

Tabernash Meadows Water & Sanitation District  
Board of Directors Meeting Minutes  
729 Aster Drive, Tabernash, CO 6:00 p.m.  
April 12, 2022

**1. Call To Order:**

- a. Anderson called the meeting to order at 6:00 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 via video, Consultants: Russ Newton, General Legal Counsel via video. Ed Moyer & Micah Benson Grand County Government in-person. Public attending via video: Dale McCaw, Kirk Smith, Dave Barker, Richard Tarde.
- c. There were no disclosures.

**2. February & March 2022 Financials:**

- a. Schmeidbauer reviewed February & March 2022 financials, check register and managers credit card. Drewett motion to approve February expenses and March financial statements and expenses. Anderson 2<sup>nd</sup>, motion approved 5-0.

**3. March 8 2022 Board Meeting Minutes:**

- a. Having reviewed the minutes Drewett motion to approve Thoms' 2<sup>nd</sup>, Motion approved 5-0.

**4. Managers and Operations Report:**

- a. **Water Rights update:** Reservoir is filling. No update to Common Interest Agreement. Highland Investments water court case has been settled. Yoder expects O&M progress to continue soon.
- b. **Lot 19 Update:** Yoder reviewed request by possible buyer to reserve taps without purchase and extend purchase contract to December 2022. Brief discussion was held including the district will not reserve taps and thus no extension will be considered. Anderson will release real estate contract obligations once buyer has requested same prior to deadline for buyer to perform. Yoder noted another interested buyer has made an offer to purchase lot 19 and close with tap purchase.
- c. **Operations Report:** Yoder reviewed the operations report. Treatment processes are performing well. Staff ran dewatering press. There has been an unanticipated cost increase in biosolids hauling. 126 of 174 new residential water meters have been installed.

- d. **Cyber Security Update:** Yoder provided several quotes related to the recent cyber security assessment. The quote for firewall hardware protecting the scada system has been completed as it was identified as very important. The other items will be considered during 2023 budget development.
- e. **Possible Approval of Irrigation Agreements:** Yoder has circulated irrigation agreements that have been edited after comments from stakeholders. Yoder recommended approval. Drewett motion to approve as presented, 2<sup>nd</sup> by Foster. Motion approved 5-0.

**8. Seter Status Report:**

- a. **May 2022 Election:** Newton reported the May 3<sup>rd</sup> election will be mail-in ballot only. District staff does not have resources to comply with on-site ballot box requirements. A canvas board will be needed to certify election results after May 11, 2022. Rachel and James Drewett will act as canvas board with the Designated Election Official, with date to be determined. Yoder will post election results on the website once made official.
- b. **TMWSD/ Grand County Inter-Governmental Agreement (IGA) 2016:** Ed Moyer, Grand County Manager, explained lands identified in the IGA have also been pledged to Amry Corps of Engineers permit related to the Fraser Parkway. The County will work to find alternatives and report progress. The County is dedicated to the IGA and values the partnership in area wastewater treatment. Discussion included that the district would be limited in treatment expansion anticipated in Red Hawk Ranch service agreements. District staff will continue discussion with Grand County staff and report progress or updates.
- c. **Family Medical Leave Act:** Newton reminded Board and Staff the deadline for opting out of Paid Family Medical Leave Insurance Act is approaching June 2022. Staff will finalize research of payroll and employee financial impacts, poll staff interest and report back at the May regular board meeting.
- d. **Public comment:** Kirk Smith inquired if the District is required to serve in-district properties. Drewett responded taps are available on a first-come-first-served basis and this has been consistent policy. If the District doesn't have available treatment capacity lands within district boundaries may be waiting for an expansion to be completed. Dave Barker asked if tap certificates could be transferable during limited

availability, if the County owned taps could be used, and if in-district taps sales could be made a priority with remaining inventory? Drewett responded the tap policy of assigning taps to specific properties and not allowing transfer is to exclude the possibility of competition with the district in regards of tap availability and costs. The County owns their available taps for use in the Tabernash Community service area. Taps are available on a first-come-first-served basis. This policy includes areas that may be served within district boundaries or extra-territorial. Dale McCaw asked if properties outside District boundaries could use it's own drinking water supply and only purchase sanitary sewer service? Yoder responded, that it would be possible with more understanding of raw water quality. Richard Tarde inquired if Red Hawk Ranch will include in Tabernash Meadows District, will Red Hawk Ranch service require treatment expansion, and will plant Investment Fee cover cost of expansion at treatment facilities. Yoder responded; the agreements considered a possible inclusion in the future, with only 100 taps available expansion will be necessary and the agreements were designed to pay for expansion to accommodate Red Hawk Ranch services through higher tap and service fees.

- e. **Rules & Regulations:** 8:40 pm Drewett motion to enter executive session for the purpose of obtaining legal advice concerning district and regulations, tap and service fee administration, the May 3<sup>rd</sup> election, and/or extra territorial service to Red Hawk Ranch, and/or for the purpose of discussing negotiation and strategy regarding service to Red Hawk Ranch and other developments within and without the District, as authorized pursuant to 24-6-402(4)(b) and (e), CRS and only after announcement at the public meeting of the specific topic for discussion and the statutory citation authorizing the executive session, and a 2/3 vote of the quorum present of the board. Anderson 2<sup>nd</sup> the motion. Public in attendance left the meeting, including those attending via video. Drewett motion to exit executive session at 9:48pm, Thoms 2<sup>nd</sup>. No action or direction was made.

9. **Old Business:** none.

10. **New Business:** none.

12. **Adjourn:** 9:50 pm. Next meeting 5-10-2022, 6 pm.

*W. J. Johnson*

Approved

5-24-22

date