

Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
March 8, 2022

1. Call To Order:

- a. Anderson called the meeting to order at 6:02 pm.
- b. Board Members and Staff present: President Anderson in-person, Treasurer Drewett in-person, Vice President Sprague in-person, Member-at-large Thoms via video, Member-at-large Foster via video, Manager Yoder in-person, Accountant Schmeidbauer absent /excused, Consultants: Russ Newton, General Legal Counsel via video. Public attending via video: Susan Koeneke, Richard Tarde, Dave Peters.
- c. There were no disclosures.

2. February 2022 Financials:

- a. Yoder reviewed February 2022 financials, check register and managers credit card. Yoder made note that the Operation Supply line item included \$33k in residential water meter expenditure that was budgeted in the capital expense line item. Brief discussion was held to table February financials and be clarified with Schmeidbauer at the next meeting.

3. January 11, 2021, Board Meeting Minutes:

- a. Having reviewed the minutes Drewett motion to approve with correction to Sec 8.b "Newton offered to inquire..." Thoms 2nd, Motion approved 5-0.

4. Managers and Operations Report:

- a. **Water Rights update:** No update to reservoir storage. Yoder introduced a draft O&M Common Interest Agreement. The Agreement will serve to allow reservoir O&M stakeholders to openly discuss water rights, supply\ delivery concerns, and possible future water court filing tactics; essentially in confidence. Any party to the Agreement may exit at will, but may not disclose information to outside third parties. Yoder explained, a final agreement will be presented to the board for possible approval as progress warrants.
- b. **Lot 19 Update:** Yoder reviewed a meeting held with Tim Urban, possible buyer of lot 19, attended by Anderson, Drewett, and Yoder. Mr. Urban gave an overview of lot 19 planning to date, including his finance options and time constraints. Mr. Urban inquired if the district would grant an

extension to the real estate purchase contract and reserve water and sewer taps, without purchasing taps until December 2022. Anderson explained taps are available on a first come-first served basis and must be purchased to reserve treatment capacity. Anderson and Drewett made clear the district would not likely extend past the current August 2022 deadline if it would be contingent on reserving taps without purchase.

- c. **Operations Report:** Yoder reviewed the operations report. Treatment processes are performing well. Staff has completed annual biosolids and regulation 85 report requirements. Staff continues to prepare for anticipated sanitary survey inspections in 2022. 98 of 174 new residential water meters have been installed.
- d. **1st Quarter Billing Letter:** Yoder reviewed the draft 1st qtr. billing letter. There was brief discussion and minor edit suggestions from the board, including to add standard language from legal counsel noticing the upcoming election, staff was directed to include the letter in the billing mailing.
- e. **Cyber Security Assessment Follow-Up:** Yoder explained an action plan had been reviewed with contractors and will follow up at 6 months and 1-year to track progress. The Assessment is broken into 3 risk categories. Staff will seek quotes on hardware, software and subscription-based services.

8. **Seter Status Report:**

- a. **May 2022 Election:** Newton reported the May 3rd election will proceed. There are 4 candidates for 2 3 year term seats. Incumbents Mark Thoms and Dick Sprague, as well as, residents Susan Koeneke and Richard Tarde have met all requirements to appear on the ballot. Ballots will be mailed between April 11th and April 18th and must be returned by May 3rd. Brief discussion was held by the board to have a ballot drop box available within the district. Staff was directed to research requirements and feasibility and report back.

Public comment: Dave Peters inquired if the district would publish bios on the candidates. Newton cautioned the district is prohibited from campaigning for any candidates. However, employees and directors, in their individual capacities, may support their preferred candidates. The district website will publish standard language similar to the billing letter.

- b. **Rules & Regulations:** Yoder reported the combined total of water and sewer taps sold compared to Grand County Assessors information is off by 39.4 taps. The short fall in taps sales revenue is \$945,600. Yoder recommended immediately reducing available taps for sale by 40, leaving 100 available taps. It was acknowledged that previously the district did not follow its SFE schedule; first appearing in original water rights planning and re-stated Appendix A, dated 2009, updated 2014. Yoder will continue research and report back with options to move forward.
- c. Newton discussed the Paid Family Medical Leave Insurance Act deadline to opt out is June 30, 2022. Staff will research financial impacts to payroll and individual employees if either were to participate.

9. **Old Business:** none.

10. **New Business:**

- a. Yoder reported an error during the 2022 budget process. While the board approved Yoders' salary increase percentage, the rate had been miscalculated, thus undercompensating. An accompanying email from Schmeidbauer explained the error totaling \$3127 in annual compensation. Discussion was held, and direction given to catch up on Yoders' back pay, continue pay at the anticipated rate, including shortfall, going forward and consider amending the budget to reflect the correct annual amount.
- b. Yoder presented a 3-year contract for commercial recycling service. The annual expenditure is \$319.44. Drewett motion to approve recycling contract for a 3-year period, Foster 2nd, motion approved 5-0. Newton advised the staff to research multi-year contract requirements related to special district laws. Staff will ask financial auditor for an opinion and report back.
- c. Brief discussion was held to list IGAs, contracts and agreements on the website. Yoder will work to build a page on the district website.

11. **Public Comment:**

- a. Dave Peters stated he appreciates the district's work.

12. **Adjourn:** 8:12 pm. Next meeting 4-12-2022, 6 pm.

Approved

3-8-2022
date