



**State of Rhode Island and Providence Plantations
Water Resources Board**

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RHODE ISLAND WATER RESOURCES BOARD

**MINUTES OF BOARD MEETING #486
Monday, April 27, 2009 @ 12:00 Noon**

MEMBERS PRESENT

William Penn, Chairman
William Stamp III
Harold Ward
Michael Sullivan, PhD
June Swallow
Michael Walker* for William Parsons
Pamela Marchand
Jesse M. Rodrigues, Jr.
Robert Griffith

MEMBERS ABSENT

Frank Perry

GUESTS

Samuel Kitchel – AMGEN, Pending Board Member
Eugina Marks – Audubon Society
Alicia Good – RIDEM
Jon Schock – SKW, Pending Board Member
Henry Meyer - KWD

Staff Present:

Kenneth Burke, P.E., General Manager
Kathleen Crawley, Staff Director
Romeo Mendes, Supervising Planner
William Riverso, Programming Services Officer
Peter Duhamel, Principal Planner
Emily Cousineau, Implementation Aide

*Member Designee

CALL TO ORDER

Chairman Penn called the meeting to order at 12:07 p.m. noting that a quorum was present.

MINUTES

Motion was made by Dr. Sullivan, second by Mr. Stamp to approve the minutes of February 23, 2009 Board Meeting # 484 and the minutes of March 25, 2009 Board Meeting # 485. The vote in favor was unanimous. The motion carried.

CHAIRMAN'S REPORT

Chairman Penn reported that three new board members were approved as of last week. They are Samuel Kitchel of Amgen Corporation representing a large water user, Jon Schock of East Greenwich representing a General Public Member, and Ronald Gibson of FM Global Corporation representing the General Public.

Mr. Penn reported that General Manager Burke had submitted his written report prior to the meeting to solicit comments. Additionally, relocating the WRB office to the third floor has been postponed for budgetary reasons.

FINANCIAL REPORT

Chief Business Officer's Report – March 2009

Exeter/West Greenwich Education Pilot – Revised Expenditure of \$41,112.00 - Update

Motion made by Mr. Stamp, second by Dr. Sullivan to approve the CBO report. The vote in favor was unanimous. Motion carried.

Discussion:

Mr. Penn noted a reduction in surcharges. Speculation suggests that this is due to reduced usage and the economic downturn.

GENERAL MANAGER'S REPORT AND ACTION ITEMS

New Staff Introductions

Mr. Burke introduced Mr. Peter Duhamel as the new Principal Planner. Mr. Burke introduced Ms. Emily Cousineau as the new Implementation Aide.

Interdepartmental Coordination

Mr. Burke suggested monthly meetings of state department officials to discuss water withdrawal permits. The results of said meetings would be reported to the Board. The goals of such coordination would be: Agreeing on a common platform for document preparation, streamlining paperwork, and considering issues simultaneously. Dr. Sullivan asked that Mr. Penn support such a proposal. Ms. Marchand stated that the suppliers have voiced a desire for interdepartmental coordination.

Mr. Penn called for a motion to authorize such coordination.

Mr. Ward and Dr. Sullivan suggested waiting until a document had been drafted. Mr. Penn withdrew his request. Dr. Sullivan suggested this topic be a specific item for next month's agenda.

Big River Well Development RFP – Update

Mr. Burke reported that the contract had been awarded to Weston Sampson. Copies of the minutes from the meeting with the vendor were distributed to the Board at this time. Mr. Burke noted a push to expend funds via issuing a retainer payment to Weston Sampson. In addition, the staff is working to find a permanent application contract. Mr. Burke will provide an updated timeline for the next Board meeting.

Bristol County Water Authority RFP – Update

The contract has been signed and the first meeting is scheduled for next week with Mr. Burke.

Big River Management Area Program

Earth Day Clean Up – Update

Mr. Burke reported that the Earth Day Clean Up took place on the previous weekend. The event was a huge success.

Aero Modelers Request for Lease Renewal Approval – Briefing

Mr. Burke reported that a lease renewal request has been resubmitted based on previous Board language. Approval shall be at the Board's discretion with the following stipulations:

- Termination clause.
- Language allowing grass management and prescribed burn practices.

RIDEM ATV Training Land Use Request for Approval – Briefing

Dr. Sullivan instructed Mr. Burke to check with Andrew Lipsky regarding NRCS planting program or schedule for repair work in the BRMA.

Other Discussion:

Mr. Penn inquires about plans to sell the BRMA field office. Mr. Burke reports that no action has been initiated, but Mr. Penn encourages the closure of such a deal.

