

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

MEETING PROCEEDINGS

September 15, 2020

A public meeting of the Central Wyoming Regional Water System Joint Powers Board (Board) was held Tuesday, September 15, 2020 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 King, Vice-Chairman Keffer, Treasurer Bertoglio, and Board Members Cathey, Freel, and Powell. Secretary Waters and Board Member Huber were absent.

City of Casper – Cathey, Freel, Powell, Andrew Beamer, Bruce Martin, Brian Schroeder, Janette Brown

Natrona County – Bertoglio

Salt Creek Joint Powers Board – King

Wardwell Water & Sewer District – Keffer

Pioneer Water & Sewer District –

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 — Mr. & Mrs. James Clark, 2938 Salt Creek Hwy.

The Board meeting was called to order at 11:34 a.m.

1. There were no Announcements.

2. Chairman King asked for a motion to approve the minutes from the August 18, 2020 meeting. A motion was made by Treasurer Bertoglio and seconded by Vice-Chairman Keffer to approve the minutes from the August 18, 2020 meeting. Motion put and carried.
3. Mr. Martin informed the Board that two additional vouchers were added to the voucher listing; voucher 8202 for HDR Engineering, Inc. in the amount of \$4,613.25 for the 2.6M Gallon Tank Roof Replacement; and voucher 8203 for Wyoming.com in the amount of \$5.00 for the RWS Website Domain Hosting 9/7/2020 – 10/7/2020. Mr. Martin recommended approval of the vouchers and offered to answer any questions the Board may have on the voucher listing.

Chairman King asked for a motion to approve the September 2020 vouchers. A motion was made by Treasurer Bertoglio and seconded by Board Member Cathey to approve the September 2020 voucher list to include voucher numbers 8194 through 8203 in the amount of \$606,495.48. Motion put and carried.

4. Mr. Martin stated that the Year-to-Date balances on the Gallons Produced and Rates Billed tables has been updated from what was included in the packets. Mr. Martin asked the Board to reference the Gallons Produced table in the agenda packet. Mr. Martin stated that production for August 2020 was 717 MG, which is 95 MG more than the five-year average of 623 MG. Mr. Martin stated that year to date production is 1.45 BG, which is 147 MG more than the five-year average 1.31 BG. Mr. Martin stated that July and August were both good months.

Mr. Martin stated that he mentioned last month that the Financial Report was not available due to the switchover to the new financial software conversion, closing out year-end, and preparing for audit. Mr. Martin stated that there are still issues with the new financial software, but hopefully there will be a report next month.

Mr. Martin stated that the annual audit will begin on September 28th.

Chairman King asked for a motion to approve the August 2020 Financial Report as presented. A motion was made by Vice-Chairman Keffer and seconded by Board Member Powell to approve the August 2020 Financial Report as presented.

Board Member Freel asked about the financial software issues and stated that he has had several calls from residents about their water bills being double the amount they usually are. Mr. Martin stated that numerous residents have been calling about issues with their water bills. Mr. Martin stated that the utility billing is one of the modules being updated and having difficulties.

Motion put and carried.

5. Chairman King turned the time over to Mr. Schroeder for the Operations Update.

Mr. Schroeder stated that July and August were very good production months, but that means a lot of chemicals were used, and there was some damage to the equipment.

Mr. Schroeder state that the storm created some issues for the WTP. Mr. Schroeder stated that there were four storm related power outages. Mr. Schroeder state that another power outage was due to a bird flying into the power line. Mr. Schroeder stated that damage from the power outages was minor and included motor savers on the wells. Mr. Schroeder stated that when the power stays out for extended periods, the battery back-ups struggle to keep up.

Mr. Schroeder stated that the surface water plant is back online and production is 15 MGD, which is twice the amount of normal wintertime flows.

Chairman King asked how long the battery back-ups last during a power outage. Mr. Schroeder stated that with the new SCADA system, they last approximately 12 hours.

Mr. Schroeder stated that he anticipates that the surface water plant will be off in early October. Mr. Schroeder stated that once the surface water plant is off, staff would start clean up to get it ready for next year. Mr. Schroeder stated that staff would also be working on capital projects during the winter.

Mr. Schroeder stated that he would also be giving the Transmission System Update for Mr. Conner

Mr. Schroeder stated that nitrification is starting to show up in the system, which happens every year at this time.

Mr. Schroeder stated that 71 Construction is continuing to flush the Pioneer loop water line.

Mr. Schroeder stated that Water Distribution staff have been testing the RWS wholesale meters and flushing the system.

Mr. Schroeder stated that Water Distribution staff is also working on dewatering the Actiflo lagoons for cleaning.

