the Board can do an amendment and a resolution, and that is fine. Mr. Chapin stated

that if there are other items that the Board wants to revise in the Agreement, then it will have to be a modification of the whole Agreement. Mr. Chapin asked if Ms. Scott agreed with that assessment. Ms. Scott stated that she does, but for time purposes to wrap up loose ends, the Board could do a resolution allowing Wardwell to withdraw and to be replaced by Bar Nunn. Ms. Scott stated that once that is done then the Board can amend the Agreement to be a modernized update of it, because that is going to be a longer process.

Chairman Bertoglio stated that Wardwell has provided the Board with two resolutions, and to keep things documented, the Board could do a resolution that references these Wardwell resolutions. Chairman Bertoglio stated that then the Board could specifically reference amendments to the Joint Powers Board Agreement, that it was authorized by the Board. Mr. Chapin stated that would keep it consistent.

Chairman Bertoglio asked if the Board needs to accept these requests now. Mr. Chapin stated that is what Ms. Scott is requesting, or the Board can wait until the surface water rights are addressed. Mr. Chapin stated that Ms. Scott is requesting it be done now to keep things moving forward.

Chairman Bertoglio stated that if the Board accepts these requests, it is one of the parts for the Wardwell dissolution. Ms. Scott stated that is correct, this is one of the steps for the Wardwell dissolution, and it is also a formal requirement of the RWS JPB Agreement, so in order to comply with all those requirements, she just wanted to make sure the request got to the Board in this formal way. Ms. Scott stated that she has no issue if the Board wants to table it or table issuing written consent until after the surface water petitions are considered because she does not know if there are going to be any issues with those as she has not had any inclination that the Board of Control has any serious questions or issues. Ms. Scott stated that in the event that there is something else that they need to do after the meeting to finalize it, she doesn't think that her request would negate continuing to work together to finalize those petitions. Ms. Scott stated that if the Board would like to wait until those petitions are finalized and the decision has been issued by the Board of Control, that is completely fine with her.

Treasurer Cathey asked if it would be appropriate to go ahead and approve the one removing Wardwell from the Board and approve the other one pending the final transfer of the surface water right petitions, or should the Board wait to approve until it is over with. Mr. Chapin stated that he would keep both of the requests in place if the Board is going to wait, because he thinks it looks odd if Wardwell is removed from the Board, and has no authority, and then the Board is trying to get the other one taken care of, and there could be some issues.

Chairman Bertoglio stated that goes back to what he was trying to get to. Chairman Bertoglio asked if at one meeting, the Board accepts these two resolutions, and then have all the changes to the agreements simultaneously done. Chairman Bertoglio stated that when he reads the agreements, he doesn't see all that much that needs to be changed. Mr. Chapin asked which agreement.

Chairman Bertoglio stated the JPB Agreement, or Operating Agreement. Mr. Chapin stated that he had the sense that at this time a number of people have asked for various changes, and the Chairman may be right that there might not be that many changes to be made. Chairman Bertoglio asked Mr. Chapin to figure out what changes are needed. Chairman Bertoglio stated that it would be nice to have this all done at once.

Chairman Bertoglio asked when the Board of Control issues their findings after their meeting. Ms. Scott stated that she does not know. Ms. Scott stated that she is not sure, and highly doubts that they do oral findings on the day of the meeting, but they might. Ms. Scott stated that she has never been to a Board of Control Quarterly Meeting, so she can follow up with Mr. Stump to see if he has any idea about when they might issue their findings. Ms. Scott stated that they might vote and make a recommendation at the meeting and then issue a written decision or written certification change. Chairman Bertoglio stated that if it's like everything else, it isn't effective until it is published.

Secretary Waters stated that the way this is worded on the agenda, Wardwell formal request to withdraw as Member of CWRWSJPB, Ms. Scott stated that this is formal notice to withdraw Wardwell as a member and add Bar Nunn as a member. Secretary Waters stated that if that's what everyone is going to go along with, it needs to be printed that way. Ms. Scott stated that she takes the position that it is Regional Water's decision whether or not Bar Nunn is going to join as a member of the Board, it's not her position. Ms. Scott stated that her position is just requesting that Wardwell be allowed to withdraw and how or if that is replaced, is Regional's decision.

