

LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
Helena, MT 59601
316 N. Park, Room 226
April 23, 2013

Members Present

Stan Frasier, chair
Gary Ingman, vice-chair
Commissioner Mike Murray
Eric Regensburger
John Rundquist
Jennifer Lowell
Jamie Schell

Members Absent

Kammy Johnson
Kris Goss

Staff

Kathy Moore
Jim Wilbur
Jennifer McBroom
James Swierc
Norman Rostocki
Jolene Helgerson
Melanie Reynolds

Guests Present

Stan Frasier, chair, called the 189th 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.

MINUTES

Stan Frasier asked if there were any corrections or additions to the minutes March 26, 2013. Gary Ingman made a motion to approve the minutes as written. Jamie Schell seconded the motion. The motion carried 7-0.

REVIEW OF AGENDA

No additions were made.

PUBLIC COMMENT

There was no public comment.

FINANCE MANAGER'S REPORT

Norman Rostocki, Finance Coordinator, presented the WQPD cash flow statement and comparison to budget and cash flow analysis on pages 7-8 of the board packet. As of March 31, 2013, we are 75% through the fiscal year, beginning cash is \$119,847; total revenues received are \$179,391 or 61% amount budgeted; total expenditures are \$227,192 or 70% amount budgeted; revenues are under expenditures by \$47,800; ending cash balance is \$72,046.

FISCAL YEAR 2014 BUDGET ADOPTION

Mr. Rostocki presented the Fiscal Year (FY) 2014 Budget Highlights and Fund 203 Water Quality Protection District budget on pages 10-11 of the board packet. Mr. Rostocki highlighted the health department's proposed changes regarding the method of cost allocation. He also noted that a county wide two percent cost of living adjustment plus employee step increase will take place in the FY 2014 budget. Stan Frasier made a motion to approve the WQPD FY2014 budget to be presented to

the Board of County Commissioners (BoCC) for final approval. Eric Regensburger seconded the motion. Commissioner Murray abstained from voting. The motion carried 6-0.

Mr. Rostocki presented the FY 2014 budget for Fund 121 Helena Valley Nonpoint Assessment (319) (see Attachment "A") and Fund 123 Lake Helena Watershed Restoration Project (see Attachment "B"). Mr. Rostocki highlighted the fund's expenditures, operations and revenues. After board member discussion regarding the possibility of additional spending for Fund 123, Mr. Wilbur requested to Mr. Rostocki to add an additional \$10,000 into contracted services for FY 2014. Stan Frasier made a motion to approve Fund 121's budget to be presented to the BoCC for final approval. Gary Ingman seconded the motion. Commissioner Murray abstained from voting. The motion carried 6-0. Stan Frasier made a motion to approve Fund 123's budget with the addition of \$10,000 to be added into the budget to be presented to the BoCC for final approval. Jennifer Lowell seconded the motion. Commissioner Murray abstained from voting. The motion carried 6-0.

UPDATE ON BOH ADOPTION OF REGULATIONS GOVERNING SOIL DISPLACEMENT & DISPOSAL IN THE EAST HELENA SUPERFUND AREA.

Kathy Moore, administrator for the Environmental Services Division, stated that on April 25, the Board of Health passed the regulations governing soil displacement and disposal in the East Helena Superfund area. The regulations will go into effect on June 1, 2014. Ms. Moore highlighted a Superfund Institutional Controls Program Fact Sheet on page 13 of the board packet.

UPDATES AND ANNOUNCEMENTS

East Helena Controlled Groundwater Area: The Environmental Services Division and the Water Quality Protection District (WQPD) met on April 15, 2013, with members of the Montana Environmental Trust Group and the Environmental Protection Agency (EPA) to discuss controlled groundwater area for two groundwater contamination plumes. The controlled groundwater area would become one of several Institutional Controls (IC) for the East Helena Superfund area. At the meeting, staff recommended creating a committee of members from the Board of Health (BOH) and the WQPD to petition the Montana Department of Natural Resources (DNRC) for a controlled groundwater area in East Helena. Ms. Moore requested a volunteer from the WQPD to be part of the committee. Eric Regensburger volunteered to be part of the controlled groundwater committee.

Writing & Design Consultant Project: District staff and Gayle Shirley, communications coordinator for the Health Department met with Karen Filipovich for the writing and design work for the State of Basin report and the Stormwater MOU outreach materials. The Board requested that staff present a draft of the State of Basin brochure when available.

Helena Area Groundwater Project Final Report: The Helena Area Groundwater Project technical report is complete and has been submitted the Montana Department of Environmental Quality (DEQ). James Swierc, Hydrogeologist, will add more data to the report by combining the additional results from the area study. Staff will have the report available online.

Rewatering Project Funding Denied: The District applied through the National Fish and Wildlife Foundation for a Wells Fargo 2 year grant to fund the rewatering project. The District was not chosen for the grant. The Natural Resource Damage program through the Montana Department of Justice (DOJ) received funds from the Asarco settlement and is creating an early restoration granting process. Staff will submit a proposal to the DOJ for the funding of the rewatering project. Other avenues for funding are also being sought.

Groundwater Grant: Mr. Swierc is looking into a health based groundwater grant for groundwater sampling of septic tanks. Staff will come before the Board for grant approval.

BOARD MEMBER DISCUSSION

In answer to a question from Stan Frasier, Ms. Moore stated that staff is making changes to the septic maintenance questionnaire and notification letter based on public complaints mentioned in the recent Helena Independent Record (IR) article. The questions will be less intrusive but will still get at the key information regarding the amount of water a home uses.

Mr. Wilbur noted that the IR wrote an article on the Lake Helena Watershed Group hosting a public session about the watershed restoration planning process. Also mentioned in the article was the Well Educated testing program for groundwater wells and the reimbursement rebate from the Conservation District for testing. Mr. Wilbur noted that as mentioned in the article there is a online survey for the Lake Helena Watershed Restoration plan.

Ms. Moore noted an article by the IR regarding the failing air quality marks by the American Lung Association for the Helena area. Ms. Moore stated that the majority of the poor air quality days were due inversions and forest fires. Staff will meet with the American Lung Association, which released the report mentioned in the IR article, to talk about solutions.

Jamie Schell presented and discussed a notice of public hearing (see Attachment "C") by the East Helena City Council for May 7, 2013. The purpose of the hearing is to consider an enactment of Ordinance No. 251 proposing to change the existing sewage service rates. It is estimated that the East Helena residential customer's average bill will increase from the current rate of \$46.40 to a maximum of \$66.40 base on a flat rate water usage structure of 200 gallons in accordance with the city's cost of service sewer rate analysis.

The meeting adjourned at 6:55 p.m.

Stan Frasier, chair