

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

**TMWSD Water Plant, 729 County Road 5141, Tabernash, Colorado
July 14, 2015
6:00 p.m.**

DIRECTORS:

STAFF/CONSULTANTS:

Irene Cooke, President Susan Koenek, Director Sidney Logemann, Director Molly Lipke, Director	Lauralee Kourse, Manager/Operator Georgia Noriyuki, General Counsel Jim Pearce, District Water Engineer Sherri Jones, District Engineer Donette Schmiedbauer, Accountant Penny Troutman, Office Assistant
	Buck Holland, Operator Joanna Goodman, Operator Samantha Stovall, Intern

CALL TO ORDER AND DISCLOSURES: The meeting was called to order by Board President, Irene Cooke at 6:15 p.m. A quorum was present. There were no disclosures presented at this meeting.

ADDITIONAL ATTENDEES: Merrit Linke and Kristen Manguso, Grand County Board of County Commissioners; Allan Hassler and Robert Franek, Grand County Attorneys; and Rudy Michalek, Tabernash Meadows home owner.

WATER ENGINEER REPORT: Jim Pearce, PE, presented a report regarding the District’s groundwater wells, there being three in all. Wells number one and three are alluvial wells, designated as groundwater sources. They have high quality water and good production. They are shallow so the District needs to be diligent with source water protection best management practices. Mr. Pearce explained that the District is actively pursuing a source water protection plan. The number two well is a deep well which has fluoride in it and the District is working on strategies to mitigate the fluoride via grouting lower zones and changing the well pump. Mr. Pearce recommends that the Board investigate the possibilities of an additional well down near the two alluvial wells that would be drilled deeper and would help the District secure more production per its water rights and future demands. Currently the District is using 1/7 of its original water rights decrees.

ENGINEER REPORT: Sherri Jones, PE, presented a summary report of the District’s operations and budgetary concerns;

- Ms. Jones explained that the rules and regulations have been updated to clarify that the property owners are responsible for the service line from the main line to the house.

- Work continues to lower fluoride levels in well 2 and a study is being conducted regarding siting test holes for a new well which will provide more capacity for the District.
- A project is underway to locate and raise four manholes located in Old Town Tabernash, which are buried.
- Ms. Jones discussed a flow equalization basin upstream of head-works to provide more detention time for the organic matter to break down and therefore be available to feed the process vs the situation now where it is being removed by the bar screen.
- Ms. Jones also explained that the minimum staffing recommended for the waste plant and collection system is 3.01 full time operators. This is what is required to have a safe operation and handle the 24/7 coverage required. Sherri cited the NEIWPCC manual which is the industry standard for determining staffing requirements in the waste water field. The District is short staffed and need to hire another full time operator.
- Ms. Jones also noted that a new truck was budgeted and has yet to be purchased. The District has a 2005 plow truck which is in good shape but the 2003 Ford Ranger is worn out.

FINANCIAL REPORT: Donette Schmiedbauer, District Accountant, presented a review of the financials at the end of the second quarter. Following discussion, it was duly moved by Molly Lipke, seconded by Sidney Logemann, and unanimously adopted to approve the April and May disbursements.

LEGAL REPORT: Georgia Noriyuki, General Counsel for the District, delivered a summary of policy and procedures status of the IGA with Grand County. She noted that some processes have worked well but many have not. Section 3.14 of the IGA requires that the parties adopt policies and procedures in relation to those items which affect the joint use, maintenance and operation of the Facility. The policies and procedures were drafted to address everyday operational issues including billing by the Treasurer, budgeting information provided to the County, billing of the County by the District, rating the properties fairly and requiring properties to connect to the sewer system in a fair way. The policies and procedures were not intended to address the issue of amending the IGA to allow the County to sell taps outside of the District. Assistant County Attorney Bob Franek stated that the sale of taps outside the District was what the County wanted to discuss. President Irene Cooke said she felt the policies and procedures were being held hostage by the county in order to get the District to amend the IGA.

BOCC AND GRAND COUNTY STAFF REGARDING IGA AND POLICIES AND PROCEDURES:

The Grand County Commissioners want to be able to sell taps outside the community of Tabernash boundary which is detailed in the IGA. Irene Cooke informed Commissioners Linke and Manguso that the District would not agree to amend the IGA to allow the County to sell the “community taps” outside this boundary. Irene Cooke explained that the existing situation has been far from equitable for the Tabernash Meadows Water and Sanitation District property owners. The District property owners pay two thirds of the operation and maintenance costs and contribute less than one third of the flow to the plant. The County

forced the District to provide sewer service to the community of Tabernash and this created a more expensive plant and a more difficult and costly operation. The District has General Obligation Bonds which are based on the current Intergovernmental Agreement. This General Obligation Bond Debt is secured by the properties the existing boundary lines and paying off this substantial bond debt will require the District's properties to be developed. To sell taps to competing developments outside of the District would impede development within the District.

Molly Lipke pointed out that the District is already having difficulty getting the County to pay its current obligation and to allow the County to sell taps outside the District only increases the amount the District must try to collect from the County. She pointed out that to sell taps outside the District creates more maintenance, repair and replacement obligations and expense for District personnel which would have to be paid for by the taxpayers within the District.

Initially, the County didn't have enough taps for the Tabernash Community. The reason the County now has taps to sell is because the District was successful in getting the plant re-rated. The IGA has a detailed boundary in which the County can sell taps. Both Commissioner Linke and Commissioner Manguso said they understood the District's position. Commissioner Manguso said that she agreed with the District.

An agreement was reached that step one would be to agree on the Policies and Procedures. The County Attorneys were instructed by the Commissioners to review and red-line the draft Policies and Procedures to be forwarded to the District after Commissioner review.

Grand County Attorney Allen Hassler expressed his concern regarding the County's legal authority and powers to oversee the community of Tabernash. He asked if Georgia would look into what documents were available that would clarify the County's authority.

APPROVAL OF MINUTES: The next items for consideration were the minutes of March 19, 2015 Special Meeting and the May 26, 2015 meeting, which were distributed via email for review. It was duly moved by Susan Koenke, seconded by Sidney Logemann, and unanimously adopted to approve both the minutes.

ADJOURNMENT: There being no further business to come before the Board, it was duly moved by Sidney Logemann, seconded by Susan Koenke, and unanimously adopted that the meeting stand adjourned at 8:30 p.m. The next meeting of the Board of Directors is scheduled to be held on September 8, 2015 at 6:00 p.m. at the TMWSD Water Plant.

Secretary

Date