Secretary Waters stated that he understands that, but what was written here and what Ms. Scott just said are two different things. Secretary Waters stated that is why he got upset the last couple of meetings is there is stuff that is written down, and when it gets talked about, it changes, and he thinks that if it is put down in writing, it ought to reflect where we are going and what we are trying to do. Chairman Bertoglio stated that is correct.

Ms. Scott stated that for clarification, there are two separate letters that we are talking about, two separate documents. Ms. Scott stated that the request to withdraw from the JPB is separate and distinct from the request to assign the rights and responsibilities under the Asset Transfer Agreement. Ms. Scott stated that Wardwell is asking to assign their rights and responsibilities to Bar Nunn under the Asset Transfer Agreement because Bar Nunn is affectively owning all the Wardwell assets, so we need somebody to be able to be recognized formally to operate those assets, which include easements and infrastructure, which will not hinder Regional's ability to continue overseeing those operations and utilizing that infrastructure as well. Ms. Scott stated that those two requests are separate and distinct, so she is not asking that Bar Nunn be able to join Regional, that is the Board's decision. Ms. Scott stated that the second request is that the rights and responsibilities pursuant to the 1996 Asset Transfer Agreement be transferred to Bar Nunn.

Secretary Waters stated that he understands that, and where he was going with this, is what he is reading, and what Ms. Scott said were two different things. Secretary Waters stated that Ms. Scott added on to the verbiage on the agenda about Bar Nunn coming on as a member.

Chairman Bertoglio stated that is what he was trying to get at. Chairman Bertoglio stated that in order for Wardwell to dissolve they first have to withdraw from the Board, and second, in order for them to withdraw from the Board they have to do this step. Chairman Bertoglio stated that then the next step is the Board accepts it, and the next step is the Board makes changes to the Agreement, and that's where in the Agreement is the question answered regarding Bar Nunn getting a seat on the Board. Chairman Bertoglio stated that Wardwell is going to fulfill the requirements for them to leave the Board. Chairman Bertoglio stated that then the question is, does the Board make the changes for that part, and the next part is does Bar Nunn then come on the Board, and anything else on the Agreement that needs ironed out. Secretary Waters stated that he agrees with what Chairman Bertoglio is saying. Mr. Chapin stated that he thinks it needs to be done in steps so it is sequential, and these documents have already been dated in anticipation that this could happen at any time. Mr. Chapin clarified that Wardwell can be withdrawn and then Bar Nunn can pick up the assets before that happens. Ms. Scott stated that at the end of the day, it is a simultaneous transaction because it is like the proverbial ownership of the asset, unless it is actual cash transferred, it is kind of overlapping until all the documents are signed and then ownership and obligation transfer. Ms. Scott stated that the main reason these letters are presented to the Board and the requests are made, is to just keep everything moving forward and to make sure that there are no stones left unturned because she knows there are a lot of iterations of the Operations Agreement for Regional, and Wardwell wants to make sure that the requirements in there are satisfied.

Mr. Chapin stated that makes sense and asked if it has been agreed upon which iteration of the Operating Agreement is being worked off of. Chairman Bertoglio stated yes.

Chairman Bertoglio asked Mr. Chapin for his recommendation. Mr. Chapin stated that it depends on everyone's comfort level. Mr. Chapin stated that if the Board has satisfaction and comfort that the Board of Control is going to approve the surface water right petitions, that's fine. Mr. Chapin stated that if the Board has some concerns about it, they should wait. Mr. Chapin stated that he isn't hearing anyone raising any concerns, he is just offering an alternative to it.

Vice-Chairman North asked Mr. Chapin if he felt there is any potential problem with the State transferring the surface water rights. Mr. Chapin stated that he did not, as he has not had enough experience with water rights to know.

Treasurer Cathey stated that was why he asked about approving contingent on the State approval of the water right transfer or wait an approve both at the same time. Vice-Chairman North stated that the Board should wait until the after the

February 6th Board of Control meeting and see what happens.

Treasurer Cathey stated that the next item is the membership of Bar Nunn on this Board, and asked if Bar Nunn should make a formal request to be a member of the Board once the assets are transferred. Mr. Chapin stated that in his mind, there ought to be some kind of documentation where that occurs simply to maintain the excellent flow of paperwork that Ms. Scott has referred to. Mr. Chapin stated that he does not believe it needs to be an epic document. Board Member Sabrosky asked if in the by-laws there is a directive that says it is invitation only or can there be a request to join. Mr. Chapin stated that he does not remember, but he can check on that. Mr. Chapin stated that even if there isn't, he does not think it hurts that there would be a letter so that everything can be tied together. Secretary Waters stated that it could be as simple as a formal letter request. Chairman Bertoglio stated that it could be a letter from the Bar Nunn Town Council authorizing the mayor to request admission to the Board. Chairman Bertoglio stated that the Board could then act on that. Mr. Chapin agreed. Chairman Bertoglio asked if the Board could act on all three at once. Mr. Chapin stated that he believed so.

