

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on August 15, 2013 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT: Director Town
 Director Courrau
 Director Taylor
 Director Schwab

Manager: Jessie J. Shaffer
Asst. Manager Randy Gillette
Attorney: Erin Smith
Consulting Engineer: Mike Rothberg
Secretary: Marsha Howland
Visitors: Allen Alchian – Kings Deer HOA
 Debbie Grabczyk - Woodmoor Resident
 Marianne Roane – Woodmoor Resident

I. **Call to Order:**

President Town called the meeting to order at 1:05 p.m.

II. **Reading of the Minutes:**

Copies of the June 20, 2013 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 for June and July, 2013 and did not have any changes. It was moved, duly seconded, and unanimously passed that the financial reports be approved.

IV. **Public Discussion:**

- A. **Unscheduled People:** Marianne Roane asked the Board what their plans were for fire mitigation on the property between Moorwood and the Lake Woodmoor Town Homes. President Town stated that WWSD would make an assessment of the property and take care of any fire mitigation that needed to be done. Debbie Grabczyk stated that she was attending the Board Meeting to gather information concerning recreational plans for Lake Woodmoor.

V. **Joint Use Committee Report (JUC):**

- A. **Tri-Lakes Grant Approval:** Director Taylor stated that the JUC Committee expressed their deep feelings and concerns for Director Whitelaw, stating that he would be missed. Taylor reported that the Colorado Water Quality Control Commission is requesting an early permit renewal for the Tri-Lakes Wastewater Treatment Facility, (TLWWTF). The permit is due for renewal in 2017 and the State is requesting that they renew in 2014. Taylor stated that if TLWWTF renews early, the fear is that they would have to be in compliance with Regulations 31 and 85 earlier than planned. Shaffer stated that the Water Quality Control Commission would like to have all the Arkansas Valley dischargers on the same permit renewal cycle. Rothberg suggested that the dischargers meet with the Commission to find out exactly how the early renewal would impact the compliance issues regarding the new Regulations. Shaffer stated that Bill Burks would be contacting the Commission. Shaffer reported that TLWWTF has been awarded grant monies. The first grant is for \$80,000 that will pay for their master plan, the second grant that was awarded will help pay for construction to meet the new requirements for Regulations 31 and 85. Shaffer stated that the grant for \$80,000 will be divided equally between the JUC Districts for planning efforts. The JUC will discuss plans for the second award of monies next year.

- B. **Designation of Woodmoor JUC Representative & Alternate:** Director Taylor will be WWSD's designated representative for the JUC. Director Schwab will be the alternative representative.

VI. Manger's Report:

Shaffer reviewed the Manager's Report dated August 15, 2013, a copy of which is attached hereto.

1. Collaborative Organizations/Opportunities:

- a. **Pikes Peak Rural Water Authority (PPRWA):** Shaffer stated that the next meeting for PPRWA will be in September, 2013. Shaffer reported that one of the topics to be discussed is the state wide water plan that Governor Hickenlooper has started. Shaffer stated that one of the aspects of the plan is to speed up permit and inspection processes on water projects that the State has approved. The State has asked for ideas and feedback concerning the plan. The PPRWA will discuss the plan and submit feedback to the State.

2. Operations: Randy Gillette:

- a. **Water Report:** Gillette stated that the water report shows 100% of accounted water for July, 2013. Gillette stated that due to the meter reading schedule, there were 2 extra days on the customer readings than on the production readings. The difference would be about 7% unaccounted for. Gillette stated that WWSD is still looking for leaks that would account for the last few month's high percentage of unaccounted water. Gillette reported that WWSD did find 2 valves that had failed at the South Water Treatment Plant, and that would have contributed to the unaccounted water percentage.
- b. **Operator Position Filled:** Gillette reported that WWSD promoted Cameron Watson from summer help to the open operator's position.

3. District Construction/Planning Projects:

- a. **Lake BMP Study Report:** Shaffer stated that WWSD is gathering data for GEI, Consultants to complete their best management practice study on Lake Woodmoor. WWSD should receive a report late this fall.
- b. **T & O Pilot Study Report:** Shaffer reported that Tetra Tech is working on a taste and odor pilot study. WWSD is setting up a schematic plan with Tetra Tech at the South Filter Plant. The operators will set up a mini plant and run different carbon and chemical options to test water samples for a MIB and geosmin analysis.

4. WWSD Subdivision/Development Status Update:

- a. Misty Acres Filing 2B:** Shaffer reported that Rivers Development paid the remainder of their inclusion fees for Misty Acres Filing 2B. They also paid and exercised their supplemental water service option agreement. Shaffer stated that he has received two will serve letters. One from the YMCA on a project they are looking at and the other from Richmond Homes for Village Center Filing 3. Shaffer stated that he has a meeting with a developer next week for a commercial project. Also, Shaffer reported that LaPlata is moving along with their development around Lake Woodmoor. LaPlata's first development phase is building approximately 60 homes adjacent to the District Office.

5. Other Topics:

- a. Long Irrigation Return Flow (LIRF) & District Wide Augmentation Plan (DWAP) Water Court Cases Settled:** Shaffer reported that LIRF and DWAP court cases were settled and WWSD has a decree in place.
- b. Stipulation Reached with Monument on Monument Lake Case:** Shaffer reported that WWSD has reached a stipulation on the Monument Lake case. Shaffer stated that WWSD is implementing an accounting that was agreed to in the stipulation. Shaffer stated that WWSD should recapture approximately 5 acre feet of water per month that will be used for augmentation of ponds at the Monument Hill Country Club, and any other ponds that need augmentation. Shaffer stated that the cost of augmentation is \$2,000 per acre foot of water.
- c. Update on the Golf Course – Augmentation Program Participation:** Shaffer reported that the golf course has not formally completed WWSD's augmentation application procedure. Shaffer stated that he has met with the golf course, and they have not decided if they want to use WWSD's augmentation program. Shaffer stated that he is going to meet with them again, along with the Water Commissioner to help them decide what is the best solution for them.

