

JOINT POWERS WATER BOARD MINUTES
Regular Meeting of
September 26, 2005
6:00 PM JPWT Plant Board Room

Board Members Present: Jerry Zachman, Joyce Paullin, Gerhardt Kottke, John Vetsch, Joe Hagerty

Board Members Absent: Don Peterson

Staff Present: Chris Catlin, H.R. Green, Shelly Keyes, Veolia Water NA

Staff Absent: Kelly Browning, Veolia Water NA

6:00 PM **Call to Order** by Jerry Zachman

MOTION BY VETSCH, SECOND BY PAULLIN, TO ADOPT THE AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

There was no one present under the **Citizen Forum**.

MOTION BY VETSCH , SECOND BY KOTTKE, TO APPROVE THE MINUTES OF THE AUGUST 22, 2005 REGULAR BOARD MEETING. MOTION CARRIED UNANIMOUSLY. Request by Paullin to rescind the motion and include the correction to list Joe Marx present instead of Joe Hagerty at the August 22, 2005 meeting. MOTION BY HAGERTY, SECOND BY VETSCH, TO APPROVE THE AUGUST 22, 2005 MINUTES INCLUDING THE REQUESTED CORRECTION. MOTION CARRIED UNANIMOUSLY.

MOTION BY PAULLIN, SECOND BY KOTTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

In **Unfinished Business**, Keyes introduced Dennis Esterly of RF Communications to discuss the proposed antenna lease agreement for Tower 2. Zachman questioned whether the proposed monthly payment of \$1400 was correct and Esterly confirmed. Esterly also noted there is an annual 4% escalation clause to cover inflation costs and provided a spreadsheet which calculated total revenue collected from the lease agreement as \$500,271.72 over twenty years. Keyes asked Esterly to address the concerns Board Members had regarding automatic renewal of the lease agreement and possible interference with future business opportunities. Esterly explained the lease renewal would follow the three month notification schedule and that Sprint would not have a lease renewal option if in default of any agreement terms. Esterly added that Sprint needs long term availability of a lease site due to large investments in equipment based on tower location. Regarding interference with future business opportunities, Esterly stated the FCC would resolve any issues between different communication sites if and when they occurred. Esterly requested the Board approve the lease with changes recommended by the JPWB attorneys and authorize him to execute the Agreement in favor of the Board.

MOTION BY VETSCH, SECOND BY PAULLIN TO APPROVE THE LEASE AGREEMENT WITH CHANGES 1, 3, 4, 6, & 7 AS NOTED BY JPWB ATTORNEYS

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AND AUTHORIZE RF COMMUNICATIONS TO EXECUTE THE AGREEMENT IN FAVOR OF THE BOARD. MOTION CARRIED UNANIMOUSLY.

In **New Business**, Keyes asked Chris Catlin to discuss Minnesota's Wellhead Protection Plan. Catlin explained the State of Minnesota requires a protection plan which identifies the area surrounding public water supply wells and assesses vulnerability of the seven wells operated by JPWB. Vetsch questioned the timeline of the plan and Catlin explained the deadline has been revised several times by the State Health Department, who determines the plan scheduling, due to the addition of new wells associated with continued community growth. Zachman questioned why the list of private wells in a two mile radius was included in the plan and Catlin explained the private wells were considered a potential contamination source. Paullin asked why Hanover Village Hall was listed as having a well when they are connected to city water and Kottke added he believed the well had been abandoned, but the Hanover Athletic Association currently has three wells. Paullin also questioned the inclusion of additional wells listed and Catlin noted that his understanding was that the list was obtained from the County Well Index and then verified with the State. Catlin offered to further investigate the list and report his findings. MOTION BY PAULLIN, SECOND BY VETSCH TO APPROVE THE WELLHEAD PROTECTION PLAN PENDING ADDITIONAL OR CORRECTED INFORMATION OF THE HANOVER VILLAGE HALL, WILFRED BECHTOLD AND DICK GROVER PROPERTIES. MOTION CARRIED UNANIMOUSLY.

Under **Engineering**, Catlin recommended payment of \$176,573.65 to Rice Lake Construction Group for Pay Estimate #8 of the Water Treatment Plant Expansion. MOTION BY PAULLIN, SECOND BY HAGERTY TO APPROVE PAY ESTIMATE# 8 TO RICE LAKE CONSTRUCTION GROUP IN THE AMOUNT AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

There was nothing under **Operations/Office**.

Keyes handed out a revised list of claims and requested Board Members approve the revised list, which included payment of the Safe Water Drinking Act to the Minnesota Department of Health and additional payment to Hoff, Barry & Kuderer. MOTION BY PAULLIN, SECOND BY KOTTKE, TO APPROVE THE REVISED LIST OF CLAIMS. MOTION CARRIED UNANIMOUSLY.

There was no **Other Business/Announcements/Correspondence**.

MOTION BY PAULLIN, SECOND BY HAGERTY, TO ADJOURN AT 6:29 PM. MOTION CARRIED UNANIMOUSLY.

Recording Secretary