Mr. Brauer stated that he hasn't had that many direct involvements with the State Board of Control, indirectly, quite a few. Mr. Brauer stated that his history with them is that rarely does anything glide through on the first reading, and they meet on a quarterly basis. Mr. Brauer stated that in his previous job there were some items that were stuck at the Board of Control into their third year. Mr. Brauer stated that he is not directing the Board to move in any direction to approve this earlier or not, but he also recognizes that the State Board of Control can be slow moving to make a decision, because at the core of it is water rights issues that have been fought over for decades, since the existence of the State. Mr. Brauer stated that he would not pretend to weigh in on Bar Nunn involvement with the Board, but it seems like if there is going to be changes to the Joint Powers Board Operating Agreement, that there would be a decision made about Bar Nunn before that, before changes are made to the Agreement because they are the second largest water user for the Regional Water System. Mr. Brauer stated that if they are going to have a seat on the Board, it seems like they would have a seat at the table while you contemplate those changes to the JPB Agreement.

Chairman Bertoglio stated that on this one, we aren't asking for a change of diversion, or point of use. Ms. Scott stated that the groundwater right petition that was submitted only took one day, although it didn't have to go to the Board of Control, which is more simple than the surface water right petitions, but the request is very similar. Ms. Scott stated that she can give the Board an update at their next meeting, or sooner if there is any indication at the meeting on the 6th if they are inclined to grant the request, or if it is tabled. Ms. Scott stated that the next discussion can be tailored around what information we have and what is lacking.

Mr. Chapin stated that sounds good to him, he just doesn't want anybody to be in the position of moving without authority. Chairman Bertoglio agreed.

Chairman Bertoglio asked the Board if the consensus was to table these items at this time. The Board agreed to table the items at this time.

Chairman Bertoglio asked Board Member Sabrosky to ask the Town of Bar Nunn to send a formal request letter to the Board. Board Member Sabrosky stated that he would work with Ms. Scott to inform the Town of Bar Nunn they need to submit a formal letter of request to join the Board.

Board Member Sabrosky asked if the letter is submitted soon enough, if the Board would consider all three items at the same time after the Board of Control makes their decision. Chairman Bertoglio stated that is correct. Chairman Bertoglio stated that we may not need to have all the revisions to the JPB Agreement ready at that time. Mr. Chapin agreed with that, he thinks that is a possibility. Chairman Bertoglio stated that once everything has been accepted, the Board could entertain a review of the JPB Agreement and make all necessary revisions. Mr. Chapin stated that is correct as prior to that Wardwell is acting under the prior Agreement, and that would be a good place to sever that relationship, and Bar Nunn moves onto the Board and participates there.

Chairman Bertoglio asked for a motion to table the Wardwell request to withdraw as a member of the CWRWS JPB, and the request for consent to assign rights and responsibilities to the Town of Bar Nunn.

A motion was made by Treasurer Cathey and seconded by Secretary Waters to table Items 7 a i, Wardwell Formal Notice and Request to Withdraw as Member of CWRWS JPB, and 7 a ii, Wardwell's Request for Written Consent to Assign Rights and Responsibilities Under Asset Transfer Agreement to the Town of Bar Nunn. Motion put and carried with Board Member Sabrosky abstaining from the vote.

- b. Mr. Martin stated that the Board has been working with the Wyoming Water Development Commission (WWDC) on a Wellfield Management Plan. Mr. Martin stated that Mr. George Moser has been before the Board previously. Mr. Martin stated that he appreciates Mr. Moser's efforts and willingness to keep the Board in the loop on how things are going and introduce himself to the new Board Members that weren't here the last time. Mr. Martin turned the time over to Mr. Moser.

