

**ICR Water Users Association**  
**Board Meeting Minutes**  
**September 23, 2008**  
**Approved October 28, 2008**

Those Present:

Board Members

Hugh Pryor, President  
Hal Lobaugh, Vice President  
Bill Meyer, Secretary/Treasurer  
Earl Cummings, Director

Contract Staff

Bob Busch, Manager  
Recording Secretary  
Harvey Roberts  
Member Guests  
See Appendix A

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**1. Call to Order** - The meeting of the ICRWUA was called to order at 9:00 AM. by Hugh Pryor.

**2. Review Minutes of the August 26<sup>th</sup> Board Meeting.**

**Motion:** Hal moved to waive the reading; Earl seconded; motion carried.

Bill asked that “estimate” be added to Rate Case cost in the Financial Report section

**Motion:** Earl moved to approve the amended minutes; motion carried.

**3. Reports**

**a. Bill and Bob presented the Financial Report for August 2008.**

- Rate Case payments are shown in the Balance Sheet as assets so they can be depreciated over time.
- Added to the Current Liabilities section (Account 231) of the Balance Sheet are the payables to SWI and the Developers.
- Added to Long Term Liabilities (Account 25211) are offsets for payments to be made to the Developers.
- Total Legal and CPA charges through August 31, 2008 are \$247,246.94 with balance due of approximately \$143K.
- In September SWI was paid \$60,000 - \$30,000 from reserves and \$30,000 from the fee paid by Harvard to ICRWUA upon signing the Well Service Agreement (WSA).
- Bob Busch expenses related to the Rate Case have been charged as current expenses. These will be transferred into the proper account.
- Hugh will contact TRR concerning outstanding bills payable to the Company.

*Action Item: Bob will resolve the discrepancy in assets transferred from Harvard by the next meeting.*

**b. Bob presented the Manager’s Report of 9/23/2008 and the August Water Usage Report**

- Bob will contact Fred Mayer to provide our auditor with the ARC bank statements.
- Auditor will provide a Qualified Audit Report.
- Bob to update Asset list to reflect changes to pump stations.

*Action Item: Committee (Hugh, Bill, Shirley, Bob & Chris Williamson) will produce a letter setting out the conditions that Company will require before accepting the operating responsibility for Talking Rock Phases 10, 12 & 13.*

*Action Item: Website will contain only items concerning Board actions. A link to the ACC docket is acceptable, but Petitions and the Freeman letter are not appropriate and will be removed.*

*Action Item: To provide a convenient link to all Board actions related to the Rate Case, the Website will have Board Minutes, Financial Reports, Manager Reports, Water Usage, etc covering from January 2006 to the present.*

- Board will provide a letter authorizing MDI to release a member list.

#### **4. Old Business**

##### **a. Review of Action Items:**

*Action Item: Bob will resolve the discrepancy in assets transferred from Harvard by the next meeting. Asset List included with Manager's Report at September meeting. Phase 27 items will be added.*

*Action Item: Hugh (and others) to review software packages for more comprehensive reporting capability. This review would start later in the year to be ready for a recommendation before the software license expires next year. Completed - Present software has sufficient capability.*

*Action Item: Shirley is assigned to develop a policy on providing information to members. Tabled*

*Action Item from 12/11/07 & 1/22/08(Executive Session): Clarification needed for Voting in Board Elections. Tabled*

*Action Item: Add to Statement line showing amount due each month from TRR under Well Agreement. Completed. Financial Report now includes TRR receivables.*

##### **b. TRR Phases 10, 12 & 13 Acceptance**

See Manager's Report

##### **c. Rate Case**

Water Services Agreement with Harvard has been docketed.

Procedural Hearing at the ACC is scheduled for September 25<sup>th</sup>. The purpose of this meeting is to provide a schedule from this point forward.

#### **5. New Business**

##### **a. Bills of Sale – TRR and WC**

The main issues are how to designate assets for depreciation purposes. Per terms of the WSA, the items can be designated as Aid or Contribution with a minimum of 30% elected to be Aid, but because the WSA needs ACC approval, Board prefers not to accept any of these at this time. Proposals from Engineering Consultants to review this infrastructure need to be discussed at the next Board meeting.

The asset list distributed at the August meeting will be made available on the website.

**b. Board Election**

Two positions will be filled. Bob proposed that Nominations be received at MDI by November 14<sup>th</sup> with delivery by drop-off, mail or FAX; ballots will be sent with the December mailing with a deadline of mid-December for voting.

**Motion:** Earl moved to approve the Bob's proposal; Bill seconded, motion carried.

Hal would like to increase the size of the Board to 9, but this requires a Bylaw change. Discuss this at the next Board meeting.

**c. Board Meetings in November and December**

**Motion:** ~~Earl moved to have a Board meeting on December 2<sup>nd</sup> replacing the normal November and December meeting dates; Hal seconded, motion carried.~~

**Later decided by E-mail vote to move the November/December meeting to December 5<sup>th</sup> because ACC subsequently scheduled a hearing on December 1, 2 and 3.**

**d. Record Request from Jerome Reid**

Reid believes he is only asking for records the Board is required to keep and make available. Bill will send an E-mail to Reid on Sept 24<sup>th</sup> listing the records that the Board agrees to provide. If all the requested records are not forthcoming, Reid warns the Board that he will pursue all avenues including litigation.

**Motion:** Hal moved to adjourn meeting; Earl seconded the motion; motion carried.

**Meeting Adjourned at 10:55 AM**

**Related Documents:**

ICR August 31, 2008 Financial Report  
Manager's Report September 23, 2008  
ICR Water Usage for August 2008

**Appendix A Guest List**

Dayne Taylor  
Jerome Reid  
Chris & Jimmy Stoner  
Shirley Leasure  
Gene Leasure  
Julie L. Cabou