

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

MEETING PROCEEDINGS

January 17, 2023

A public meeting of the Central Wyoming Regional Water System Joint Powers Board (Board) was held Tuesday, January 17, 2023 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 - Vice-Chairman Bertoglio, Secretary Waters, Treasurer Cathey, and Board Members Knell, Pollock and Sutherland. Chairman King, and Board Members North and Sabrosky were absent.

City of Casper – Bertoglio, Cathey, Knell, Pollock, Andrew Beamer, Bruce Martin, Tom Edwards, Janette Brown

Natrona County –

Salt Creek Joint Powers Board – Sutherland

Wardwell Water & Sewer District –

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 – Williams, Porter, Day & Neville, P.C.

The Board meeting was called to order at 11:32 a.m.

1. In Announcements, Mr. Martin stated that Mr. Tracy Sutherland, Mayor of Midwest and Co-Chairman of the Salt Creek Joint Powers Board, is in attendance with Chairman King's proxy.

Vice-Chairman Bertoglio stated that Board Member North is unable to attend today as he is out of town.

Vice-Chairman Bertoglio stated that he is sitting as Chairman for Chairman King for the meeting today.

2. Vice-Chairman Bertoglio asked for a motion to approve the minutes from the December 20, 2022 Regular meeting. A motion was made by Secretary Waters and seconded by Board Member Knell to approve the minutes from the December 20, 2022 Regular meeting. Motion put and carried.
3. Mr. Martin informed the Board that two additional vouchers, 8547 and 8548, were added to the voucher listing that was sent out in the agenda packet.

Mr. Martin stated that vouchers 8534 and 8537 for West Plains Engineering in the total amount of \$2,725 are for the design of the WTP HVAC Chiller Replacement Project No. 20-030.

Mr. Martin stated that voucher 8538 for the Casper Star Tribune in the amount of \$173.48 is for the Notice of Final Payment Ad for the WTP Roof Replacement Project No. 21-062. Mr. Martin stated that this project has been completed.

Mr. Martin stated that voucher 8540 for Hach Company in the amount of \$4,815.64 is for lab equipment that was included in the FY23 Capital Budget.

Mr. Martin stated that voucher 8541 for the Wyoming Water Development Office in the amount of \$825 is for the annual Readiness-to-Serve water allocation as part of the Pathfinder Modification Project contract.

Mr. Martin stated that voucher 8545 for the City of Casper in the amount of \$18,500 is for engineering fees for the WTP Raw Water Intake Pipe Recoating Project No. 22-075.

Mr. Martin stated that voucher 8547 for Advanced Pump & Equipment in the amount of \$7,784.77 is the remainder of the cost for the Dewatering Pump. Mr. Martin stated that a few months ago the Board approved the upfront cost to order the Dewatering Pump.

Mr. Martin stated that voucher 8548 for Kenny Electric in the amount of \$7,997 is for security lighting upgrades.

Mr. Martin stated that the vouchers are in good order and recommended approval of vouchers 8534 through 8548 in the amount of \$496,575.52.

Ms. Brown clarified that voucher 8546 will be considered later in the meeting.

Board Member Knell asked if voucher 8545 is from the City Engineering Department, or if the engineering was subbed out. Mr. Martin stated that it is for work done by the City Engineering Department for the project design and construction administration.

Vice-Chairman Bertoglio asked for a motion to approve the January 2023 vouchers. A motion was made by Board Member Knell and seconded by Board Member Pollock to approve the January 2023 voucher listing to include voucher numbers 8534 through 8548 in the amount of \$496,575.52, with voucher 8546 to be considered later in the meeting.

Treasurer Cathey stated that the Operations Reimbursement invoice total on voucher 8542 is \$254,819.54, but the account balance listed on the invoice is \$382,779.94 and asked about the discrepancy between the two amounts. Ms. Brown stated that the account balance includes the total of the loan payment from voucher 8539, as the invoices for both vouchers are billed to the same account.

Motion put and carried.

