

constituent treatment expansion expense.

Wicklund said that he and Monument Sanitation District Treasurer Don Smith had asked at previous JUC meetings for this separate listing of the size of the cost shares proportional to the percentages of owned total phosphorus treatment capacity for each owner district. Smith is Monument's Joint Use Committee (JUC) representative and the JUC president.

The Tri-Lakes facility is a separate joint venture owned in equal one-third shares by Monument Sanitation District, Palmer Lake Sanitation District, and Woodmoor Water and Sanitation District. The existing allocation of owned hydraulic capacity and biosolids treatment

capacity percentages has been specified in Section 3 of the Tri-Lakes Joint Use of Facilities Agreement since the agreement was created in 1996. These same percentages also apply to treatment capacity ownership for any new constituent treatment equipment built in a plant expansion to meet a new treatment requirement. They are: Woodmoor—64.28 percent, Monument—19.79 percent, and Palmer Lake—15.93 percent.

This new state requirement to remove total phosphorus from wastewater was imposed on the Tri-Lakes facility in 2013 by the state's new nutrient Control Regulation 85.

Wicklund stated that at the Dec. 9

JUC meeting that Monument Sanitation District would pay no more than 19.79 percent of the total phosphorus expansion cost because Monument would only own 19.79 percent of the total phosphorus treatment capacity (removal of up to 264 pounds of total phosphorus per day.) He said that he and Smith also advised the JUC that there were three other items in the final 2015 Tri-Lakes facility budget of Nov. 11 that MSD had no money to pay for, since the Monument board now had to preserve and protect a minimum cash reserve of \$150,000 in 2015 to defend the district from a lawsuit that Woodmoor said it would file against MSD if MSD did not agree to pay a third of the \$2.32 million total phosphorus design and construction cost.

After further discussion, the JUC unanimously voted on Dec. 9 to amend the final 2015 Tri-Lakes facility budget as follows:

- Delete Note 11 that specified that each owner district would pay a third of all expenses for treating this newly regulated constituent total phosphorus.
- Delete the specific line item entries for the expenditure for construction of a storage building (\$84,296).
- Delete the specific line item entries for the expenditure for purchase of a new additional third staff pickup truck (\$25,000).
- Delete all the various line item entries associated with creation of a new third operator position in April 2015 (about \$60,000).

Wicklund advised the Monument board that he had not received a copy of the amended final 2015 Tri-Lakes budget from Burks with these changes since the Dec. 9 JUC meeting, particularly the change that shows no cost-sharing ratio for the total phosphorus plant expansion, rather just a single capital construction line item with the total construction cost.

Wicklund said, "That's troublesome to me." He noted that previous JUC minutes show that Burks was "specifically asked to do it, to show it both ways in the budget" by Wicklund and Smith, by both thirds and treatment capacity percentages as two separate options. Wicklund added, "I think it's odd he hasn't put together the budget the way it was amended. He's had plenty of time to do it."

At the board's request, Wicklund discussed how one-third cost sharing for total phosphorus removal first came up. Initially the Water Quality Control Division stated that Colorado wastewater treatment plants would have to use biological nutrient reduction rather than chemical treatment, to avoid adding aluminum from alum or iron from ferric chloride to the waters of the state. This would have required the addition of flow control baffles to the existing aeration basin, which Section 7 of the Joint of Facilities Agreement, "Repairs and Replacements," defines as an upgrade to existing equipment. This cost of this kind of upgrade to existing equipment is shared by thirds. Tetra Tech RTW determined that this approach was cost prohibitive.

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