

Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
June 11, 2024

1. Call to Order: 2 minutes.

- a. Anderson called the meeting to order at 6:02 p.m.
- b. Attendance – Board Members and Staff Present: President Bill Anderson in person, Treasurer James Drewett in person, Member-at-Large Scott Cote in person, Member-at-Large Richard Tarde via video, Member-at-Large David Peters in person. and Manager Thom Yoder in person.
Consultants: Russ Newton General Legal Counsel, via video.
Public: Shaun Mullahey, resident, via video, Michael Repucci, developer, via video, KC Golfinopoulos, Real Estate Agent, via video, Susan Koenke, homeowner, via video.
Disclosures: None.

2. Possible Approval of Financials, May 2024: 17 minutes.

Yoder reviewed the check register detail and expenditures.
Drewett motioned to approve the May 2024 Financials as presented. Peters Seconded.
Motion carried 5-0.

3. Possible Approval of Minutes, May 14, 2024: 5 minutes.

Yoder noted the address in the heading is incorrect, instead of 779 Dr. it should be 729 Aster Dr. Newton also noted some changes. Possible Approval Financials Yoder introduced the new employee, Valerye Rangel. Newton also noted that under 9. a. Red Hawk and Inclusion Properties Update, he provided the draft agreement.
Cote motioned to approve the May 14, 2024, meeting minutes with amendments. Drewett Seconded. Motion carried 5-0.

4. Engineering & Financial Analysis Update: 26 minutes.

Yoder updated the board regarding his meeting with Newton and Benton, he expects to have updates for the board by the July meeting. Yoder and Tarde had some more in-depth discussion regarding an email sent to Yoder by Tarde inquiring about comments for Miller and Associates. Yoder confirmed he would discuss Tarde's inquiries with the engineers and report back.

5. Managers and Operations Report:

- a. **Operations Report: 8 minutes.** Yoder reviewed the operations reports and updates.
- b. **Website & I.T.: 7 minutes.** Yoder noted the new website launch, as well as potential bids to install Starlink. Anderson requested more caution with cost estimates.

- c. **Colorado River Cooperative Agreement:** 4 minutes. Yoder briefly discussed the agreement and will report back with progress toward disbursement of funds provided in the agreement. The board generally agreed with per tap allocation of the funds.
 - d. **Canyon Water, Well Capacity Study:** 11 minutes. Yoder provided an explanation for the necessity of a well 3 capacity study for the district. He requested approval for the study and the water engineer's proposal. Drewett motioned to approve the proposal in the amount of \$7,495.00, Peters seconded. Motion carried 5-0.
6. **Seter Status Report:** No update to the Rules and Regulations, Tap Fees, IGA, Debt Service, Expansion. Ward Property – Had an initial meeting June 5; to discuss next steps, definitions from the Miller/PFM report, and Ward agreed to provide preliminary engineering plans. Jimenez Property - Newton provided a brief update regarding the attendance of Repucci and his colleague at the prior meeting. He also explained they would prefer a draft pre-inclusion agreement with assurance or reservation for capacity to be provided, or expenses to be reimbursed if the district cannot provide capacity. Mr. Repucci presented his request to the board. Yoder inquired how much time Newton has spent on Jimenez Property on the project. Newton reported that he communicated by email and phone with Mr. Repucci and prepared a draft pre-inclusion funding agreement for his consideration.
- a. **Red Hawk Ranch, Inclusion Properties:** 10 minutes. Newton provided an update regarding the IGA draft inclusion agreement revision meeting with Yoder, Scott Bradley, and RHR consultants. The Red Hawk committee will meet to discuss Thursday June 13th at 8:00 am.
 - b. **Lot 16 Well Easement:** 10 minutes. Newton provided a brief update regarding the easement consent request regarding the district's well access easement.
 - c. **ADA Compliance:** 5 minutes. Newton expects to have a resolution for the board to consider following completion of review with his firm. Newton advised the board to appoint Yoder as compliance officer, as well as delegate permission to add an accessibility statement to the website and post a plan, subject to change. Drewett motioned to appoint Yoder as the ADA compliance officer and enable him to sign and execute any documents necessary to maintain compliances. Peters seconded. Motion carried 5-0.
 - d. **Executive Session:** Drewett motioned to enter executive session at 8:08 p.m. citing §§ 24-6-402(4)(b) and (e)(I), C.R.S. to obtain legal advice and develop negotiating positions regarding the Jimenez property draft pre-inclusion agreement. Coté seconded, motion approved 5-0. Drewett motion to exit executive session and Peters second, motion approved 5-0. 48 minutes.

Motion to approve draft Anderson motion to approve Jimenez property pre-inclusion agreement with changes directed to Newton, 2nd by Drewett, approved 5-0.

7. Old Business:

- a. Tarde requested his comments be sent to the engineer regarding the Miller opinion of probable costs update memo. Yoder will forward comments and distribute the revised memo.

8. New Business:

- a. Tarde discussed a difference between TMWSD and other districts construction specifications regarding utility depth of bury and insulation requirements. Yoder explained the specification to add 2 inches of insulation per foot is a suggestion to builders to protect water and sewer lines not only where minimum bury is planned or observed in the field, but also where service lines cross driveways. Yoder explained that the district does not warranty the work of contractors, that the contractors usually add the protection, and the district has not observed problems related to its minimum bury specifications. No staff directions were given by the board.
- b. Anderson informed the board he will step down as President after the Regular August Board Meeting citing his time spent in the position, travel intensions and possible remote attendance at meetings. The board tabled the topic for future discussion.

9. Public Comment: None.

10. Adjourn: *1 minute.* Anderson adjourned the meeting at 9:00 p.m.

Approved By

Date