

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on December 14, 2012 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT: Director Town
 Director Courrau
 Director Taylor
 Director Whitelaw
 Director Schwab

Manager: Jessie J. Shaffer
Asst. Manager Randy Gillette
Attorney: Erin Smith
Consulting Engineer: Steve Tamburini
Secretary: Marsha Howland
Visitors: Ronnie Sperling - Buchanan and Sperling, P.C.
 Daniel Niemela – Bishop-Brogden Associates, Inc.
 Luke Harris – Bishop-Brogden Associates, Inc.
 Dave Motyka – Woodmoor Resident
 Candice Hitt – Our Community News

I. **Call to Order:**

President Town called the meeting to order at 1:30 p.m.

II. **Reading of the Minutes:**

Copies of the November 8, 2012 meeting minutes of the Woodmoor Water and Sanitation District were provided to each director. It was moved, duly seconded, and unanimously passed that the minutes be approved.

III. **Financial Report:**

Taylor stated that he had reviewed the financial statements and did not have any changes. It was moved, duly seconded, and unanimously passed that the financial reports be approved.

IV. Public Discussion:

1. **Unscheduled People:** Dave Motyka a Woodmoor resident attended the Board Meeting. Mr. Motyka questioned the Board on the Renewable Water Investment Fee (RWIF). Mr. Motyka wanted an explanation on why the RWIF is lower for multi-family units compared to single family units. Shaffer explained the purchase process of the JV Ranch, and the math that was involved to calculate the RWIF. Smith explained the historical studies that were made to also calculate the rate. Mr. Motyka objected to the difference and asked the Board to consider either making the RWIF the same for all users, or to calculate the rate individually based on water usage. President Town stated that WWSD had based the rate as fairly as possible for all Woodmoor residents, but would evaluate the RWIF each year during the budget process. The Board thanked Mr. Motyka for expressing his concerns.

- V. **Joint Use Committee Report (JUC):** Director Whitelaw stated that stream monitoring for Regulation 85 was the main topic of the JUC meeting. Whitelaw stated that there was nothing new to report from the discussion.

VI. Manger's Report:

Shaffer reviewed the Managers Report dated December 14, 2012, a copy of which is attached hereto.

1. **Water Resources Issues:**

- a. **Flaming Gorge:** Shaffer stated that the Colorado –Wyoming Coalition is still waiting for the feasibility study model to be completed. The project is on hold.
- b. **Chilcott Ditch Co. Update:** Shaffer stated that the Chilcott Ditch Co. held their annual meeting and Barrie Town was re-elected as President of the Chilcott Board. Town invited the WWSD Board to the next Chilcott Board Meeting which will be held in March, 2013.

c. Water Court Case Updates:

1. **Dirty Women Creek:** Shaffer reported that the court trial for the Dirty Women Creek case is set for January 7, 2013. Shaffer stated that he is working with Monument to resolve the issues to avoid going to trial.
2. **Colorado Springs Utilities (CSU) Williams Creek Exchange Objection:** Shaffer stated that WWSD is an objector in the CSU Williams Creek exchange case. Shaffer will bring more information to the Board as he receives it.
3. **Golf Course Exchange:** Shaffer stated that the golf course exchange case is on-going.
4. **JV Change Case:** Shaffer stated that the JV change case is moving along. Shaffer will have more information for Executive Session.

2. Operations: Randy Gillette

- a. **Main Breaks:** Gillette reported WWSD has had 9 water main breaks. Gillette stated that the main cause for the breaks is the change in the ground conditions.

3. District Construction/Planning Projects:

- a. **Kum-N-Go water main re-alignment:** Gillette stated that the access to the Kum-N-Go gas station is off of Knollwood Blvd. The access off Highway 105 is still under construction.
- b. **Pre-Disaster Mitigation Plan (PDMP) Working Group Update:** Shaffer stated that he is working with Director Taylor on the PDMP. Shaffer stated that El Paso County has put a survey on their website to get the public's perspective on hazards that affect the community. Shaffer stated that WWSD will put a link to the survey on their website.

4. WWSD Subdivision/Development Status Update:

- a. **Village Center Filing 3:** Gillette stated that he has not heard of any additional construction going on in Village Center III.