Mr. Moser stated that he is with the Water Development Office, which supports the WWDC in their efforts to undertake various studies for the State of Wyoming. Mr. Moser stated that in 2022, this Board applied for a WWDC study, which was ultimately funded by the 2023 Legislature. Mr. Moser stated that the goal of that was to try to address some of the concerns with the well field productivity and try to do some groundwater modeling efforts that suggest flow paths and ways that flow could be augmented. Mr. Moser stated that construction activities were also worked into the study. Mr. Moser stated that historically the Board and Operators have used some well rehabilitation techniques and have stuck with some tried and true techniques. Mr. Moser stated that we are seeing that those rehab efforts are

not ultimately bringing wells back to the same productivity that they had. Mr. Moser stated that as a backstop to that in support of any future decisions that the Board might make, they are also looking for a consultant to evaluate where Regional Water should be looking for water sources. Mr. Moser stated that they wanted to make sure that they are not ignoring some sort of big picture other source of water that might exist for better money and utility on the dollar.

Mr. Moser stated that last fall they started on this in earnest. Mr. Moser stated that a contract was awarded to Engineering Associates, and they began work in the summer to gather data and compile information about productivity on individual wells. Mr. Moser stated that they then started some water quality sampling, they collected water quality samples from a couple of the wells, and also collected samples after those wells had been producing for a while.

Mr. Moser stated that the goal of that effort was to try to look at what the water chemistry that just lives within the bore hole when that well isn't producing that much water as well as the chemistry from the aquifer, how those two things might be interacting with each other. Mr. Moser stated that then they will look at how the rehabilitation techniques can be tailored to try to enhance the success of those rehabilitation techniques.

Mr. Moser stated that they were able to identify a population of about six wells, with the idea being that out of the six, there are three pairs of wells. Mr. Moser stated that the pairs roughly have similar characteristics; they were drilled and completed about the same time period, and they have seen about the same sort of performance decline over time. Mr. Moser stated that they are hoping that this spring they'll be able to do some enhanced rehabilitation techniques on one of each of the well pairs with the idea being they try that out and see what kind of enchantments they get out of it, see how successful the rehab is, and then there is still one well out of each pair to try a different technique and see what of those options are most beneficial. Mr. Moser stated that he thinks that will ultimately give the Board a tool to know that if you are looking at a well that has seen these sorts of declines and was constructed about the same time period, you'll know from the WWDC study that this is the kind of thing that should be tried first to try to get better water production out of those wells.

Mr. Moser stated that is moving pretty quickly; they met last week and did a tour with contractors. Mr. Moser stated that bids were accepted, and the bid opening was last Friday for Engineering Associates (EA). Mr. Moser stated that he preliminarily saw some quotes ranging from \$100,000 to \$200,000 to do the work. Mr. Moser stated that EA is still asking some questions of the contractors to try to solidify some of the information in the bids to make sure that they are on the right track for their technical capabilities.

Mr. Moser stated that in addition, part of the effort is building a groundwater flow model, and build up a mock model so they can try to address certain things like what would happen if additional water was added to X, Y, or Z infiltration basin; what would happen when the stage of the river changes; to try to help understand

some of the isolated areas where we might see depressions in the water level, or see mounding of water level, and see what recommendations operationally can be given to Regional Water for different periods of time.

Mr. Moser stated that EA was on site two weeks ago and they did some surveying. Mr. Moser stated that they surveyed in some of the waterlines that were not already part of the GIS system, the idea being that they can just add to that. Mr. Moser stated that EA also measured water level in a whole bunch of monitoring wells that are spread throughout the wellfield, and then measured elevations on the wellheads of the monitoring wells so they can get that in an absolute number. Mr. Moser stated that they also measured water surface elevations in infiltration basins and basically collected a whole bunch of information that they can help feed into the groundwater model.

Mr. Moser stated that in the next couple of months, EA would be here in front of the Board to give an update on where they are with looking at Regional water sources. Mr. Moser stated that they have done a little bit of work on this, and they are still homing in on recommendations for that. Mr. Moser stated that it would not surprise him if their recommendation will be that there is this great resource right here, and there would not be a reason to spend millions of dollars on a 40-mile-long pipeline, but nevertheless, some information to help the Board understand what the dollars are that kind of effort might entail.

Mr. Moser stated that the work for rehabilitation techniques should be completed by April 1st, so with any hope, they should get going speedier than that. Mr. Moser stated that one of the questions to the contractors is how quickly they can do the work. Mr. Moser stated that an update on the enhancement techniques and recommendations for rehabilitation should be in the near future as well.

