

LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
Helena, MT 59601
316 N. Park, Room 226
March 22, 2011

Members Present

Gary Ingman
Chris Deveny
Chris Anderson
John Rundquist
Kammy Johnson

Staff

Jim Wilbur
James Swierc
Jennifer McBroom
Jolene Loomis
Melanie Reynolds
Scott Winfield

Members Absent

Spencer Shropshire
Eric Woodland
Stan Frasier
Mike Murray

Guests Present

Alicia Voss, METG
Jim Ford, METG

Gary Ingman called the 170th meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors to order at 5:30 p.m. A quorum was established. Introductions of attending board members and staff were made.

MINUTES

Gary Ingman asked if there were any corrections or additions to the minutes from January 25, 2011. Chris Deveny moved to accept the minutes as written. Gary Ingman seconded the motion. Motion carried 5-0.

REVIEW OF AGENDA

No changes were made to the agenda.

FINANCE MANAGER'S REPORT

Scott Winfield, Finance Director, presented the cash flow statement and comparison to budget memo for the WQPD on page 8 of the board packet. As of February 28, 2011, we are 67% through the year, beginning cash is \$71,855; total revenues received are \$191,424 or 63% amount budgeted; total expenditures are \$184,337 or 60% amount budgeted; revenues are over expenditures by \$7,087; ending cash balance is \$78,972.

WQPD FISCAL YEAR 2012 BUDGET ISSUES

Jim Wilbur, Water Quality District Coordinator, highlighted the Workload Indicators and Performance Measures for current and past fiscal years on page 10 of the board packet. Jim stated that staff will work on improving the data that is currently being tracked and welcomed any feedback that the Board may have. Chris Deveny suggested that the staff consider tracking inquiries that are made by the public along with the complaints.

Jim and Scott distributed and highlighted several key financial components for the budget discussion: List of current and future District grants (See Attachment "A"); WQPD Fee Increase

History (See Attachment “B”); WQPD Fund 203 draft initial budget (See Attachment “C”); and the Proposed Fiscal Year 2012 Fee Increase (See Attachment “D”). After the Board reviewed and discussed the WQPD Fund 203 draft budget and the Proposed Fiscal Year 2012 fee increase attachments, John Rundquist moved that the WQPD Board recommend to the Lewis & Clark County Commission that the WQPD fees for Fiscal Year 2012 increase by 7 percent. Chris Anderson seconded the motion. Motion carried 5-0.

Jim noted that staff is working with the City of Helena’s comptroller to help with a computer generated list of homes and businesses that are currently being accessed District fees to be compared with water use from their water meters. Currently staff must manually accomplish this task. Chris Deveny suggested that staff look into having an intern assist with completion of the fee audit.

Jim requested approval from the Board to hire a Targeted Watershed Grant funded intern from Carroll College to assist with monitoring of both ground and surface water and data management. Kammy Johnson moved to authorize hiring an intern from Carroll College to help staff with input of monitoring data. Gary Ingman seconded the motion. Motion carried 5-0.

Jim noted that the staff was able to secure a 3-year Lake Helena Watershed Restoration Grant that will begin May 2011 and will fund ¼ FTE for Jennifer McBroom. The Helena Area Groundwater Project Phase II Grant currently pays ¼ FTE time for James Swierc and will end next year.

MBMG MOU EXTENSION

The WQPD Memorandum of Understanding (MOU) with the Montana Bureau of Mines and Geology (MBMG) will end April 30, 2011. Jim requested of the Board to support a 2-month extension of the MOU to June 30th. Chris Deveny moved to extend the MOU with Montana Bureau of Mines and Geology. John Rundquist seconded the motion. Motion carried 5-0.

UPDATES AND ANNOUNCEMENTS

Watershed Activities: Jennifer McBroom noted that during the Watershed Group meeting on March 15, 2011, presentations were given by the Open Lands Program and Prickly Pear Land Trust. The Milburns presented their 270 acre conservation easement proposal which will include 10 acres for public access. The conservation easement is off Birdseye Road and Austin Road along Sevenmile Creek. The Watershed Group wrote a letter of support for the conservation easement proposal. Jennifer noted that the willow installation for the Lake Helena Project will be conducted on April 16, 2011 and the annual Volunteer Riparian Planting Day is scheduled for April 30, 2011.

Pleasant Valley/Tenmile Lagoon Update: Jim Wilbur stated that a court date has been set for next fall against the owner of the Tenmile/Pleasant Valley wastewater lagoon for permit violations. The Department of Environmental Quality (DEQ) has requested notification from the Pleasant Valley/Tenmile Sewer District regarding their involvement as either a co-plaintiff or a defendant. The DEQ will not need monitoring assistance from the WQPD as they feel they have enough evidence against the owner and property access was denied by the owner.

EPA Comment Letters re: City of Helena Discharge Permit: Jim highlighted the on pages 19-24 of the board packet letters from the Environmental Protection Agency (EPA) to Richard Opper, director of the Montana Department of Environmental Quality, opposing the draft permit for the City of Helena wastewater treatment facility’s effluent discharge to Prickly Pear Creek. The EPA stated that the effluent limits are not consistent with the wasteload allocation (WLA) described in the

“Framework Water Quality Restoration Plan and Total Maximum Daily Loads (TMDL) for the Lake Helena Watershed Planning Area”. John Rundquist stated that the City of Helena met with the DEQ and the EPA and believes that there has been an adjustment of the Immediate Permit Limitation numbers as shown on page 20 of the board packet. The City of Helena will work to lessen the amounts of nitrogen and phosphorus once a final permit has been issued and limits have been established. John will encourage the City to be adamant about receiving credit for hooking up septic systems between the period beginning 2006 to today. The City has applied for an additional permit to eventually discharge into the Helena Valley Irrigation (HVI) canal during the summer months. A use attainability analysis (UAA) by DEQ is being done to determine the classification of the canal which currently is a B1 classification. DEQ is also conducting a UAA of the classification of Prickly Pear Creek that is currently classified as “I” for the two stream reaches from Wylie Drive to Lake Helena.

Nutrient & Nutrient Trading Workshop: Jim stated that there will be a free Nutrient Trade Workshop sponsored by the DEQ on April 13-14, 2011. Also, there will be an EPA webinar on Nitrogen & Phosphorus Pollution March 29th from 11-1 p.m. Jim will provide further information if Board members are interested.

PUBLIC COMMENT

Alicia Voss, Montana Environmental Trust Group (METG) Project Manager, and Jim Ford, METG Hydrologist, stated that they are representing the Custodial Trust for the smelter site in East Helena. Alicia noted that the Custodial Trust oversees the cleanup obligations of the former Asarco-owned smelter. The METG and the EPA will be giving a presentation at the Board of Health meeting on March 24, 2011.

BOARD MEMBER DISCUSSION

Melanie Reynolds noted that the Montana Senate Committee tabled Senate Bill 191- Septic Disclosure.

The meeting adjourned at 7:00 p.m.

Gary Ingman, chair