

Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
March 14, 2023

1. Call to Order:

- a. Anderson called the meeting to order at 6:22 pm.
- b. Attendance- Board Members and Staff present: President Bill Anderson via video, Secretary Ethan Foster via video, Member-at-large Richard Tarde via video, Member-at-large David Peters via video, Manager Thom Yoder in-person, Consultants: Russ Newton General Legal Counsel via video, David Kueter Water Legal Counsel via video
Public attending in person: None.
Public attending via video: David Yoo-Tabernash Condos. Kristen Busch-Tabernash Condos. Susan Koeneke-resident.
- c. Ratification of Disclosures- None

2. 2023 Election Update: Yoder noted deadlines all passed as elections cancelled since no more applicants than seats.

3. Possible Approval of Financials, February 2023: Yoder reviewed specifics as Schmiedbauer was not attending meeting. After review of financials noted Schmiedbauer is working on needs for upcoming financial audit. Foster Motion to approve February 2023 financials. Peters Second. Motion Approved 4-0

4. Possible Approval of Minutes, February 14th, 2023: Foster Motion to approve meeting minutes from February 14th, 2023. Peters Second. Motion Approved 4-0

5. Managers and Operations Report:

- a. Rich Ditch Agreement- Foster motion to approve the "Rich Ditch Repair and Maintenance Agreement for Calendar Year 2023 Contract No. 505603". Peters Second. Motion Approved 4-0
- b. Operations Report- General operation highlights to coincide with report as presented as still operating well below requirements for expansion planning. Noted dewatering and training of new staff going well. Responding to 2 or 3 high water usage readings average monthly, newly installed meter systems helping district monitor more efficiently.

6. Seter Status Report:

Legal Status Report:

- a) Rules and Regulations- No Change
- b) District Tap Fee Collection- No Change
- c) WWTP District and County IGA- No Change

- d) Tabernash Condo Inclusion- Inclusion hearing handled in meeting
- e) Tabernash Property Inclusion (Block 9, Lots 6 & 7)- Working on finalizing for inclusion
- f) Ward Property Inclusion- Owners still working on ideas of expansion and potential of a sub district of sorts. The Attorney of the Ward Property owners brought up the idea related to the expansion area in Ward Property area if needed.
- g) Tap Purchase Agreement (MF-2)- Details as presented in report
- h) Letter of Intent re Tap Purchase Agreement (Lot 20)- Details as presented in report
- i) Facility Expansion- Ongoing discussion

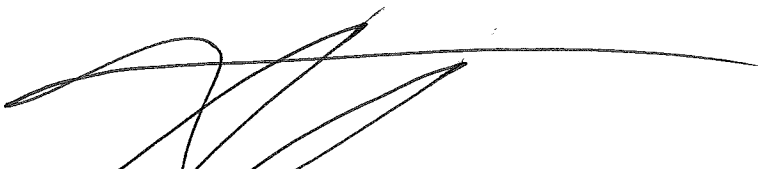
- A. Hearing of Petition for Inclusion, Tabernash Condos, North Forty Properties. Foster Motion to open "Hearing for Inclusion" as it pertains to the Tabernash Condos and North Forty Properties. Peters Second. Motion Passed 4-0. The board had basic discussion on matters, no comment by public. Foster Motion to close "Hearing for Inclusion" as it pertains to the Tabernash Condos and North Forty Properties. Peters Second. Motion Passed 4-0. Foster motion to approve "Resolution of the Board of Directions of the Tabernash Water & Sanitation District for Inclusion of Property into the District's Boundaries" as it pertains to the Tabernash Condos. Peters Second. Motion Passed 4-0. Foster motion to approve "Resolution of the Board of Directions of the Tabernash Water & Sanitation District for Inclusion of Property into the District's Boundaries" as it pertains to the North Forty Properties. Peters Second. Motion Passed 4-0
- B. "Will Serve" Letters: Lot 20 & Lot MF-2- Foster Motion to Approve the Lot 20 & MF2 "Will Serve" letters as presented. Peters Second. Motion Passed 4-0.
- C. Water Rights Update with David Kueter- Presentation on water rights application outline, new application due to be submitted by 4-30-23 for the next 5-year cycle. Details as presented in the application were outlined. Augmentation plan details regarding water rights and considering needs for potential future expansion being considered. Noted funds were included in the 2023 budget for the court filing fees needed in 2023 for this process. Tarde question is "PCR" acronym in the documents stand for Roberts Pond and if new plan would allow for seepage from the pond. General questions and discussion of the application outline ensued. O&M agreement presented by Kueter for PCR of Roberts Pond and still trying to get updated agreement with all 4 owner parties.
- D. Possible Executive Session- Public was asked to leave meeting for executive session. Motion by Foster to enter executive session citing § 24-6-402(4)(b) and (e)(I) for legal consultation and develop negotiations position and strategy. Anderson Second. Motion Passed 4-0. Foster Motion to exit executive session. Anderson Second. Motion passed 4-0

7. Old Business: Yoder tap inventory count to date review with district and county to still be followed up on. Tarde had some questions on specifics and Peters volunteered to also be included in the discussion once timing works with schedules

8. **New Business:** Duerr Request was discussed, and it has always been the policy of the board to never waive service fees for overages. Second issue- There was an equipment failure in the plant and parts need replacement, this is an unplanned expense as the failure was on regularly maintained equipment.

9. **Public Comment:** None

10. **Adjourn:** 8:20pm. Next meeting 4-11-2023, 6:00 pm.



Approved

4-11-2023

date

