

water line leak was identified in Coyote Creek, the excavation is scheduled and more info will follow at next month's meeting.

7. Seter Status Report:

- a. Legal Status Report:
 - a) Rules and Regulations- Nothing New
 - b) District Tap Fee Collection- Philosophy of Tap Fee to expansion vs debt repayment, will be good to hold reserves for the 2028 balloon payment on current debt
 - c) Equal Pay Act and Other Employment Law/Employee Handbook- Nothing New (Will Be Removed on future report)
 - d) Lot 21 and Other Irrigation Service Agreements- Nothing New (Will Be Removed on future report)
 - e) Red Hawk Ranch Inclusion/Service Issues- Nothing New (Will Be Removed on future report)
 - f) American Water Infrastructure Act of 2018- Nothing New (Will Be Removed on future report)
 - g) Bond and Tax Questions- Nothing New (Will Be Removed on future report)
 - h) WWTP District and County IGA- Nothing New
 - i) Proposals for Inclusion and/or Extraterritorial Service- Court notifications are included and everything is in process. Inclusions this year should have boundary maps redrawn
- b. Ward Property: Buyer is poised to submit for petition for inclusion, Yoder mentioned with things getting started the district has a road map with previous purchases in the current year.

8. Old Business: None

9. New Business: None

10. Public Comment: None

11. Adjourn: 8:04 pm. Next meeting 11-8-2022, 6:00 pm.

Approved

10/08/22
date

Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
October 11th, 2022

1. Call To Order:

- a. Anderson called the meeting to order at 6:00 pm.
- b. Attendance- Board Members and Staff present: President Bill Anderson in-person, Treasurer James Drewett in-person, Secretary Ethan Foster via video, Member-at-large Richard Tarde via video, Manager Thom Yoder in-person, Accountant Donette Schmiedbauer via video, Consultants: Russ Newton General Legal Counsel via video, David Kueter Water Legal Counsel via video.
Public attending via in person: None.
Public attending via video: Dave Peters-resident. Susan Koeneke-resident
- c. Ratification of Disclosures- None

2. Board Member Vacancy:

Anderson said there has been no update to the board member vacancy.

3. 2023 Draft Budget Review & Discussion:

Expected 10% increase for the 2023 service fee's budget, details on the budget specifics were reviewed from the provided budget draft forms. Yoder elaborated on the district expenses increasing about 10% and the need for a 3rd operator position expense, in addition to seeing increases on benefits for the current positions in the district. Yoder also specified the tap fees wouldn't be in the capital buckets, in total the reserve is still above the state required mandate. There would need to be a different discussion regarding the philosophy of if tap sales should be designated as capital. Drewett felt taps should not be earmarked for expansion as tap fees should be allocated to pay down existing debt. As Yoder also discussed tap fee sales are relatively new compared to previous years for the district as demand has not been nearly as high. He also wanted to bring attention to the budget assumption notes in that needing to move the main line valve replacements cost of \$15,000 from the waste budget and into the water budget. Drewett spoke about considering current salaries for the district employees if there is a need for higher consideration for being a premium employer, Tarde agreed with Drewett in the sense if more needed to be done for the district employees. December 13th meeting will be when the budget will need approval. Newton question for Yoder if his office needed to notify of the budget hearing or if that will be handled by Yoder and Schmiedbauer

4. September 2022 Financials:

Schmiedbauer detailed specifics on the September financials as presented. Drewett motioned to approve the September 2022 financials as presented, Foster 2nd. Motion approved 4-0

5. **September 13th, 2022 Board Meeting Minutes:** In attendance noted to make changes to include Susan Koeneke-resident and to change the Old Town Tabernash participants to residents. Also, in item #5 of the minutes make a change in the motion to “approve” rather than “include”. Foster motioned to approve the September 2022 minutes, Anderson 2nd. Motion approved 4-0

6. **Managers and Operations Report:**

- a. Water Rights- Yoder introduction for Kueter to handle updates. Kueter updated the following:
Issue 1- Reservoir Operation and Maintenance Agreement- The Valley at Winter Park has had delays in response due to turnover in regards to the seepage in Roberts Pond. There is a contractor scheduled for sampling before Mid-November and estimates for the grab samples are between \$6000-\$12000. TMWSD would be responsible for about half of those costs. Issue 2- Old Town Areas Outside District Boundaries in Previous Plans- Will need to include in water court application for those areas since this is in the 5th year of operation cycle. The Division of Water Resources have been running late so approval would be unlikely by early November. To keep serving the areas of Old Town Tabernash not in district boundaries water issues will need to be settled by May 2023. Tarde questioned why is seepage in the pond being pursued? Kueter relayed that the plan going forward from the state needs monthly releases rather than the “slug” release that typically has occurred in October most years. Working on fixing the leak shows intent on working towards compliance. Tarde questioned if releases during the winter cause unsafe issues regarding an ice shelf, Yoder elaborated on what dump amounts have been and working with the other stakeholders in the reservoir to follow up on future processes. Yoder also mentioned an upcoming water rights course coming up in Granby. Drewett questioned if the Pole Creek OA is privy to conversations on fixes which Kueter relayed the OA is not obligated for costs on the reservoir repairs. Yoder elaborated as in previous conversations with the OA they are still not settled on cost sharing as they are more recently involved in conversations compared to other stake holders. With the design phases being completed from that point the district can start working for government grants to help on overall costs.
- b. Source Water Protection Plan Update- Tarde sent email to board members the afternoon of the meeting regarding the source water protection plan. Drewett identified that all communication and information should be funneled through Yoder with adequate time for members to review prior to the meeting. Drewett motioned to table the Source Water Protection Plan discussion until next board meeting so members have more information and can review the documents prior to discussion, Anderson 2nd. Motion passed 3-1. Yoder brought up SDA board member classes being a good means to understanding Special District Operations.
- c. Operations Report- Yoder detailed the report as presented, noted the sanitary survey performed on 9/21 with new inspectors went very well and the inspection was very thorough!
- d. Operations Staffing- A new staff member has been hired and Mary is on vacation this week with transitioning for her relocation. Cory has had some health issues but working towards getting back to work and Mary will be working until early November. Yoder noted a separate