

Tabernash Meadows Water & Sanitation District
Board of Directors *SPECIAL* Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
August 15th, 2022

1. Call To Order:

- a. Drewett called the meeting to order at 6:00 pm.
- b. **Attendance-** Board Members and Staff present: Treasurer James Drewett in-person, Secretary Ethan Foster in-person, Member-at-large Richard Tarde via video, Manager Yoder in-person, Accountant Donette Schmiedbauer via video, Consultants: Russ Newton, General Legal Counsel via video. Public attending via in person: David Yoo- Tabernash Condos, Matt Anderson- Tabernash Condos, Rachel Kindsvatter- Tabernash Condos, Ryan Greenwell- Tabernash Condos. Public attending via video: Dave Peters, resident, Susan Koeneke, resident Joseph Gregg Lakeside OA Residents, resident Renzo Zafferani, Kristen Bush- Tabernash Condos
- c. **Ratification of Disclosures-** None

2. July 2022 Financials:

Schmiedbauer reviewed July 2022 financials, check register and managers credit card. Yoder detailed some of the expense changes, some of the larger expenses are related to the water main leak that occurred in the Lakeside Community. Foster motion to approve July financial statements and expenses. Drewett 2nd, motion approved 3-0

Discussion surrounding returned check policies going forward if payments are returned from owners on quarterly billing, will make changes with upcoming notifications about returned payments having associated bank fee's being rebilled.

Drewett had a question of which account the funds from the Lot 19 sale, Schmiedbauer confirmed funds will be deposited in the CSafe Investment Account

3. July 12, 2022 Board Meeting Minutes:

No comments or changes. Drewett motion to approve. Tarde 2nd, Motion approved 3-0.

4. Managers and Operations Report:

- a. **Water Rights, Tabernash Community Update-** Community petition for inclusion to be posted as required prior to the September 13, 2022 meeting. **Tabernash Condos-** Previously the building was sold 2 taps for 4 units, ideally all 4 units would need 4 taps and 4 separate services but presently there is one service main to the entire building for all 4 units. To be a customer of the district the customer and supplied water or service services, it is necessary of inclusion for any customers. Noted that the mills levy is being double dipped with the Grand County expense and what is required by the district as a customer. David Yoo, Tabernash Condo's President, questioned the double mill taxation issue and Drewett responded by explaining that the district can't have separate tax amounts for different groups and all taxation is the same.

Yoder also noted that even if a customer is only buying water that customer must still pay the sewer tax regardless of the sewer usage. Yoo brought up that county negotiations may help with the old town inclusion to start to address the mill levy issue. Yoder did also note during the original tap installation and to date those taxes were never paid without inclusion in the district. The petition to include will also delineate how the water will be consumed, in this building if the condos arrange HOA with provisions to agree to manage the incoming water there could be a single shared water meter and check valve or backflow prevention rather than individual meters in each unit. Yoo asked what has to happen for updated services or to come to current standards district has asked for. Drewett discussed the importance of making the customers of the district as uniform as possible regardless of past district issues and future issues could arise with future boards so consistency is key for the district as a whole. Ideally individual control per unit for concise billing and control of water utility is best, Foster agreed with Drewett. Yoder mentioned May 2023 is the cutoff for the water rights filing regarding district water rights. Yoo questioned what was the upcoming September Inclusion, Yoder and Drewett responded that is for the Old Town Tabernash inclusion. Newton also noted a petition deadline would need to be completed by February/March 2023 to ensure there would be time for the necessary filing timing and processing. Kristen Bush asked what is necessary legally? Newton responded the steps in the process, forms and costs needed can be found in the district rules and regulations. Noted that the district has petitioners deposit between \$3000-\$5000 based on inclusion needs. Bush questioned if the deposit amount covers all inclusion costs, Newton said the standard costs typically are around \$3000-\$5000. Bush noted to add individual water lines would be separate of the costs of inclusion. Yoo asked what the next steps would be, Drewett discussed what would be the board requirements and noted the history of Appendix A to note the "Standard Tap Fee" and how larger units with more fixtures may need to purchase a higher percentage of tap fee then the basic 1.00. Yoder also noted to be aware costs can change based on economic conditions changes. **Common Interest Agreement-** Drewett motion to approve the title of the document "Common Interest, Common Defense and Confidentiality Agreement". Foster 2nd, Motion approved 3-0. Tarde asked why this document isn't shared with the public. Newton elaborated that this document allows for information sharing among parties that should be kept confidential. The stakeholders involved in the document asked to step into this agreement. Tarde asked why this document is needed. Drewett responded the district is doing business with private parties and without the agreement it's unlikely the parties would work together in this capacity. Newton also mentioned any documents pertaining to the district agreed to past this agreement do become available to the public once completed. Drewett motion to approve water attorney involvement on Common Interest, Common Defense and Confidentiality Agreement. Foster 2nd, Motion approved 3-0

