

D.S. motion
M.O. 202

3-0 Approved
-D.S.
-M.O.
-B.A.

TABERNASH MEADOWS WATER AND SANITATION DISTRICT

P.O. Box 443, Tabernash CO 80478

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Notice of Public Hearing

Tabernash Meadows WSD will hold a public comment hearing on the Red Hawk Ranch Sewer Service Agreement on August 20th 11am at the District Administration Office, 729 GCR 5141, Tabernash, Co. 80478

Any eligible elector of Tabernash Meadows Water and Sanitation District may obtain a copy of the Agreement at the District Administration office, 729 GCR 5141 Tabernash Co. 80478 between the hours of 8am and 5pm, Monday through Friday prior to the meeting.

Notice published in the SKYHI news, and all District public notice locations the week of 8-12-19.

Attendance: President O'Donnell, Member-at Large Sprague, Vice President Anderson, Manager Yoder. There were no disclosures.

Public: John & Bambi Statz, Doug Oury, Jerry Nissin, Diana & Dave Peters, Joe Greg, Les Gieser.

Call To Order: 11:04am by O'Donnell

Board Member Sprague gave a brief history of the District's negotiations with Red Hawk Ranch(RHR), detailed the financial and operational impacts of serving Red Hawk Ranch as an extra-territorial customer as well as the responsibilities of each organization. Manager Yoder further gave specific requirements of performance during construction and long-term operational aspects that are detailed in the Agreement.

Public comment was received from:

Doug Oury; Commend Board and Staff for the hard work needed to complete an Agreement. Oury questioned how the District is protected if RHR was to fail? Yoder responded: The District has specific performance based solely on purchased capacity. If RHR does not develop or purchase taps the District has no requirements. RHR must purchase taps to have capacity, nothing is reserved, taps remain first come-first served. Oury questioned construction requirements? Yoder responded: RHR must install and maintain their own infrastructure to TMWSD specs and have their own "Operator of Responsible Charge" at all times. Further, Yoder offered, RHR must administer all billing, record keeping, customer service and emergency issues for their operations.

Jerry Nissin: The Agreement looks good. Questioned: Can RHR use sewer system for commercial or industrial purposes? Yoder: No, the agreement is for residential use only, subject to all current and future TMWSD Rules and Regulations. The District also has comprehensive inspection rights during construction and normal operations at all times. Question: Can the

District limit outside watering/irrigation on RHR? Yoder: Outside watering/irrigation is not part of this Agreement.

John Statz: How does RHR effect water in Roberts Pond? Yoder: Roberts Pond is not part of this Agreement. The long-term goal is to operate the District's water rights in a cooperative manner with all stakeholders, including RHR.

Dave Peters: Appreciate the work invested to help secure the District's long-term financial position.

After hearing Public Comment; Anderson motion to approve RHR extra-territorial sewer service agreement contingent on clarifying "SFE" means the same as "EQR" as defined in the current TMWSD Rules and Regulations. Sprague 2nd the motion. Motion approved without further discussion 3-0.

Meeting adjourned 12:10pm by O'Donnell

Board President Mike O'Donnell Date 11/14/19