4. Mr. Martin asked the Board to reference the Water Production table on the screen. Mr. Martin stated that there were 177 MG of water produced in December, which is 15 MG above the five year average of 162 MG. Mr. Martin stated that usually in the winter months, December through February, production is within a couple million gallons of average. Mr. Martin stated that in December there was quite an increase in water production/water demand during the cold snap. Mr. Martin stated that he believes this is related to people running their faucets to avoid frozen water lines. Mr. Martin stated that there were a lot of plumbing breaks in houses through that week and a half period.

Mr. Martin stated that year to date water production in December was 2.42 BG, which is 157 MG above the five year average of 2.26 BG. Mr. Martin stated that it has been a very good year for water sales.

Mr. Martin stated that Water Utility Charges for FY23 is \$5,399,536, which is approximately \$778,000 more than last year at the same time. Mr. Martin stated that the increase is due to the rate increase, and the above average water sales.

Mr. Martin stated that Reimbursable Contract Expense is \$2,144,195. Mr. Martin stated that the current figure also includes the December Operations Reimbursement. Mr. Martin stated that this line item is on track for where it was expected to be.

Vice-Chairman Bertoglio asked for a motion to approve the December 2022 Financial Report as presented. A motion was made by Board Member Knell and seconded by Secretary Waters to approve the December 2022 Financial Report as presented. Motion put and carried.

5. Vice-Chairman Bertoglio turned the time over to Mr. Edwards for the WTP Operations Update.

Mr. Edwards stated that production is currently 5.5 MGD and is being met using eight Casper wells and eight Morad wells. Mr. Edwards stated that there was a brief increase in demand during the week of Christmas. Mr. Edwards stated that he believes it was due to frozen pipes and running taps during the frigid cold, and people having visitors during the holidays.

Mr. Edwards stated that Maintenance staff repaired some intrusion alarms at the Southwest Booster and Mountain Road Booster.

Mr. Edwards stated that Maintenance staff also replaced some expansion joints on the Surface Water High Service Pumps.

Mr. Edwards stated that a check valve was replaced on Morad Well 7.

Mr. Edwards stated that Maintenance staff is working on wiring for Surface Water actuators.

Mr. Edwards stated that Morad Wells 4, 5, and 6 were flushed.

Mr. Edwards stated that the 2.6 MG Backwash Tank was drained for inspection. Mr. Edwards stated that there was some minor pitting of the flooring and City Engineering staff is going to reach out to the contractor to make the repairs.

Mr. Edwards stated that the heater in the Wardwell Booster was repaired.

Mr. Edwards stated that an ozone leak in the Ozone Contactor Room was repaired.

Mr. Edwards stated that staff has been doing some general housekeeping and organizing, cleaning, and removing old equipment.

Mr. Edwards stated that Rocky Mountain Air replaced some telemetry equipment on the Liquid Oxygen tanks.

Mr. Edwards stated that yesterday one of the pipes in the Pipe Gallery had a leak and Double D Welding was out and patched it.

Mr. Edwards stated that the VFD on Groundwater High Service No. 1 went out and Automation Electronics was on site today to troubleshoot.

Mr. Edwards stated that he will be giving the Transmission System Update as Mr. Anderson is unable to attend the meeting today.

Mr. Edwards stated that most of the Water Distribution staff has been on snow removal duty over the last several weeks.

Mr. Edwards stated that Distribution staff has been continuing to service the non-draining fire hydrants.

Mr. Edwards stated that Distribution staff greased all pumps and valves at all the boosters.

Mr. Edwards stated that all the booster ARV's have been flushed.

Mr. Edwards stated that Wardwell Water's Blair Lane Waterline tie-in has not been completed yet.

Mr. Edwards stated that all the bacti tests for the month passed.

Mr. Edwards stated that nitrification in the distribution system has slowed down and the residuals are looking good.

6. There was no Public Comment.
7. There was no Old Business.
 - a. There was no Other Old Business.
8. In New Business:
 - a. Vice-Chairman Bertoglio asked if Officer Elections should be moved to a different meeting since Chairman King is not in attendance today. Mr. Martin stated that he spoke to Chairman King and he is willing to continue to serve as Chairman if the Board is so inclined.

Board Member Knell stated that he feels Chairman King really enjoys being Chairman.

Treasurer Cathey stated that the Board could keep all the current Officers.

