

**TOWN OF ARRIBA
BOARD OF TRUSTEES MEETING
Monday, July 13, 2020
Arriba Town Hall, 711 Front Street, Arriba, CO 80804**

Call to Order Mayor Alex Flores called the meeting to order at 7:45. Trustees in attendance included Carolyn Steinsiek, Bob Rush, Marie Daniel, and Kayle Amen. Troy McCue and Marilyn Lightsey were absent. Employees in attendance included Mike Becker and Josie Hart.

Public Audience included: Ed and Jody Schiffers, and Ted Grundmeier.

Ed Schiffers said he is wanting to rent out 2 RV lots behind his barber shop. Mayor Flores said that the Board had approved this before for him.

Ed Schiffers said that paying the minimum on vacant properties is too much and the Board should rethink those fees. He said that he has been receiving his water bills several days and sometimes weeks apart, he wasn't sure if the problem was with the postal service or not but he felt it needed to be fixed. Clerk Hart noted that she did send the bills out late this month and 2 other people had contacted her about missing bills.

Ed Schiffers said that the Town's tree pile really needs burned.

Ted Grundmeier was concerned about the Town's tree pile in the north lots, he said it has gotten quite large and needs burned as soon as possible. Mayor Flores agreed that it does need to be burned but the county and town are under a burn ban right now.

Jody Schiffers asked if the Town was going to do anything about the electric fence that Michael Shirley put up around his property. Clerk Hart said the Town can't do much about it since there's no Town ordinance on fences and there's no state statute regarding electric fences. Mayor Flores said supposedly Shirley put the fence up because his neighbor's dog kept getting into his yard. Clerk Hart said that the dog owner has been fined.

Jeff Fike called into the meeting and asked if he could have the water turned on at his pink house on Church Street and pay the water usage but not pay the sewer fee since he has been paying the monthly sewer fee even though the sewer is not hooked up. The Board agreed that he should have to pay for both the water and the sewer fee.

Approval of Agenda Trustee Steinsiek moved to approve the Agenda as written. Trustee Rush seconded and the motion passed unanimously.

Approval of Minutes Trustee Steinsiek moved to approve the minutes from the June 8 regular meeting and public hearing as written. Trustee Daniel seconded and the motion passed unanimously.

Approval of Account Receivable and Payable

Clerk Hart noted that Darrel Albrandt was the person the Town bought the 3.0 mower from. Trustee Steinsiek moved to approve the Receivables and Payables for June. Trustee Daniel seconded and the motion passed unanimously.

Approval of Bills

Clerk Hart said there is nothing due on any of the Black Hills Energy bills due to a gas cost credit being applied to the accounts. Clerk Hart said she had over paid the Mountain View Electric bill and the Town has a credit balance on that account this month.

Clerk Hart explained that \$821 on the credit card is for her continued education- she is doing online classes since in person classes have been canceled this year due to COVID19.

Trustee Steinsiek moved to approve the July bills for payment. Trustee Daniel seconded and the motion passed unanimously.

Black Hills Energy Franchise Agreement Trustee Steinsiek moved to adopt Ordinance 146 the Black Hills Energy Franchise Agreement. Trustee Daniel seconded. Trustee Rush abstained. Trustees Steinsiek, Daniel, and Amen voted yes. Motion passed.

Wastewater Project Alice Arsenault and Nick Marcotte with Element Engineering gave a report to the Board (which is attached to these minutes). Alice reported that they had submitted the PNA for improving the existing facility. She said the State's review letter questioned why the Town would submit the improvement plan when the regulations will be changing and the Town might not be able to meet the discharge limits. She said they talked with CDPHE about the regulations and CDPHE looked into the Town's discharge permit and found that when it had been issued it had been certified incorrectly. She said that the permit is written as if the Town discharges into unclassified waters but states that the Town is discharging into classified waters, so there's an error within the permit. She explained that right now with the Town's permit (which is incorrectly issued) gives the Town a report, Mike takes the samples and it's reported but there is no limit that the Town has to achieve. But once the Town's permit is corrected the Town will have ammonia limits that the Town won't be able to achieve. Alice explained that classified usually means that the tributary the Town discharges to is monitored and analyzed. There's no option for the Town to move to an unclassified permit. Clerk Hart thought that the discharge permit had been issued back in 2000 when the wastewater facility was upgraded.