Board Member Cathey asked if the wells go down during power outages. Mr. Schroeder stated that sometimes the wells go down, and sometimes the surface water plant goes down. Board Member Cathey asked if the emergency generator kicks in during the power outages. Mr. Schroeder stated that the emergency generator is not available yet as the contractor cannot work on it during high production months. Board Member Cathey asked if the wells and the surface water plant go down if the emergency generator would start up so the surface water plant could be brought online. Mr. Schroeder stated that in a normal year, that is how it was designed to work. Mr. Schroder stated that hopefully the emergency generator will be online in early fall.

Treasurer Bertoglio asked if the work that will be done on Alcova this fall would cause any problems for the WTP. Mr. Schroeder stated that it should not cause any problems as the river is already at winter flows, 500 cfs. Mr. Schroeder stated that in October Alcova will be lowered 39 feet, including the 10-15 feet that they normally release. Mr. Schroeder stated that would raise the river flows to 2100 cfs, which will help with the well recharge.

Chairman King asked if there would be a call placed on the river this year. Mr. Schroeder stated there would not be a call on the river this year, but depending on snow pack this winter, there is a chance there could be a call on the river next spring.

6. There was no Public Comment.

7. In Old Business:

- a. Mr. Martin stated that staff would like direction from the Board regarding the EPA LT2 requirement of installing an Ultraviolet System (UV). Mr. Martin stated that EPA has requested a phone meeting next week and he would like the Board's thoughts on where to go with this item. Mr. Martin stated that the letter sent to EPA on this issue stated that UV would be installed in 7 years. Mr. Martin asked if the Board would like Treasurer Bertoglio to sit in on the meeting as he has been involved with investigating alternate options. Treasurer Bertoglio stated that he would participate in the meeting. Mr. Martin stated that he would send the meeting information to him.

Mr. Martin asked if the Board wants to go forth with UV, or push back on the issue. Board Member Powell asked if there is any realistic possibility that since this was an anomalous test, if talking to EPA about backing off would do any good. Mr. Martin stated that Mr. Mark Pepper with Rural Water stated that there is a possibility that it would be worth it to fight back. Treasurer Bertoglio stated that the biggest drawback is funding, and EPA doesn't care what it will do to the rates.

Treasurer Bertoglio stated that this is from one bad test in twenty-something years. Mr. Martin stated that was correct.

Chairman King stated that the one-time bad test in this long of time should not put us in jeopardy. Chairman King stated that the Board should push back.

Board Member Powell asked Treasurer Bertoglio if he had spoken to someone about this. Treasurer Bertoglio stated it would be Senator Barasso's Office that he would go to, as he is the Chairman of the Water Resource program and he has a stout staff that has a lot of input with the EPA.

- b. Treasurer Bertoglio stated that for the Board's information, the mayors of Mills and Bar Nunn came to the Commissioners a couple of weeks ago and laid out their plan for the dissolution of Wardwell Water & Sewer District. Treasurer

Bertoglio stated that the Commission laid out the steps that they would have to go through in order to accomplish this. Treasurer Bertoglio stated that the Town of Mills proposed that they would take over most of Wardwell and that Regional would provide them water. Treasurer Bertoglio stated that this is in Casper's growth boundary, and Mills stated that they would work with Casper when they decide they want to do something. Treasurer Bertoglio stated that they have not approached this Board, nor have they approached the City of Casper. Treasurer Bertoglio stated that Wardwell has some items that will muddy the waters for the dissolution.

Treasurer Bertoglio stated that the process that Mills and Bar Nunn have to go through is they have to come up with 25% of the voters on a petition to go to the Commissioners. Vice-Chairman Keffer asked if they also have to have 25% of the valuation of the property. Treasurer Bertoglio stated that was correct. Treasurer Bertoglio stated that these are the two hurdles they have to get over just to go to the County Clerk to send out for a formal vote. Treasurer Bertoglio stated that the vote then has to have a complete dissolution agreement that the County Commissioners have to adopt.

Treasurer Bertoglio stated that Wardwell will have the opportunity to go before the County Commissioners to explain where they are at, at this point. Treasurer Bertoglio stated that at some point Mills and Bar Nunn have to come to this Board and to the City and ask if they agree with this, as Mills is not a member of Regional Water. Treasurer Bertoglio stated that he can understand Bar Nunn's case of being a municipality in an Improvement District, but Mills jumping from out of their growth boundary and not being a participant in the Regional Water System is something that this Board will have to have a special meeting to discuss.