VII. Special Reports and Subjects:

- 1. Engineer's Report:** none
- 2. Attorney's Report:** none

VIII. **Old Business:**

1. **Consider Ratification of Resolution 13-02 Implementing GID Block Structure for Irrigation Only Custom Classes:** Smith stated that the Board had already passed this Resolution in May, she is asking the Board to approve this ratification written to memorialize that decision.

Motion:

Upon motion by Director Schwab, and second by Director Courrau, the Board unanimously voted to approve ratification of Resolution 13-02.

2. **Consider Ratification of Arkansas, Fountain Creek, Rural, Urban River Evaluation Group (AFCURE) Project Participation Agreement:** Shaffer stated that the Board approved this agreement in June pending review from legal counsel. Smith has reviewed the agreement and Shaffer is bringing it back to the Board for formal approval.

Motion:

Upon motion by Director Schwab, and second by Director Courrau, the Board unanimously voted to approve ratification of the AFCURE project participation agreement.

3. **Discuss Recreational (Trail) Use of Lake Woodmoor:** Shaffer stated that he met with Matt Beseau from the Woodmoor Improvement Association (WIA) to discuss what type of recreation they are considering for Lake Woodmoor. WIA would like to consider a walking trail system only. The Board also agreed that they would like to look at a trail system. WIA is going to send out a survey to the Woodmoor residents, asking for their opinions concerning a trail around Lake Woodmoor. Shaffer delivered a presentation to the Board outlining different concerns for recreational use of Lake Woodmoor. The presentation covered estimated costs, protection of water quality, trail maintenance issues, public access, and several other issues. Shaffer stated that this was a preliminary presentation based on estimated ideas and concerns for recreational use around Lake Woodmoor. Smith presented some legal issues to the Board concerning recreation at the lake. The Board directed Shaffer to continue working with WIA on this project.

IX. New Business:

- 1. Consider Authorizing Drafting of Extra-Territorial Water Service Agreement with Kings Deer HOA:** Shaffer explained to the Board the Kings Deer HOA Water Augmentation Summary, a copy of which is attached hereto. Shaffer reported that Kings Deer is required by their decree, for augmentation to the stream system. Kings Deer is facing some challenges on how they receive their augmentation water. Kings Deer is asking the Board if WWSD could provide the augmentation water to the Kings Deer Association on an annual basis. Shaffer stated that he had Ronnie Sperling look into the obligations for both WWSD and Kings Deer. Sperling reported that WWSD would not have to change any water rights in order to supply augmentation for Kings Deer. Shaffer stated that it would be advantageous for both sides to enter into this agreement. Shaffer stated that the next step would be for Smith to review the agreement at a cost between \$3000 and \$5500. The Board directed Shaffer to move along with the agreement with the understanding the Kings Deer HOA would cover the legal fees. Allen Alchian stated that he would have to get his Board's approval to pay for the legal fees. Alchian will report back to Shaffer after his Board meeting.
- 2. Consider Acceptance of Jim Whitelaw's Resignation:** Shaffer reported that Director Whitelaw resigned from the Board on July 12, 2013 due to personal matters. WWSD will post the Board's opening in the Tri-Lakes Tribune and on WWSD's web page. Shaffer will also ask WIA to include the announcement in their blast e-mails. The deadline for applications will be on September 13, 2013.
- 3. Consider Participation in Joint Water Reclamation Facility Study:** Shaffer reviewed a proposal from Tetra Tech for consulting services to prepare a conceptual regional water reclamation study, a copy of which is attached hereto. Shaffer stated that one of the projects in WWSD's long range plan is increased efficiency on utilizing WWSD's existing supplies thru reclamation. Shaffer reported that some other water providers in the area are looking at the same concept. Shaffer met with Donala, Monument and Tri-View Water Districts to discuss their ideas for reclamation. Shaffer stated that the discussion moved forward with the entities looking at joining forces for this project. Shaffer asked the Board to consider Tetra Tech providing a reclamation study. The study would evaluate conceptual plans for a regional water reclamation system. Tetra Tech plans on developing 2 system alternatives for review. The study would show the water providers if it would be cost effective to join together on this project. The total cost of the study would be \$80,000. WWSD's portion would be approximately \$23,000. The Board directed Shaffer to move forward with the study.
- 4. 2013 Mid-Year Budget Update:** Shaffer reviewed the mid-year budget update, a copy of which is attached hereto. The budget shows the projected revenue and expenses for 2013 year-end given the actual information as of 7-31-13. Smith will research if changing of budgeted line items will result in a formal budget amendment. The Board approved the mid- year budget for working purposes.

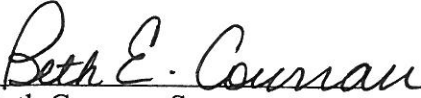
X: **Executive Session:**

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) (a) for discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; and (2) Section 24-9-402 (4) (e) to determine positions relative to matters that may be subject to negotiations, developing strategy, for negotiations, and instructing negotiators; both relating to El Paso County's offer to purchase real property; and (3) Section 24-6-402 (4) (b) for conferencing with legal counsel regarding specific legal questions related to recreational trail use of District property. Executive Session commenced at 3:50 p.m. The Board returned to Regular Session at 3:55 p.m.

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 3:59 p.m.

Respectfully Submitted,


Beth Courrau, Secretary