Water Management and Allocation Program: HAP Pilot – Update

Mr. Ward reported that minutes have not yet been submitted for the HAP meetings. Currently, 2300 radio meters have already been installed, though reading capacity not yet established. The meters represent 23% of consumers, which is a “reasonable representation”. Mr. Penn asked about encumbering the \$80,000 cost before the end of the fiscal year. Mr. Burke states that the Board has the purchase order for the equipment and the cost can be submitted. However, it is likely that the remaining balance will not be spent before the end of the current fiscal year. Mr. Penn comments on the need to share expense between the Board and the water suppliers if radio meters become required in other areas across the state. Mr. Meyer stated that issues could arise with consistency between town systems if different equipment is used. Mr. Penn added the need for standard equipment and economies of scale. Dr. Sullivan noted that North Kingstown preselected a vendor for this project without considering state-wide application. Also, the Board did not have a role in the selection at that time. He suggested the Board should state ownership of the equipment for a larger project, but that the \$40,000 investment must be for sound products capable of precise reading. Dr. Sullivan continued to voice concern the North Kingstown asked for reimbursement for equipment the Board did not approve. Mr. Ward clarified that North Kingstown did not request for reimbursement, but that the HAP subcommittee determined that the acquisition of this equipment was the quickest, most efficient, and most accurate way to get better consumption data in the HAP this summer. At some point the full Board will indeed own this project and take responsibility for the pilot, achievements and failures. Ms. Marchard mentioned that the equipment could, perhaps, be spread out amongst other systems during the year. Mr. Burke questioned the practicality of sharing equipment. Mr. Griffith said the subcommittee took this path due to a sense of urgency prior to the close of the fiscal year and the impending summer season. Hence, granting funds to the town was faster than issuing an RFP. Mr. Schock complimented the detailed reporting of the selected meters in use and the savings of not sending a meter reader out to the field.

Mr. Penn encourages the Board to think about applying the pilot on a statewide scale to make it viable. Mr. Griffith suggested that the application of the pilot could lead to reestablishing the Water Facilities Assistance Program, which could provide grants statewide.

Mr. Meyer informed the Board of three ways to read the meters and the \$2,000 cost. Kingstown Water has considered fixed-base reading for remote recording.

Mr. Ward restated that the pilot had to work with limited resources to implement the study. Mr. Stamp did not want the Board to start making decisions for the suppliers. He suggested looking at the program holistically before applying it state-wide or considering mandates.

WSSMP – Update

Motion by Mr. Stamp, second by Dr. Sullivan to accept staff report. The vote in favor was unanimous. The motion carried.

USGS Projects – Update

Mr. Burke reported that half of the watersheds in the state have some form of detailed USGS model. Two appropriate model types were covered in his report: The safe-yield estimator and the decision support system program.

Further modeling is currently postponed for budgetary purposes. Mr. Walker asked about a financial proposal by USGS for their continued services. Mr. Burke responded that that is forthcoming for next month's meeting.

COMMITTEE REPORTS AND ACTION ITEMS:

Finance Committee - Chair William Penn

WATER SUPPLY AUDITS

Motion made by Mr. Rodrigues, second by Dr. Sullivan to accept the audits by B&E Consulting, LLC. The vote in favor was unanimous. Motion carries.

Discussion:

Members of the Board commented that B & E Consulting should create a consistent reporting format to avoid the cost of correcting report errors.

Water Resources Protection & Use Committee – Chair Robert Griffith

The committee had not met.

Construction, Engineering & Operations Committee – Chair Pamela Marchand

The committee had not met.

Properties Committee – Chair Frank Perry

Mr. Perry was not in attendance.

Legislative & Regulations Committee – Chair Harold Ward

There was no discussion on the following legislative agenda items: S 0594, H 5805, S 0492, H 5793 and H 5828.

S 0732 and H 6097 – Relating to Waters and Navigation – The Water Use and Government Efficiency Act of 2009 - Update

Mr. Ward reported there is a Sub A being finalized and proceeded to review the draft version. He stated the Water Suppliers and the Coalition for Water Security have worked through their respective legislation and incorporated their pieces of legislation into this Sub A and also includes the Boards legislation. The following main points were clarified.

- Keep the Board at 15 and restore voting rights to Statewide Planning and EDC members.

- Redefine “supplier” for surface and ground water types.
- Eliminates “small user” category.
- Changes quorum needs from 7 to 9 members.
- Mr. Griffith states technical correction of “associate” director of division planning.

Mr. Penn stated he is in favor of supporting this bill.

Motion by Dr. Sullivan to adopt the bill, second by Ms. Marchand. The vote in favor is unanimous. The motion carried.

Discussion:

Dr. Sullivan added that this bill conveys what the Board felt was necessary

Personnel Committee – Performance Criteria Development, Adoption and Procedures

Motion by Mr. Stamp, second by Mr. Rodrigues to create the committee. The vote in favor was unanimous. The motion carried.

Discussion:

Mr. Penn recommended a five person committee chaired by the current board chairman, a water supplier, a member of the agricultural community, a large user, and a member of the environmental community. The committee would report to the Board. The committee would have three functions: develop performance requirements, establish periodic reviews, and have the opportunity for the General Manager to provide them with feedback. Mr. Griffith reframed it as a management and budget exercise, which would review the budget and objectives of the Board.

The Board instructed Mr. Burke to further define the goals and objectives of the committee.

RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Mr. Stamp second by Mr. Sullivan to recess the Board meeting and start the Board Corporate Meeting at 1:29 pm. The vote in favor was unanimous. The motion carried.

RETURN FROM BOARD CORPORATE BUSINESS

Motion by Mr. Stamp, second by Dr. Sullivan to return from the Board Corporate to the Board meeting at 1:31 p.m. The vote in favor was unanimous. The motion carried.

ADJOURNMENT

Motion made by Dr. Sullivan, second by Ms. Marchand to adjourn the meeting. The vote in favor was unanimous. The motion carried. The meeting adjourned at 1:28pm.

Respectfully Submitted,

Emily Cousineau
Implementation Aide

The meeting place is accessible to the handicapped in conformance with RIGL 42-46-2. Individuals requesting interpreter services for the hearing impaired must notify the Board office at tel. 222-1450/TDD 2221454, at least 72 hours in advance of the meeting date. If requested, tapes of the meeting will be made available.S:\Board\agendas\2009\04272009WRB Agenda.doc