

Lookout Mountain Water District
Minutes of Regular Meeting of Board of Directors
Monday, January 14, 2008
Highland Rescue Team Station

Present:

J. Roscoe, presiding	C. Shea	B. Daw
B. Siefert	B. McCarty	B. Fischer
M. Mancini	L. DeMuth	J. Thurston
D. Ranta	B. Smith	
C. Young		

Convened: 8:35 a.m.

1. Minutes. Minutes of the December 10, 2007 meeting was approved as written [M-Ranta, S-Roscoe, unanimous].
2. Operator's Report. (per written report from Mr. McCarty)
 - a) The Upper Beaver Brook influent increased from 132 gpm in November to 217 gpm in December; UBB is at overflow for December.
 - b) Sludge pump noise issue has been alleviated for now as it is only being used during daylight hours.
 - c) Security patrols are in place as contracted by Evergreen Security; they did provide the necessary insurance as requested by Ms. Shea.
 - d) Mr. McCarty reports that the sludge building permit was issued and he will follow-up on the inspections in conjunction with the membrane project to get the sludge building into compliance.
3. Engineer's Report.
 - a) Green report: No report but Mr. Roscoe reports that he spoke to Craig Green this morning and there was nothing new. Summer season accounting was provided mid-December indicating a shortfall (20 AF); uncertain about this and whether a winter storage plan has been developed or approved.
 - b) LCG project: Ms. Shea reports no official response to the letter to the contractor (Calcon) listing the items that need to be addressed prior to service activation; LCG/Calcon seem to be working on it and Ms. Shea will contact them to follow-up.
 - c) Subdistrict A project: John Thurston, representing Subdistrict A and Lookout Mountain Crest HOA requested clarification about outstanding items needed prior to acceptance. Mr. Thurston indicates that the HOA is satisfied and the Renaud work is complete. Ms. Shea provided another copy of the Conveyance Agreement to Mr. Thurston and reports no response to date from Mr. Cassens.
4. Legal Counsel's Report.
 - a) Golden water (long-term): Mr. DeMuth reviewed a memo dated January 10, 2008; in summary, Golden cannot enter into a long-term agreement until they address an outstanding legal issue which could effect their expected supplies but they are open to short-term needs in the mean time.
 - b) Bennetti: LMWD directs Mr. DeMuth to prepare an offer in which the Benetti family will deed over 10 lots near the LM dam site in exchange for the right to transfer both restricted taps (i.e. sell two taps) and furthermore that inactive tap fees shall not be waived [M-Roscoe, S-Ranta, unanimous].
 - c) Main Break August 2007. The confidential settlement agreement with Steve Konieczka (157 S. Lookout Mountain Road) was executed by both parties. The confidential settlement agreement for Tom Eichorst (173 S. Lookout Mountain Road) was sent and to date there is no response.
5. Administrator's Report.
 - a) Ms. Shea provided the financial statements of the LMWD for the year ended December, 2007.

6. District Maps. Ms. Shea requests that she order a useable map from the County and when it is filed with DOLA a disclaimer can be included.
7. Watershed. The Sheriff's data from 2007 was reviewed.
8. Treatment Technolgy Ownership Change and Assignment. Two Letters written by Bryan and Jane McCarty and Benson Smith prior to the meeting were discussed at length regarding the transfer of the business and the contract between Treatment Technology, Inc. and LMWD. Mr. McCarty is contracted to provide operational consultation to TT for a minimum of 2 years and has a "non-compete" for 5 years; other operational staff have remained with TT. According to the conditions of the contract, the contract needs to be assigned and accepted by all parties as of November 1 and LMWD tentatively approves this assignment [by consensus].
9. Exclusion Request. Ms. Shea reports that the owner of the property and taps formerly owned by the McEncroes has supplied an insufficient petition for exclusion so likely it will be heard at the February meeting.
10. Beaver Brook Project (Berland). Nothing new to report.
11. Membrane Filtration Project and Construction Meeting (commenced 10:11 a.m.)
 - a) Brian Daw of FEI expects CDPHE final approval very soon.
 - b) Construction management is being handed off from FEI to TT and TT should do daily observation reports, referring items that come up during the course of construction to FEI if needed.
 - c) The Siemens units are expecting to be shipped later this week. O&M manuals have been provided.
 - d) Change Order No. 2 is proposed due to two items of significance were encountered during excavation and will require an extension of time:
 - 1) The existing 10" backwash waste line was not as shown in the as built plans and the actual location is too close to the existing building foundation and clearwell to be used. New line will require additional sawcutting and concrete, estimate \$1,800.
 - 2) The east half of the new foundation location materials are loosely compacted and not stable enough to put slab on grade as designed (and as based on prior soils testing, which avoided that area due to existing underground wiring). Two options to address this problem are either to continue excavation and then add structural fill with compaction or to redesign for structural slab. First option is recommended both for schedule and cost, noting that excess material will need to be either hauled away or reused on site, reuse to be determined if feasible. Estimate \$15-20K for first option including geotech work.
 - 3) A verbal work change direction was issued for Change Order No. 2 for items 1) and 2) above and approved in concept and utilizing the first option to address the slab [M-Ranta, S-Young, unanimous]. FC will prepare CO No. 2 and provide to FEI for review after the material reusability is determined.
 - e) Bart Fischer of Fischer Construction noted that he expects delivery of the building to Fischer Construction on the 22nd. Based upon Change Order No. 2, he expects substantial completion in late March.
 - f) The Building permit has not yet been issued and the only known outstanding item is the Evergreen Fire Dept. life safety review.

Regular Meeting adjourned, 10:11 a.m.
Construction Meeting adjourned 10:58 a.m.
[by consensus]

Respectfully submitted,

Christina B. Shea, Secretary