Alice didn't know when the permit would be corrected. She said the Town will have to go to the water commission and ask for a variance and prove a case of why the limits are not achievable for the Town. She said it's a short term solution, if a variance gets issued the commission wants facilities to be working toward compliance. She said it might hinder things if the Town moves forward with \$700,000 improvements to the existing facility without knowing if a variance will be approved. On the positive side the PNA review letter did state that if the Town received a DOLA grant a rate increase would not be needed. Alice said if the Town does go this direction CDPHE will want to see the Town have a plan in place for future improvements.

Alice said the other option is to go back to the evaporative pond which does not require any discharge permit but is costly.

Alice noted that right now the Town has one pond that is out of commission and the other pond Mike is limping along.

The Board discussed the pros and cons of the improvements to the existing facility versus an evaporative system but did not come to a decision.

Park Building Water Heater Mike Becker said that the water heater in the park building won't stay lit and might need to be replaced. He said Black Hills Energy and Plains Heating have been out to look at it. Trustee Rush suggested having it serviced again through Black Hills Energy Service Guard and have the control valves replaced. Trustee Steinsiek moved to have BHE service the water heater in the park building and if that doesn't fix it to approve \$500 to buy a new water heater. Trustee Daniel seconded and the motion passed unanimously.

Maintenance Report Mike Becker said that Richard Hopp will be out tomorrow of pick up samples.

Mike said that pond number 2 (the one the Town is using right now) is almost in worse shape than pond number 1. He said that he has to commit so much time to the wastewater facility that he feels the rest of the town is being neglected.

Mike said that on Wednesday the insurance guy is coming out to inspect the town- Mike said he had Paula Figurelli help him clean up the shop and asked if the Town could pay Paula \$200 for that. Trustee Daniel moved to pay Paula Figurelli \$200 for helping at the shop. Trustee Steinsiek seconded and the motion passed.

Mike said that Castle Rock Construction is supposed to move to Arriba this coming week, he said they need to replace their flexi pipe going out to the North out of town well.

Clerks Report

Clerk Hart said that Work Force Inc finished cleaning the sewer lines out in the field to wastewater facility. Mike Becker said that Todd Simon asked if the Town would sell the old rod in the shop.

Clerk Hart said that the Town applied to opt in for the Corona relief funding, she said there are a lot of restrictions on the money but the Town should be able to use it for anything that was Corona related and not already budgeted.

Treasurers Report Looked good.

Trustees Report Trustee Rush said that his brother Joe said that he is getting a lot of fast traffic in the alley beside his house and was wondering if the Town could put up some signs or put in some speed bumps. The Board agreed that Joe can put in a couple of dirt ridges.

Trustee Amen said that the north in-town well keeps shutting off. Mike Becker said it might be the resistor. The well people are supposed to come out and look at it.

Trustee Amen said the south out of town well isn't working at all. Mike said he would have the well people look at it too.

Trustee Steinsiek said she was in a favor of the wastewater improvements.

Trustee Rush said he was in favor of the wastewater improvements.

Trustee Daniel said she supported the evaporative ponds.

Trustee Amen said he was in favor of the wastewater improvements.

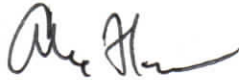
LCEDC Report No report.

Mayors Report Mayor Flores said that people need to have their street addresses on their houses for emergency services.

Adjournment Trustee Rush moved to adjourn the meeting, Trustee Daniel seconded and the motion carried unanimously. Mayor Flores adjourned the meeting at 9:17pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by:



Mayor Alex Flores

Approved by the Board on: 8-10-2020

Town of Arriba
Board of Trustees
Public Hearing 7:15pm
and
Regular Meeting 7:45pm
Monday, July 13, 2020

Sign In Sheet

Andy Schifferms

Ed Esby

Lee Graham



ENGINEER'S PROGRESS REPORT

TO: Town of Arriba
FROM: Element Engineering, LLC
DATE: July 13, 2020
SUBJECT: Progress Report on Current Projects

WWTP Improvements

The town has decided to pursue an alternatives analysis to determine appropriate improvements to the existing wastewater treatment plant improvements project. The existing plant has a significant tear in the Pond No. 1 liner. Because of this existing problem as well as upcoming regulatory changes, appropriate long-term improvements to the system should be analyzed to determine the best use of town funds.

