

**Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
July 9, 2019**

1. Call to Order:

- a. President O'Donnell called the meeting to order at 6:01 p.m.
- b. Board Members and Staff present: President O'Donnell, Vice President Anderson, Treasurer Drewett, Member at Large Sprague, Manager Yoder, Accountant Schmiedbauer. Russ Newton, Legal Counsel, 7:20pm-8pm. Neil Shilling, Shilling & Associates. Public: Scott Bradley, 6:15pm.
- c. There were no disclosures.

2. 2018 Financial audit presentation:

- a. Neil Shilling gave a detailed report of the 2018 financial audit and reported no deficiencies or concerns.
- b. Brief discussion was held on the effects of the 2018 debt refinance, number of taps issued, and a long standing account receivable of a partial tap due from Grand County.
- c. Drewett motion to approve the 2018 Audit, O'Donnell second, without further discussion motion approved 4-0.

3. June 2019 Financials:

- a. Schmiedbauer detailed the July check register, managers credit card, and financial statements.
- b. Drewett motion to approve July 2019 financials, Dick Sprague second, without further discussion motion approved 4-0.

4. Approval of Minutes: June 4, 2019

- a. The Board reviewed the June 4, 2019 meeting minutes.
- b. Drewett motion to approve the minutes as presented, 2nd by Sprague. Motion approved 4-0.

6. Valley at Winter Park update:

- a. Yoder reported he had spoken with Ed Moyer, Assistant County Manager. Moyer expected the BOCC to approve VWP recent request to remove certain water rights from its subdivision requirements.
- b. When approved TMWSD will be required to fulfill the contract to purchase water rights from VWP.
- c. Yoder reminded the Board they have previously approved the expenditure.

7. ABW Lot 21 update:

- a. Yoder reported the District and ABW are finalizing all documents needed to transfer the new infrastructure to TMWSD.
- b. Yoder reminded the Board it previously approved Mike O'Donnell to execute legal documents associated to the transfer contingent Manager and Legal Counsel opinion.

8. Managers and Operations Report:

- a. Yoder reported the District is continuing to search for a new Operator.
- b. David Kueter, District Water Legal council is beginning to work with Scott Bradley's water legal counsel to draft a PCV Reservoir O&M agreement. Some work has taken place in the past. Yoder offered a first draft and will report back progress.
- c. A lakeside unit's clean out structure failed from damage. The Homeowner contacted a plumber at their expense to remove broken parts that had fallen into and blocked the service line. Yoder inspected the rest of the lakeside with similar installed piping and found 11 total cleanouts needing maintenance or replacement. Yoder will send a letter encouraging homeowners to repair the defects at their cost. Details will include the type of repair needed, a contractor estimate and contact info.
- d. Grand Enclave water rights purchase from TMWSD is on hold dependent on possible purchase from VWP.
- e. Yoder is working with District consultants to develop a draft O&M agreement for stake holders of PCV Reservoir and the Pearl ditch.

9. Old Business:

- a. Yoder reported the annual Substitute Water Supply Plan received no comments or opposition.

10. Kim Seter Status Report: 7:20pm, Red Hawk Ranch

- a. Russ Newton reviewed latest draft agreement from Red Hawk Ranch.
- b. Dick Sprague commented the District will hold a public meeting prior to considering approval of a Final Sanitary Sewer Agreement with RHR.
- c. Drewett commented it has been a long 27 months of negotiations. The TMWSD board is solely concerned with it's own financial health and will not assume any risk associated with development of RHR. An agreement will only be considered if it benefits TMWSD financial and operational goals.
- d. Anderson noted there have been several scenarios proposed to serve RHR. RHR has 45-50 days to reach an agreement under the current Grand County deadline. The District does not intend for negotiations to continue past the county deadline.

11. Public Comment:

- a. Scott Bradley discussed RHR willingness to an agreement to purchase 228 sewer taps at extraterritorial rates. TMWSD and Scott Bradley have been in negotiations for over 2 years this round and cost over \$75,000 all paid by Scott Bradley.
- b. RHR has contracted with JVA to propose extraterritorial tap and service fee rates. JVA is working to expedite the deliverable.
- c. The Board agreed staff will schedule with the Sprague and O'Donnell to consider a JVA proposal in time for the August Board meeting.

**10. Adjourn: 8:00 pm. by O'Donnell. Next meeting 8-13-19
6pm.**

Mike O'Donnell
Board President

8/13/19
Date