Board Member Knell asked who the current Board Officers are. Vice-Chairman Bertoglio stated that the current Board Officers are as follows:

Buck King – Chairman
Paul Bertoglio – Vice-Chairman
Ken Waters – Secretary
Steve Cathey – Treasurer

Mr. Chapin stated that the Board could make a motion to retain the current Board Officers.

A motion was made by Board Member Knell and seconded by Board Member Pollock to retain the current Board Officers as follows:

H.H. "Buck" King, Jr. – Chairman
Paul C. Bertoglio – Vice-Chairman
Kenneth L. Waters – Secretary
Stephen R. Cathey – Treasurer

Motion put and carried.

- i. Vice-Chairman Bertoglio asked for a motion to approve voucher 8546 in

the amount of \$300 for Board Officer bonds.

A motion was made by Board Member Pollock and seconded by Secretary Waters to approve voucher 8546 for CNA Surety in the amount of \$300 for Board Officer Bonds for the Chairman, Vice-Chairman, and Secretary.

Treasurer Cathey asked if the Treasurer is not bonded as the voucher is only for bonds for the Chairman, Vice-Chairman, and Secretary. Ms. Brown stated that a bond was issued for Treasurer Cathy when he took Office a few months ago and will not be renewed until later in the year.

Motion put and carried.

- b. Mr. Martin stated that the WTP Raw Water & High Service Piping Recoating Project No. 22-075 was planned for FY23 and was approved in the FY23 Capital Budget. Mr. Martin stated that two bids were received on December 28, 2022.

Mr. Martin stated that this Project includes the removal of existing exterior coating and application of a new coating system to the piping and fittings of the Raw Water intake, and the Clear Well intake under the High Service Pump Gallery. Mr. Martin stated that this piping is very corroded and needs sandblasted and recoated to increase the longevity of the piping.

Mr. Martin stated that bids were received from Carr Coatings, LLC from Belle Fourche, SD, and Riley Industrial Services, Inc. from Farmington, NM. Mr. Martin stated that no bids were received from Wyoming contractors, so the 5% preference does not pertain to this project.

Mr. Martin stated that Carr Coatings, LLC came in with the low bid amount of \$87,760. Mr. Martin stated that the estimate prepared by City Engineering staff was \$100,000. Mr. Martin stated that a construction contingency amount of \$10,000 is recommended and brings the total project amount to \$97,760.

Mr. Martin stated that it is anticipated that this project will be completed by June 30, 2023.

Treasurer Cathey asked when the contractor will be starting the project. Mr. Martin stated that once the Board approves a contract, the contractor has thirty days to submit their contract documentation and will be able to start soon afterwards.

Board Member Knell stated that it is quite a disparity between the two bids that were received. Mr. Martin stated that it is, and both companies have been used in the past.

A motion was made by Treasurer Cathey and seconded by Secretary Waters to approve the contract with Carr Coatings, LLC for the WTP Raw Water & High Service Piping Recoating Project No. 22-075 in the amount of \$87,760 and

authorize a construction contingency account in the amount of \$10,000, for a total project amount of \$97,760. Motion put and carried.

c. In FY23 Budget Amendments:

- i. Mr. Martin stated that in December 2022, the Casper City Council approved a 3.5% Cost of Living Adjustment (COLA) for all City employees to go into effect in January.

Mr. Martin stated that the FY23 WTP Operations Budget Amendment No. 1 has a Revenue of \$18,346, which is the Agency Budget reimbursement to the Operations Budget.

Mr. Martin stated that the FY23 WTP Operations Budget Amendment No. 1 also includes an Expense of \$18,346 which includes Salaries, Workers Compensation, Federal Taxes, and Retirement Contributions. Mr. Martin stated that this would bring the FY23 WTP Operations Budget total from \$3,830,789 to \$3,849,135.

A motion was made by Board Member Pollock and seconded by Secretary Waters to approve the FY23 WTP Operations Budget Amendment No. 1 in the amount of \$18,346, bringing the total FY23 WTP Operations Budget to \$3,849,135. Motion put and carried.