Chairman King asked how this will affect the Wardwell District for the future. Treasurer Bertoglio stated that Mills envisions taking over from Melody Lane, south and plan to charge those customers as outside-Mills customers. Treasurer Bertoglio stated that Mills proposes that there will not be an Improvement District for them, and all the funds will flow directly into Mills' Enterprise Fund and won't be segregated.

Treasurer Bertoglio stated that the thing that really bothers him is the annexation that Bar Nunn did of the upper part where 71 Construction is located. Treasurer Bertoglio stated that when they said they could provide all these services to that area, that was not true, as Wardwell has had to serve that area.

Board Member Powell asked where the boundary is located. Vice-Chairman Keffer stated that the By-Pass is the boundary.

Treasurer Bertoglio stated that at some point the Town of Mills and Bar Nunn have to come to the Board and request to be able to sell water. Treasurer

Bertoglio stated that they are not asking to be outside-City service, nor an Improvement District, and they haven't asked the outside-Bar Nunn County residents, this has all been done between the Mayors of Mills and Bar Nunn. Treasurer Bertoglio stated that there are many things that have to be done before this will be resolved.

Treasurer Bertoglio stated that there is a lot of stuff going on with Wardwell that you cannot just simply pull the plug and say it's not going to happen now. Treasurer Bertoglio stated that the Commissioners have received a letter from Wardwell listing some of the items they have ongoing that will create an issue for any attempt at dissolution.

Board Member Cathey asked if the City should send a letter to them regarding the growth boundary issues. Treasurer Bertoglio stated that he has had a conversation with Mr. Napier about this issue. Treasurer Bertoglio stated that the growth boundaries are monitored as they were done years ago. Treasurer Bertoglio stated that where the water is, that is where growth happens. Treasurer Bertoglio stated that was why the growth boundaries were done years ago, and the last thing he wants to happen is for water to become the defining issue instead of what was previously approved. Treasurer Bertoglio stated that he will keep the Board informed as this progresses. Treasurer Bertoglio stated that he is most concerned with the people in the unincorporated area of Bar Nunn that have no representation or voice in this. Treasurer Bertoglio stated that he understands Bar Nunn wanting to do their own stuff, but he does not believe they understand the full cost ramifications of trying to provide all the utilities.

Board Member Powell asked if the system has been working. Vice-Chairman Keffer stated that as far as he is aware, every time they turn on the faucet they have water.

Treasurer Bertoglio stated that if it is to be a simple dissolution, there is 51% or more that agreed to it, and the dissolution of the assets is agreed upon and are fair, but this has got way too many things going on.

Treasurer Bertoglio stated that the least objectionable thing is if Bar Nunn wants to provide their own water and sewer, is that Wardwell dissolve and then reconstitute to provide service to the unincorporated areas. Treasurer Bertoglio stated that this issue is not straight forward, as there are many things that have to be resolved first.

Treasurer Bertoglio stated that if Mills gets the 25% needed to put it to a vote, they will have to come talk to the Board and request the ability to sell water. Treasurer Bertoglio stated that one thing that really bothers him is that it was mentioned that once Mills gets a relationship established with Regional Water, then as they grow they would not have to expand their water plant, they would just buy additional water from Regional. Treasurer Bertoglio stated that they are

talking about connecting to the big water lines to the west. Treasurer Bertoglio stated that the excess capacity that RWS has is for the growth of Regional customers. Treasurer Bertoglio stated that Mills cannot just go out and pay a tap fee and call that good. Treasurer Bertoglio stated that the Regional customers have paid for all the debt and improvements. Treasurer Bertoglio stated that for them to come in without something is not right. Treasurer Bertoglio stated that he doesn't know if this was ever envisioned, and needs to get the Joint Powers Agreement out and read through it again.

Board Member Cathey stated that the Town of Mills had the chance to join Regional Water years ago and decided not to, and now want to be join the party without bringing anything to the table.

Vice-Chairman Keffer stated that there was a valve between Wardwell and Mills when Wardwell was on Mills water, and Mills assumes it is still there. Vice-Chairman Keffer stated that the valve was physically removed from the waterline so there is a gap between the two systems when Wardwell became part of Regional Water. Vice-Chairman Keffer stated that part of their assumptions is that they just need to turn the valve and they will be able to get water.

Vice-Chairman Keffer stated that about 18 months ago Mills approached Wardwell to have them dissolve willingly, with no plan to take care of the people in Wardwell. Vice-Chairman Keffer stated that Mills would take one end of the system, and Bar Nunn the other, and it would be up to Wardwell to take care of themselves. Vice-Chairman Keffer stated that is the original reason why Wardwell opposed the dissolution. Vice-Chairman Keffer stated that the Wardwell Board has tried to have a meeting with Mills and Bar Nunn, but it has not happened yet.