5. Other Topics:

- a. Wildfire Defensible Zones – Survey Update:** Schwab stated that he looked at 23 WWSD sites along with Eric Gross. Mr. Gross prepared a facility fire wise site review, a copy of which is attached hereto. Shaffer stated that WWSD's staff should be able to take care of the work needed to clean up the sites to make them as fire safe as possible. Shaffer thanked Director Schwab for all his work on this project. The Board discussed putting up plaques on each site naming the site and giving information on whom to call in case of a fire. Shaffer will look into this and report back to the Board next month.
- b. End of Year Customer Letter:** Shaffer presented a draft end of year customer letter to the Board, a copy of which is attached hereto. The letter informs the public of the new 2013 budget. The letter also updates the public with information on the JV Ranch, and the 2012 Long Range Plan. Shaffer stated in the letter that the District is looking at accepting credit cards in 2013, and WWSD's participation in the El Paso County Pre-Disaster Mitigation Plan. Shaffer asked the Board to e-mail him with any changes or ideas to add to the letter. Shaffer stated that he would like to send the letter out the first of January, 2013.
- c. Conoco-Phillips Oil/gas well clean up at JV Ranch.** Shaffer stated that Conoco-Phillips removed the cement blocks and completed the soil test this week at the JV Ranch. Shaffer will report back to the Board when he has the results of the soil test.
- d. Billing Error:** Shaffer reported to the Board that WWSD sent out the wrong file to Postal Pros, (WWSD's outsource for mailing invoices), for the November billing. Woodmoor residents received their July, 2012 invoice instead of November, 2012. The correct invoice was mailed 2 days later. Shaffer stated that WWSD has made some changes to the procedure of mailing invoices, so that this error does not happen again.

VII. **Special Reports and Subjects:**

1. Engineer's Report:

- a. Presentation of 2012 Long Range Plan (LRP):** Steve Tamburini prepared a power point presentation of the new 2012 LRP. The LRP covers the current water system going into WWSD's future water system. The LRP describes work that will be needed to be done to bring the renewable water source from the JV Ranch to Woodmoor, to include several capital improvements to be done in the next several years. The LRP also covers the current and future wastewater system to comply with Regulations 85 and 31. The Board thanked Tamburini for the presentation and his work on the new 2012 LRP.

Motion:

It was moved by Director Taylor, duly seconded by Director Courrau and unanimously passed to approve the 2012 Long Range Plan to use as a guideline.

2. Attorney's Report: none

VIII. **Old Business:**

- 1. Public Hearing on 2013 Budget:** Town reconvened the Public Hearing on the 2013 Budget which was opened on November 8, 2012. Town asked for questions or comments on the 2013 Budget draft and hearing none, asked for a Motion to close the Public Hearing.

Motion:

It was moved by Director Courrau, duly seconded by Director Schwab and unanimously passed to close the Public Hearing on the 2013 Budget.

IX. **New Business:**

- 1. Consider Resolution 12-08 – Adoption of 2013 Budget:** Smith asked the Board to consider adopting Resolution 12-08.

Motion:

It was moved by Director Taylor, duly seconded by Director Schwab and unanimously passed to Adopt Resolution 12-08 – Adoption of 2013 Budget.

2. **Consider Resolution 12-07 – Spending Authority:** Smith stated that she explained Resolution 12-07 at the last Board Meeting and asked the Board to consider adopting Resolution 12-07.

Motion:

It was moved by Director Taylor, duly seconded by Director Schwab and unanimously passed to Adopt Resolution 12-07 – Spending Authority.

X. **Executive Session:**

It was moved, duly seconded, and unanimously approved that the Board move into Executive Session pursuant to: (1) C.R.S. Section 24-6-402(4)(f), to discuss personnel matters;(2) C.R.S. 24-6-402 (4)(b) for a conference with water counsel to receive legal advise on specific legal questions regarding pending litigation concerning water rights; (3) C.R.S. 24-6-402 (4) (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning water rights; and (4) C.R.S. 24-6-402 (4)(b) for a conference with general counsel to receive legal advice on specific legal questions regarding a group health intergovernmental agreement. Executive Session commenced at 3:55 p.m. The Board returned to Regular Session at 4:33 p.m.

3. **Consider Approval of Group Health Intergovernmental Agreement:** Shaffer stated that WWSD uses Benefit Design as their health insurance broker. Benefit Design combines several governmental agencies together to get the best health insurance price. This year, Benefit Design is asking all the agencies to sign an Intergovernmental Agreement, a copy of which is attached hereto.

Motion:

It was moved by Director Schwab, duly seconded by Director Taylor and unanimously passed to sign the Monument Tri-Lakes Group Intergovernmental Agreement.

XI. **Adjournment:**

There being no other business to come before the Board, it was moved and duly seconded that the meeting be adjourned. The motion passed unanimously and the meeting adjourned at 4:39 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Beth E. Courrau". The signature is written in black ink and is positioned above a horizontal line.

Beth Courrau, Secretary