- b. **Source Water Protection Plan Update-** Tarde and Yoder met to discuss changes to the Source Water Protection Plan and mention that Tarde would like to distribute flyers about the plan. Drewett suggested conversation be postponed until next meeting due to the missing board members at the current meeting

c. **Operations Report-** Yoder described the differences in typical operation/variations in wastewater and PCV Booster levels due to Lakeside leak, aside from issue plant is running normally. Tarde questioned when water inflow stops seasonally, Yoder said typical average years is around the beginning of July flows subside. **IT Contractor-** September 21 Yoder has a meeting scheduled with IT contractor. **Sanitary Survey- Community** will have a survey regarding drinking water and sanitary service, it is Yoders opinion the district will be in a good position for positive results. **Water Shut-Off Alert-** A water leak was found at the Lakeside community after just over 6 weeks of trying to identify issue, estimate around 27-32% water usage loss during this time of trying to identify issue. A water detection company was called and found units 13A and 14B at Lakeside had a leak on a shared service line from a 1" tap. Conroy was contracted for the work and notices were sent to customers. Pressure was maintained in the main line per CDPHE requirements during work. Issue was found at a mechanical wye connection between the curb stop and the units. Estimated 300,000 gallons of water was lost. Noted the rules and regulations of Section 3.5 detailing specifics regarding this scenario. Estimated costs approaching \$20,000 for just the detection and repairs, most existing landscaping and Infrastructure was unaffected aside from anything in the direct area of the fix. Zafferani asked why shared line was installed, Yoder responded he wasn't sure as the district does not allow shared service lines now. Yoder suggested district would pay the soft costs of water, leak detection, etc. While the customers would pay the hard costs of the fix, excavation, backfill, etc. Gregg had no comments at the moment and will continue discussion into September

5. Seter Status Report:

- a. **Lot 19 Closing-** Lot 19 sale occurred on 8/11/22. Drewett motion to approve closing contract of sale. Foster 2nd, motion approved 3-0. Tarde questioned the number of taps purchased with the sale of the lot. Yoder said they included 1 tap in the sale of the property and owner also wishes to purchase 3.35 more taps around the week of 8/22/22
- b. **Rules and Regulations-** No update
- c. **District Tap Fee Collections-** No update
- d. **Equal Pay Act and Other Employment Law/Employee Handbook-** No update
- e. **Lot 21 and Other Irrigation Service Agreements-** No update
- f. **Red Hawk Ranch Inclusion/Service Issues-** 5 days away from inclusion deadline from the proposals of inclusion
- g. **American Water Infrastructure Act of 2018-** No update
- h. **Bond and Tax Questions-** No update
- i. **WWTP District and County IGA-** No update
- j. **Proposals for Inclusion and/or Extraterritorial Service-** Special mailings and notices filed for slated inclusions

Ward Property Pre-Inclusion Agreement- Agreement with Tabernash HS LLC. Drewett motion to approve the pre-inclusion agreement. Foster 2nd, Motion approved 3-0. Drewett amended the motion to authorize Yoder as signatory for Pre-Inclusion agreement. Foster 2nd, Motion approved 3-0

6. **Old Business:** 8/29/22 PCV HOA Info Sharing virtual meeting, 1- or 2-hour meeting

7. **New Business:** Yoder identified health issues with a current staff member who had exhausted current sick leave and would be need to take unpaid leave as the individual is over 100 hours over time accrued. If the person needed to be out past 1 month, they would need to pay for health benefits. The lead operator is possibly looking to move out of state and question for the board about offering to be more competitive pay wise for the lead position or consideration as a whole for district employees. Drewett has the opinion the staff is the most valuable asset and considering the situation of moving away for cost-of-living issues, the district isn't paying enough of a living wage. Other local positions in education and the fire district, as 2 examples, have all currently had wage increases and feeling is the lead operator in our district should as well. The district should be a premium employer. Foster mentioned with the potential of future growth in the district keeping up with wages to maintain personnel is also important. Drewett feels making correct steps now that doesn't also encumber the district in the future for long term issues is important. Yoder will follow up with more specifics regarding the issue and Tarde also agreed with the issue of costs of living increases in Grand County that its important the district be paying a proper living wage. Yoder also addressed that he was approached by a reporter in Sky Hi News about interviewing on the PFAS numbers in Tabernash water as other surrounding districts have reported higher numbers. Yoder declined the interview as he didn't feel the need to spedn district time on the issue as the district numbers are not an issue. Tarde asked what was the specifics of PFAS, Drewett commented its related to "forever chemicals" in water like Teflon.

8. **Public Comment:** None

9. **Adjourn:** 8:15 pm. Next meeting 9-13-2022, 6 pm.

Approved

9-13-22

date