Treasurer Bertoglio stated that Mills and Bar Nunn asked the Commissioners to direct Wardwell to dissolve. Treasurer Bertoglio stated that the Commissioners would not do that.

Vice-Chairman Keffer stated that a survey is being sent out in the water bills this month.

Chairman King stated that now that the Board is aware of this, they will keep their eyes and ears open for more information.

- c. There was no Other Old Business.

8. In New Business:

- a. Mr. Martin asked the Board to reference the Agreement with the City of Casper for the Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) Update Project for the City of Casper and the Central Wyoming Regional

Water System.

Mr. Martin stated that the AWIA, (section 2013) passed on October 23, 2018, requires that water utility providers develop an RRA and ERP for their water system. Mr. Martin stated that the RRA must be completed by December 31, 2020, and the ERP by June 30, 2021.

Mr. Martin stated that RRAs are used to identify and evaluate risks to the water and wastewater system from malevolent acts and natural hazards. Mr. Martin stated that all parts of the system, from treatment, to storage, and distribution lines will be evaluated. Mr. Martin stated that the findings of the RRA are incorporated into a full ERP. Mr. Martin stated that the ERP identifies strategies and resources to improve the resilience of the system, including physical and cybersecurity. Mr. Martin stated that the ERP also provides a cohesive document from which emergency response personnel can obtain the necessary information to respond to a natural or man-made emergency situation.

Mr. Martin stated that in 2004, vulnerability assessments and ERPs were completed for the water utilities in accordance with the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. Mr. Martin stated that the existing assessments and plans will be reviewed and updated using the AWWA Risk and Resilience Management of Water and Wastewater Systems standard so they are current and compliant with AWIA and industry standards through 2024. Mr. Martin stated that the RRA portion of this project will include the inspection and evaluation of water and wastewater facilities/sites to identify asset and threat characterizations. Mr. Martin stated that the consequences, vulnerability, and threat likelihood associated with each threat-asset pair will then be evaluated to calculate risk and resilience values to reflect relative risks to critical assets necessary to fulfill the utilities mission. Mr. Martin stated that the ERP will be developed in accordance with the Federal Emergency Management Agency Comprehensive Preparedness Guide (CPG101) and on American Water Works Association guidance M19. Mr. Martin stated that the overall goal of the ERP is to help protect the health and safety of utility employees, customers, and the general public.

Mr. Martin stated that once completed, and as required by the Act, the plans will be certified with EPA. Mr. Martin stated that thereafter, the plans will be updated in-house and recertified every five years.

Mr. Martin stated that the City of Casper has consummated an agreement with HDR Engineering, Inc. in the amount of \$159,075 to perform the RRA and ERP update project for the City and the CWRWS. Mr. Martin stated that the agreement specifies that at the end of the contract, the CWRWS will reimburse to the City their portion of the project costs up to a maximum amount of \$39,768.75. Mr. Martin stated that by combining the project there is good savings and use of manpower.

A motion was made by Vice-Chairman Keffer and seconded by Treasurer Bertoglio to approve the agreement with the City of Casper for the Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) Update Project for the City of Casper and the Central Wyoming Regional Water System in the amount not to exceed \$39,768.75.

Mr. Martin stated that after the initial work is completed, HDR will set up staff to update and certify the RRA and ERP in the future. Mr. Martin stated that this is a new mandate by EPA and cybersecurity is a large portion of the requirements.

Board Member Cathey asked how long it will take for EPA to certify the reports. Mr. Martin stated that the certification is completed online and the reports are not sent to EPA.

Motion put and carried.

- b. Mr. Martin asked the Board to reference Amendment No. 1 to the FY2021 Agency Budget. Mr. Martin stated that this relates to the RRA and ERP, which were not included in the Capital Budget. Mr. Martin stated that the increase to the FY2021 Agency Budget for the project is \$40,000.

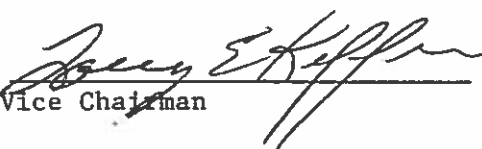
A motion was made by Board Member Cathey and seconded by Treasurer Bertoglio to approve FY2021 Agency Budget Amendment No. 1 in the amount of \$40,000 for the RRA and ERP Update Project. Motion put and carried.

- c. There was no Other New Business.

- 9. In the Chairman's Report, Chairman King stated that the next regular meeting would be held on October 20, 2020.

A motion was made by Board Member Cathey and seconded by Board Member Freil to adjourn the meeting at 12:15 p.m. Motion put and carried.


Chairman


Vice Chairman