Mr. Moser stated that they are still approximately a year and a half out on project completion, as there are a couple of other items that EA will look at; additional laterals for Caisson No. 2, as a way to get more flow out of that facility. Mr. Moser stated that the Board should expect to get an update from EA in the next couple of months and then get project updates moving forward.

Mr. Moser offered to answer any questions the Board may have on this project.

Chairman Bertoglio asked if anyone has looked at the aerobic spore data to see if as the production drops off if it can be determined if the reservoir is actually being plugged up and seeing a reduction in aerobic spores. Chairman Bertoglio stated that we might as well get some use out of it. Mr. Martin stated that the aerobic spore testing is done bi-weekly by order of EPA. Mr. Martin stated that aerobic spore levels have been really low.

Mr. Brauer stated that he is very grateful for the WWDC, as part of their charge is to make sure that we maximize the use of waters in the State. Mr. Brauer stated that the cool part of these Level 2 Studies is that it is costing the Regional Water System nothing to get all this work done, and the only thing that they charge for is

if they do some big improvement that we get the benefit of. Mr. Brauer stated that the timing couldn't be more beautiful than right now when we are having these challenges, to have a group of experts in the WWDC spearheading a group of experts to look into this. Mr. Brauer stated that the WWDC does good work for all kinds of municipalities in the State.

Mr. Moser stated that Mr. Brauer's comments are a good segway into what it costs Regional Water to do something like this; the answer is nothing so far. Mr. Moser stated that they specifically built in project update meetings at critical time periods. Mr. Moser stated that he had mentioned that the study includes looking at adding additional laterals to Caisson No. 2. Mr. Moser stated that ultimately, because that is a construction activity, that may in fact be something that Regional Water would then need to turn around and reimburse the WWDC for. Mr. Moser stated that they would absolutely make sure that the Board would have a project status update before that so that they understand the gravity of that situation and are on board before that is undertaken.

- c. There was no Other Old Business.

8. In New Business:

- a. Chairman Bertoglio asked how the Board should proceed with the Election of Officers. Ms. Brown stated that the Board can elect to keep the officers as they are, or they can choose to elect new officers.

Chairman Bertoglio asked if only the Chairman and Secretary have to have Officer Bonds. Ms. Brown stated that is correct at this time, as the Treasurer's bond is due in April, and the Vice-Chairman's bond was just issued in November.

Secretary Waters asked if everyone is in agreement to just keep the Officers as they currently are.

A motion was made by Board Member Sabrosky and seconded by Board Member Pollock to keep the Board Officers as is: Chairman – Paul Bertoglio, Vice-Chairman – David North, Secretary – Kenneth Waters, and Treasurer – Steve Cathey. Motion put and carried.

- i. A motion was made by Treasurer Cathey and seconded by Vice-Chairman North to approve voucher 8641 for CNA Surety in the amount of \$200 for the Chairman and Secretary Officer Bonds.

Chairman Bertoglio asked if the bonds are \$200 total, or \$200 each. Ms. Brown stated that it is \$200 total for the two bonds.

Motion put and carried.

- b. There was no Other New Business.

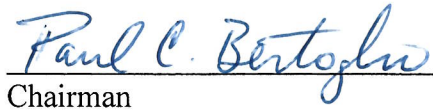
9. In the Chairman's Report, Chairman Bertoglio stated that the next Regular Meeting is scheduled for February 20, 2024, and he will not be available to attend the meeting. Chairman Bertoglio asked if the Board would like to move the meeting, or keep the meeting as is and meet without him.

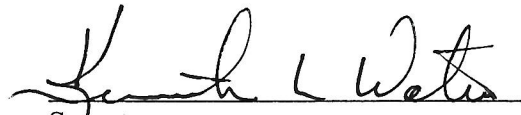
After much discussion of Board Member schedules, it was the consensus of the Board to move the next Regular Meeting to February 27, 2024.

Board Member Sabrosky informed the Board that Larry Forsberg, who was on the Wardwell Water & Sewer District Board for many years, passed away a few weeks ago.

Secretary Waters asked if there was any news on how former Chairman King is doing. Vice-Chairman North stated that he is living in Casper but is not doing well. Chairman Bertoglio stated that the last time he spoke to Board Member Aars, she said that he moved out of the hospital and in an assisted care facility in Utah. Vice-Chairman North stated that he is now here in Casper.

A motion was made by Secretary Waters and seconded by Board Member Sabrosky to adjourn the meeting at 12:29 p.m. Motion put and carried.


Chairman


Secretary