

Tabernash Meadows Water & Sanitation District
Board of Directors Meeting Minutes
729 Aster Drive, Tabernash, CO 6:00 p.m.
February 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 via video, Consultants: Russ Newton, General Legal Counsel via video. Public attending: Joe Gegg, Tomas Kovalaskis.
- c. There were no disclosures.
- d. Newton confirmed Ethan Fosters required paperwork has been completed and filed. Anderson welcomed Foster to the Board of Directors.

2. January 2021 Financials:

- a. Schmeidbauer reviewed December 2021 financials, check register and managers credit card for the Board, noting there may be additional items to be coded to 2021. Drewett motion to approve December 2021 financials as presented, Thoms 2nd. Motion approved 5-0.

3. January 11, 2021, Board Meeting Minutes:

- a. Having reviewed the minutes Thoms motion to approve as presented, Foster 2nd Motion approved 5-0.

4. Managers and Operations Report:

- a. **Water Rights update:** Yoder briefly discussed the annual Rich Ditch Agreement. Unchanged over the years, the agreement defines shares and financial responsibilities of the stakeholders. David Kueter, District Water Legal Counsel, has reviewed the Agreement. Sprague motion to approve the Rich Ditch Agreement as presented, Drewett 2nd, without further discussion motion approved 5-0. Tabernash Community Waterline; no update. Reservoir/O&M: Water rights Stakeholders will meet the week of 2-15-22 to discuss next steps.
- b. **Lot 19 Update:** Yoder met with Tim Urban, possible lot 19 buyer, to discuss lift station cost and construction timing estimates. Yoder will engage with the District Engineer to develop estimates. Urban inquired about tap availability and a possible Will Serve Letter from the district.

Yoder explained taps are available on a first come first serve basis. The district can issue a Will Serve letter based on meeting certain conditions including buying available taps and participation in the proposed lift station.

- c. **Operations Report:** Yoder reviewed operations noting continued high flows, freezing conditions during biosolids removal, and staff preparing for sanitary survey inspections from the State Health Department sometime in 2022. Yoder also noted all treatment processes are performing well.
- d. **2022 Capital Release Request:** Yoder requested release of not-to-exceed \$25,000 budgeted capital to purchase a wastewater effluent control panel. The panel will be installed by Brownhill Engineering and electrical conduits by others. Having previously approved the 2022 budget, the board gave direction to move forward with the purchase.
- e. **Cyber Security Assessment:** Yoder explained challenges renewing annual district liability insurance specifically related to cyber insurance coverage. While insurance was eventually underwritten, gaps in on-site cybersecurity were identified. Staff participated in a free service funded by grants from the EPA to assess small utility cybersecurity. The initial assessment has been completed with district staff, IT/OT contractors Brownhill and Holly Wood Computers. Assessment results are pending, and a follow-up meeting and action plan will follow.

8. Seter Status Report:

- a. May 2022 Election: Call for nominations posting is approaching.
- b. Bond & Tax Questions: Newton discussed Schmiedbauer questions on bond interest yield restrictions. No EMMA reporting is required. Bond interest yields cannot exceed the current interest rate. While not likely, if this occurs refund must be made to the US government. Schmiedbauer requested an independent rebate analysis. Newton offered to inquire if Kutak Rock provides rebate analyst services or has recommendations. Drewett thought the service was not needed. The subject was tabled.
- c. Draft Irrigation agreement: Yoder discussed the draft Irrigation Agreement. After changes regarding enforcement, the draft agreement is back to stakeholders for consideration.
- d. District User Fee Collections, Rules & Regulations: Discussion was held at length regarding Single Family Equivalent (SFE) tap capacity sold and in use to date. Yoder detailed current tap inventory for sale is skewed due

to long standing policy to assess 1 SFE to each household. An assessment based on Grand County Assessors information compared a cross section of in-district households to the districts Appendix A showed approximately 18 SFEs are not charged additional tap and service fees. Directors discussion included possible impacts to expansion modeling, a possible need to suspend tap sales until the issue can be fully understood, how to assess existing houses-if at all, as well as future households and other new development, and consider changing Appendix A. All Board Members agreed on the need to know available capacity and gave staff direction to complete the SFE in-use assessment. No decisions were made.

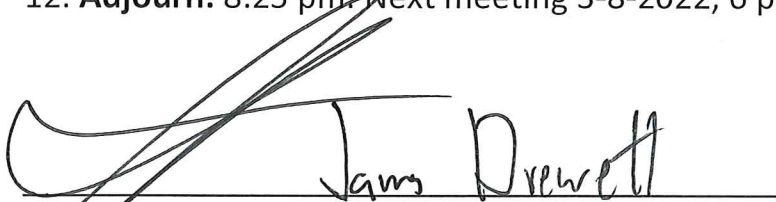
9. **Old Business:** None.

10. **New Business:** None.

11. **Public Comment:**

- a. Joe Gregg, Lakeside HOA President: draft Irrigation Agreement changes address stated concerns. Mr. Gregg will take the draft back to Legal Counsel and HOA Board for consideration.
- b. Tomas Kovalaskis, owner lot 33&34: Tap capacity assessments should be fair and equitable throughout the district. Tomas stated his proposed house is much smaller than most existing homes within the district and would be built with modern, water efficient fixtures.

12. **Adjourn:** 8:25 pm. Next meeting 3-8-2022, 6 pm.



Approved

3-8-22

date

