

**MINUTES OF THE REGULAR MONTHLY MEETING  
OF THE BOARD OF DIRECTORS  
OF THE TABERNASH MEADOWS WATER AND SANITATION DISTRICT**

TMWSD Water Plant, 729 County Road 5141, Tabernash, Colorado  
June 27, 2011  
6:00 p.m.

1. **DIRECTORS PRESENT:**
  - Irene Cooke, President
  - Molly Lipke, Secretary/Treasurer
  - Susan Koeneke, Director
  - Marilyn Hajicek, Director, Excused - Berthoud Pass is closed
  - Dick Sprague, Director
  
2. **PUBLIC IN ATTENDANCE:**
  - Jim Donahue, Devils Thumb Ranch
  - Sean Damery, Devils Thumb Ranch
  
3. **STAFF/CONSULTANTS PRESENT:**
  - Lauralee Kourse, Manager/Operator
  - Cindy Greiner, Office Administrator
  - Donette Schmiedbauer, District Accountant
  - Ed Moyer, Grand County Long Range Planner
  - Thom Yoder, Superintendent of Operations

The meeting was called to order at 6:01 p.m.

4. **DISCLOSURES:**

There were no disclosures presented at this meeting.

5. **DEVILS THUMB RANCH TRANSITION:**

Devils Thumb Ranch has decided to take over their water and sewer system and Jim Donahue presented written notice of the termination of the agreement between Devils Thumb Ranch and TMWSD. DTR will hire a certified operator and per the agreement TMWSD staff will help train the new operator through the transition period. The next 6 months will be business as usual. The Board and Jim Donahue discussed the 1 year transition period and how compensation for the District's operators would work in 2012. Before September an agreement should be made as to the amount of time TMWSD will be needed.

Jim Donahue and Sean Damery left the meeting at 6:09 p.m.

6. **GRAND COUNTY IGA:**

Ed Moyer discussed fractional sewer taps. LL has reviewed the fractional sewer tap schedule and recommends the Board adopt the schedule presented. A minimum of 1 tap will always be required. Reassessing the residential properties was discussed. The commercial properties have been reassessed and Ed's proposal would be to sell them the partial sewer taps instead of rounding up. The Board approved amending the rate schedule to a minimum of one tap and fractional taps after that. See Action Item 13a.

7. **SEWER LINE EXTENSION:**

A sewer main line extension that would allow service to several additional properties in old town Tabernash was discussed. James Newberry and LL Kourse determined that a main line sewer extension that could service 6 or 7 lots that are adjacent to the alley of Block 5, E. J. Vulgamott, 1<sup>st</sup> Addition Subdivision is feasible and should be constructed. James said the County would pay for this extension and recoup the costs through the sale of sewer taps.

Ed Moyer left the meeting at 6:45 p.m.

8. **OPERATIONS REPORT:**

Thom Yoder presented the operations report for May, 2011. All is running very well. The waste plant is warming up. The amount of water usage is now going up due to irrigation season.

**Well #3** - All the parts needed to complete the Well #3 connection to the system are on site. We need to perform several analytical tests for compliance and approval from the State. Once we have final approvals from the State, final hookup will be made. If there was a problem with Well #1, we could use Well #3 as an emergency water source. The two wells will be alternated in use, principally using Well #3.

**Biosolids Dewatering Project** - The biosolids dewatering project is moving forward. A trailer was purchased for hauling and storing the biosolids. The final design report has been submitted to the State today. The payment options were discussed. Preference is to have it all go through the District's accounts and receive reimbursement from the SRF loan program.

**Pond** - The pond is doing well. An aquatic herbicide has been applied today. It should be okay for all to go to the pond. This is reimbursable by the HOA. Costs and hours of pond maintenance are being tracked. The pond path and the pond weed growth were discussed. The year-to-date cost

reimbursement schedule will be presented to the PCVOA at their July meeting.

**9. MINUTES APPROVED:**

Upon a motion by Susan Koeneke, seconded by Dick Sprague, the Board voted unanimously to approve the minutes of the April 25, 2011, and the May 30, 2011, meetings, as presented.

**10. WATER RIGHTS UPDATE:**

**Order from Division 5** - Harvey Curtis is still working on providing a final letter to the Division 5 Engineer's office.

**Valley of Winter Park** - After the last Board meeting Harvey Curtis sent a letter with a proposal for an IGA with The Valley of Winter Park. Molly Lipke shared some background and discussed that the VWP Board members have met and toured the ditches and the Pearl Ditch head gate project. The Board reviewed a 2nd letter from Harvey Curtis regarding the IGA.

**Scott Bradley Water Rights Issue** - The Bradley water rights issue was discussed. Bradley is building structures that make our structures inoperable. A quiet title action done with The Valley of Winter Park is the right action to be taken to protect the District and their assets. The Board directed the staff to take any action necessary to protect the District's assets. Resetting the flume and repairing our ditch should be done in the fall. The District needs to be sure that the lawyers, engineers, and all involved understand all the details.

Molly Lipke left the meeting at 7:31 p.m.

Thom Yoder left the meeting at 7:40 p.m.

The July 25<sup>th</sup> Board meeting may need to be re scheduled.

**11. FINANCIAL REPORT:**

**Financials** - Donette Schmiedbauer presented the April and May, 2011, financials. See Action Item 13b.

**IRS Bond Compliance Check** - The IRS has selected our District for a compliance check on the funding of our bonds. Kutak Rock LLP will fill out the questionnaire on our behalf. An engagement letter will need to be signed with Kutak Rock LLP as well as an authorization form from the Board authorizing Kutak Rock LLP to act on their behalf. The Board agreed to have Kutak Rock LLP represent the District and fill out the questionnaire.

**Resolutions** - Resolution #06/11-02 adopting the Colorado Special District Records Retention Schedule - See Action Item 13c.

Resolution #06/11/01 to adopt a charge per copy and a research and retrieval fee for public record printouts - See Action Item 13d.

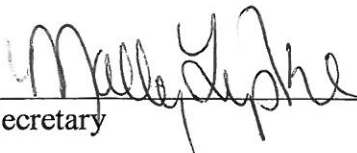
**12. ACTION ITEMS:**


- a. Upon a motion by Molly Lipke, seconded by Dick Sprague, the Board voted unanimously to approve fractional tap allocations with a minimum of one tap for the purpose of the reassessment of properties in the Tabernash Community service area.
- b. Upon a motion by Dick Sprague, seconded by Susan Koenke, the disbursements for April and May, 2011, were approved as presented.
- c. Upon a motion by Dick Sprague, seconded by Susan Koenke, the Board unanimously approved Resolution #06/11-02 adopting the Colorado Special District Records Retention Schedule with the addition of adding the major projects being valued over \$60,000 on page 15 and the minor projects being valued under \$60,000 on page 16 of the Schedule No. 7, General Administrative Records.
- d. Upon a motion by Dick Sprague, seconded by Susan Koenke, the Board voted unanimously to approve Resolution #06/11-01 adopting a \$.25 per copy charge and a research, retrieval, and review fee of \$24.00 per hour.

**13. ADJOURNMENT:**

There being no further business, upon a motion by Dick Sprague, seconded by Susan Koenke, the Board voted unanimously to adjourn the meeting at 8:24 p.m.

The next Board meeting is scheduled for Monday, July 25, 2011, at 6:00 p.m. at the TMWSD Water Plant.

  
Secretary

  
Date