

Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
April 14, 2020

1. Call to Order:

- a. President O'Donnell called the meeting to order at 6:06 p.m.
- b. Board Members and Staff present: President O'Donnell, in person. Vice President Anderson, via video conference. Treasurer Drewett, via video conference. Member at Large Sprague, via video conference. Member at Large Thoms, via video conference., Manager Yoder, in person. Accountant Schmiedbauer, via video conference. Russ Newton, Legal Counsel, via video conference. Public present; Heather Ramirez, via video conference.
- c. There were no disclosures.

2. Approval of Financials: March 2020

- a. Schmiedbauer reviewed March check register, managers credit card, and year-to-date financial statements.
- b. Anderson motion to approve financials, 2nd by Drewett. Motion approved 5-0.

3. Approval of Minutes: March 10, 2019

- a. The Board reviewed the March 10th regular meeting minutes.
- b. Drewett motion to approve the minutes as presented, 2nd by Sprague. Without corrections, motion approved 5-0.

4. Manager and Operation Report:

- a. Yoder presented industry covid-19 survey responses from the American Water Works Association. After discussing relief options for district customers Drewett motion to allow additional 5,000 gallons of water usage per customer for the 2nd quarter, overage charges would start at the first tier for usage greater than 30,000 gallons. Sprague 2nd, motion approved 4-0 with Anderson abstaining, citing conflict of interest. Yoder further detailed National, State and local government pandemic response actions. Yoder reported district response included initiating staff shifts of 4 hours per day, with no operators in close contact, riding

together in trucks or confined space entry. Pressure washing and other non-essential maintenance is being deferred except where a single operator can perform safely and independently. Shifts will continue through March. State required water and waste water monitoring and sampling is being completed on time without exception. Staff and contractor have completed sanitary sewer cleaning and inspection for 2020. Excessive build-up was found in a few isolated areas, and extra cleaning and inspections were performed for system reliability. Yoder reported this budget line item was exceeded by approximately \$2000. The Board thanked Yoder for proactively protecting staff and operations and to continue as needed with precautions as work load allows. Drewett detailed helpful tactics for limiting risk including masks, hand washing, gloves, personal and workspace hygiene. Yoder would implement suggestions not already in-place where possible. Yoder noted Donna Ferber had donated several re-usable face masks to each staff member.

- b. Yoder reported O'Donnell renewed the real estate listing contract. The lot is back in the market.
- c. Yoder reported Lot 21 is up-to date on service fees and deposit account.
- d. Yoder reported the residential water meter capital project is on hold due to probable access issues related to Covid-19. Yoder hoped to revisit the project in the fall or budget to begin in 2021 as conditions allow.
- e. Yoder reported he has not heard back from Grand Enclave related to the water rights purchase agreement. Comment is due for the Highland Investments water rights filing, David Kueter has prepared comment to continue to protect TMWSD interests in shared structures, and logistics of storage rights including reservoir O&M. The stakeholder O&M agreement drafted by David Kueter has been circulated and we are awaiting comments.
- f. Yoder updated the Board; he continues to work with USDA grant officials and preliminary information is we may receive 45-50% matching funds toward the service/plow truck project.
- g. Red Hawk Ranch will be discussed during Kim Seter Status Report.

5. Kim Seter Status Report:

- a. Russ Newton explained during review of the District Rules and Regulations Yoder noted Section 10.13 was not consistent with billing practices long established and applied to all customers owning water and sewer taps. It was recommended amending language to reflect practices and budget planning. Anderson communicated frustration

that the Rules and Regs have been mis-stated for such a long time and that he has been affected by this discrepancy. Yoder reported all customers have been treated the same and the practice has been in place since near the Districts inception and not sure how this was missed for so long. Yoder offered that it is important to collect these fees to maintain the infrastructure capacity and readiness to serve future system demands. Drewett motion to amend Rules and Regs, Section 10.13 to state: "Upon payment of the tap fee, water and sewer service charges shall commence unless a different commencement time is established by prior written agreement." Sprague 2nd, motion approved 4-0 with Anderson abstaining citing conflict of interest.

- b. Red Hawk Ranch Update: 7:59 pm, Drewett motion to move the Board into executive session pursuant to C.R.S. 24-6-402(4)(b) to obtain the advice of legal counsel and subsection (e)(I) to review a proposal to provide water service to Red Hawk Ranch and to consider other matters that may be subject to negotiation. Sprague 2nd motion approved 5-0. 8:53 pm Anderson motion to exit Executive session, Drewett 2nd, motion approved 5-0. Board directed staff to move forward with response to RHR draft water service agreement.
- c. Russ Newton discussed the District declaring an Emergency based on current Covid-19 conditions. Declaring an emergency may help the District if funding or coordinated help is needed to sustain critical operations. The declaration will help the county with coordinated emergency operations if further travel restrictions are implemented or emergency supplies become available. Drewett motion to declare an Emergency and authorize O'Donnell to execute Emergency Declaration and designate District Manager Thom Yoder as Point of Contact. Sprague 2nd, motion approved 5-0

6. Old Business: None

7. New Business:

- a. Yoder offered the District could develop a policy for customers to relinquish idle taps on in-District properties where a house has not been built or site conditions have changed and building is not anticipated. The policy could include the district may accept the tap back into inventory at no cost to the district. If taps are needed in the future they must be purchased at the prevailing rate at that time. No consideration would be made to previous tap assignment. A written request could be considered on a case-by-case basis for the Board to decide. Anderson asked for more detailed information from staff.