- ii. Mr. Martin stated that the FY23 RWS Agency Budget Amendment No. 2 has the same amount of \$18,346 added to the Reimbursable Contract Expenses line item which is used to reimburse the WTP Operations Budget. Mr. Martin stated that this brings the FY23 Agency Budget total to \$9,602,402.

A motion was made by Treasurer Cathey and seconded by Secretary Waters to approve FY23 RWS Agency Budget Amendment No. 2 in the amount of \$18,346, bringing the total FY23 RWS Agency Budget to \$9,602,402. Motion put and carried.

- d. Mr. Martin stated that in August the Board submitted grant applications on three projects to the Water and Sewer Project ARPA funding that was available at that time. Mr. Martin stated that the Board was awarded funding for one of those projects.

Mr. Martin stated that this next batch of grant funding is called the Local Government Project ARPA Program, and has \$50 M of funding available. Mr. Martin stated that it is open now for applications. Mr. Martin stated that the application period closes January 23, 2023. Mr. Martin stated that staff is recommending the Board apply for grants for the two projects that were not funded in the previous round of ARPA funding.

- i. Mr. Martin stated that the Filter Valve Replacement Project grant

application is for \$500,000.

Vice-Chairman Bertoglio asked if this is a matching grant. Mr. Martin stated that there is a minimum 15% match for the grant. Mr. Martin stated that a recommendation of funding will be brought to the Board in the FY24 Capital Budget discussions.

A motion was made by Board Member Knell and seconded by Secretary Waters to approve Resolution No. 23-01 for submitting a grant application to assist in funding the Filter Valve Replacement Project. Motion put and carried.

Board Member Knell asked if he is correct in thinking that there was \$85 M in projects that were not funded in the first round of ARPA Grants. Mr. Martin stated that there was \$50 M appropriated and there were requests for \$225 M. Board Member Knell stated that he is assuming that all the projects that were not funded will have applications submitted for this round of funding. Mr. Martin stated that is possible.

Vice-Chairman Bertoglio stated that with this particular batch of applications, Water and Sewer Projects will have lower priorities, as they are looking to fund other types of community projects. Board Member Knell asked if the likelihood of getting funding for the RWS projects is low. Mr. Martin stated that we won't know for sure until all the applications are reviewed, but he guarantees there will be a lot more requests than there is funding.

- ii. Mr. Martin stated that the same process as the previous project will be used for the 42-inch Ground Water Pipe Replacement Project. Mr. Martin stated that this application is for \$250,000.

A motion was made by Board Member Knell and seconded by Secretary Waters to approve Resolution No. 23-02 for submitting a grant application to assist in funding the 42-inch Ground Water Pipe Replacement Project. Motion put and carried.

Board Member Knell asked when the applications will be let since the deadline is next week. Mr. Martin stated that they have not set a special meeting yet for the State Loan Board, they just said it will take place at an upcoming meeting. Mr. Martin stated that he expects it will take place within the next month or so.

- e. There was no Other New Business.

- 9. A motion was made by Board Member Pollock and seconded by Treasurer Cathey to adjourn from Regular Session into Executive Session at 11:57 a.m. to discuss potential litigation. Motion put and carried.

A motion was made by Secretary Waters and seconded by Treasurer Cathey to adjourn from Executive Session and move back into Regular Session at 12:06 p.m. Motion put and carried.

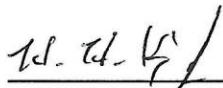
The Regular Session was called to order at 12:06 p.m.

A motion was made by Treasurer Cathey and seconded by Secretary Waters to authorize the Vice-Chairman to execute a retainer agreement with Napoli Shkolnik, PLLC. Motion put and carried.

10. In the Chairman's Report, Vice-Chairman Bertoglio stated that the next meeting will be held on February 21, 2022. Vice-Chairman Bertoglio stated that he will not be at the Board meeting next month as he will be out of town that week. Vice-Chairman Bertoglio stated that if Chairman King is not able to attend the meeting next month, it may need to be rescheduled.

Treasurer Cathey stated that he will also be out of town the day of the February meeting.

A motion was made by Treasurer Cathey and seconded by Secretary Waters to adjourn the meeting at 12:08 p.m. Motion put and carried.



Chairman



Secretary