

LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
Helena, MT 59601
316 N. Park, Room 326
February 28, 2012

Members Present

Gary Ingman
Stan Frasier
Kammy Johnson
Steve Ackerlund
Jamie Schell
Eric Regensburger

Staff

Jim Wilbur
Jennifer McBroom
James Swierc
Jolene Helgerson
Melanie Reynolds

Guests Present

Members Absent

Mike Murray
John Rundquist

Gary Ingman, chair, called the 178th meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors to order at 5:33 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 January 24, 2012. Gary Ingman moved to accept the minutes as written. Stan Frasier seconded the motion. The motion carried 6-0.

REVIEW OF AGENDA

Jamie Schell requested time during the board member discussion to discuss a couple of items. Gary Ingman stated that the Board needs to elect a new vice-chair to replace past Vice-chair Spencer Shropshire's term which will end this June. Gary Ingman nominated Stan Frasier. Steve Ackerlund seconded the nomination. The nomination carried 5-0.

PUBLIC COMMENT

There was no public comment.

FINANCE MANAGER'S REPORT

Jim Wilbur, Water Quality District Coordinator, stated that Nancy Everson, County Finance Director, did not prepare a cash flow statement and comparison to budget sheet for this month's meeting. Jim noted that there were no changes to the finances at this time. Melanie Reynolds, Health Officer, noted that the Health Department has hired Norman Rostocki as the new Finance Coordinator. Norman will present the draft fiscal year (FY) 2013 finance budget for the board to review at the next meeting. In April, Norman will have the recommended FY 13 budget for Board review and in May staff will present the finalized budget to the County Commissioners for approval.

Melanie stated that Kathy Moore will be on medical leave for about 2-4 weeks beginning in March. Frank Preskar will be acting administrator during that time.

Jim stated that the Helena Citizen's Council has appointed Kris Goss to the WQPD Board. Kris was unable to attend this month's meeting.

REVIEW OF BOARD ORIENTATION PACKET

Jim Wilbur stated that he wanted to use this time to familiarize and identify documentation in the orientation binders that board members receive when joining the WQPD Board. Jim highlighted the Overview of Local Water Quality Districts in the orientation binder and Title 7 Local Government Chapter 13 Utility Services (See Attachment "A"). Jim referenced Section 7-13-4517 Power and duties of board of directors of Attachment "A". Jim also highlighted the Memorandum of Understanding (MOU) between the WQPD Board and the governing board of Lewis and Clark County and the Lewis and Clark County City-County Health Department (See Attachment "B") and the WQPD Grant Projects for FY 2012 and FY 2013 (See Attachment "C"). During the discussion of the grant projects, Gary Ingman recommended that staff explore opportunities for coordinating with the Bureau of Reclamation on monitoring pile drains and return flows from the Helena Valley Irrigation District.

REVIEW OF THE WQPD FIVE-YEAR STRATEGIC PLAN

Jim discussed what staff has completed and what still needs to be accomplished to meet the goals and objectives of the WQPD Five-Year Strategic Plan for 2009-2014 (See Attachment "D"). In FY2014, staff will be preparing for the Board to meet and create the next five-year strategic plan. During the discussion of the five-year strategic plan, Gary Ingman requested that staff add into the State of the Basin Report information on uranium in wells in the area and what the public can do if their levels are higher than the federal drinking levels standards. Jim noted that James Swierc will be drafting a letter that will detail the concerns of the WQPD regarding RX Gold and Silver Inc. proposed application for an operation permit for the Drumlummon Mine with the Department of Environmental Quality about water issues and other environmental and safety concerns. The County is also working on developing a hard rock mining remediation plan regarding RX Gold and Silver Inc. operation permit application with the Montana Department of Commerce. Gary Ingman was concerned about staff's ability to accomplish what has been outlined in the grants and strategic plan. Jim stated that with number of grants requirements and immediate response requirements has strained staff's ability to accomplish some of the goals within the strategic plan but staff is working hard on completing the contracts in order to focus on the grants. Gary stated that during the budget review for FY13, staff considers the possibility of a fee increase due to the decline in grant availability.

UPDATES AND ANNOUNCEMENTS

East Helena Prickly Pear Creek Sediment: Jim presented a memo written by Kathy Moore, Environmental Services Administrator, to the WQPD Board regarding the unusual amount of sediment accumulation in Prickly Pear Creek in East Helena (See Attachment "E"). The memo explained what the division has done regarding public concerns about the sediment. Jamie Schell noted that flooding has played a role in the amount of sediment accumulation but believes that the Environmental Protection Agency's role in dam draw downs and other changes to the Asarco site also contributed to the problem.

City of Helena Wastewater Permit Appeal: Jim stated that John Rundquist was scheduled to give an update on the permit appeal but was unable to attend this month's meeting. John will give an update

at the next board meeting. Jim stated that City of Helena appealed the draft permit with DEQ to address the limits on the nutrients that are allowed. DEQ and the City of Helena are in negotiation regarding a new permit.

Upper Tenmile Controlled Ground Water Area Application: Jim presented a memo written by Kathy Moore, to the WQPD Board regarding the EPA request to the City-County Board of Health for a Controlled Ground Water Area in the Upper Tenmile (See Attachment "F"). Melanie Reynolds stated that the Board of Health members expressed a desire to meet with the WQPD Board in a work session to review the information found on pages 21-30 of the board packet. Steve Ackerlund representing Rimini Inc. reiterated that this a draft document created by the EPA and that the community of Rimini will meet on February 29, 2012 to discuss the draft and other possible options. Stan Frasier stated that when the boards do meet that he would like to part of the work session.

BOARD MEMBER DISCUSSION

Due to the time, Jamie Schell will address his concerns at the next board meeting.

The meeting adjourned at 7:25 p.m.

Gary Ingman, chair