To begin the process, a Project Needs Assessment (PNA) was compiled. The PNA is the alternatives assessment as well as documentation of the existing plant, the need for the project, and detailed cost estimates. The total cost of this report is \$12,500. The report was funded with the \$10,000 planning grant and a \$2,500 town match (this match is a requirement of the planning grant funding). This report analyzes all feasible alternatives considering the impact of future regulatory changes. The PNA also serves as an application for grant funding (Design & Engineering Grant) for the design and permitting of the proposed project. The PNA was submitted to CDPHE on September 11, 2019. The report found that the best long-term project for the town if the board determines it is appropriate, is an evaporative pond system.

After review of the PNA by the town board and discussions with CDPHE, DOLA, and USDA, the board decided not to pursue an evaporative pond project due to the cost and potential required increase to user rates. Instead, the board asked Element to amend the PNA to include additional existing wastewater treatment plant rehabilitation alternatives. The PNA was updated to select a wastewater treatment plant rehabilitation as the chosen project. The proposed project includes replacement liners in Ponds 1 and 2, new aeration equipment, a new mechanical headworks screen, and various other improvement items. The amended PNA with WWTP Rehabilitation as the chosen alternative was submitted to CDPHE for review on March 12, 2020.

A PNA review letter was issued to the town on June 26, 2020. The letter documents a concern from CDPHE's engineering section about how the proposed improvements project aligns with the long-term plan for maintaining compliance with future discharge permit limitations. As has previously been discussed with the board, the project as is will not significantly increase the treatment ability of the plant, and the town will likely need to complete a project in the future when more stringent limits are applied. However, at the time that the PNA was compiled, the timeline for those future needed improvements was reasonably assumed to be fifteen or more years in the future.

Element has reached out to CDPHE to discuss the history of the town's project and the rationale behind how we have ended up here as a preemptive response to engineering section's questions. As part of these discussions, Element learned that CDPHE is currently working to make updates to the General Discharge Permit that Arriba discharges under. Element reached out to permits section to determine if there was any additional information we could solicit about known updates to the permit and therefore potential updates to Arriba's permit.

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Although no relevant information was received about the changes to the general permit nor the timing of the updates, one important problem with Arriba's existing permit was uncovered. Currently, the town's discharge permit limits reflect a discharge to an unclassified receiving stream. This is an error. The town actually discharges to a classified stream. This has major implications for the discharge limits, most importantly ammonia.

The town's current permit lists a report only limit for ammonia, meaning the town needs to report the effluent ammonia concentration quarterly, but there is no limit that they must fall below. This is due to the incorrect classification as a discharge to unclassified waters. If the permit were correctly issued, the town's ammonia limit would be very stringent, less than 5 mg/L for all months of the year. Based on the currently reported data, the town will not be able to meet this limit.

This discovery rapidly speeds up the timeline of how long the proposed improvements will allow the town to remain in compliance with discharge permit limits. Although we do not have an exact date or year, the town's permit should be corrected the next time it is issued. This should occur within the next 5 years, likely sooner. It is highly likely that upon issuance of the next permit, the town will receive a compliance schedule and will need to immediately begin planning for improvements to come into compliance with ammonia limits. This would be a significant improvement to the wastewater treatment plant.

These changes have a significant impact on the viability of the proposed project. Element will attend the July board meeting to discuss these changes in more detail and provide information on paths forward. In summary, the probable project paths currently are:

1. Continue with existing WWTP Improvements Project
 - Seek Discharger Specific Variance (DSV) in future. This is a process to modify effluent limits to achievable values.
 - If the town is awarded DOLA grant funding, it is possible that the project can be funded with the existing rate structure.
 - The approval of the DSV will be unknown at the time of the proposed improvements, meaning the longevity of the improvements cannot be defined.
 - CDPHE will likely require the town to plan for future improvements by budgeting to build a reserve fund.
2. Construct an evaporative pond system
 - This will be much more expensive but is a long-term solution.
 - To make this option financially feasible, the town will need to pursue as much grant funding as possible. This likely means including USDA as a funding agency.
 - Realistically, the town will likely not be awarded grant funds to allow the residential rates to be below \$45 a month. This is a comparable rate to surrounding municipalities that have had to complete similar projects.
 - If the town wishes to utilize the Design & Engineering grant to fund the design and bidding (quickest path forward), the construction funding package and associated rates to support loan repayment will not be known until design is complete.