

RECORD OF PROCEEDINGS

A special meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on January 20, 2014 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT: Director Town
 Director Courrau
 Director Taylor
 Director Schwab
 Director Strom

Manager: Jessie J. Shaffer
Asst. Manager Randy Gillette
Attorney: Erin Smith
Consulting Engineers:
Secretary: Marsha Howland
Visitors: Allen Alchain - Kings Deer HOA
 Dan Dummermuth - YMCA

I. Call to Order:

President Town called the meeting to order at 8:04 a.m.

II. Reading of the Minutes:

Copies of the December 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 and did not have any changes. It was moved, duly seconded, and unanimously passed that the financial reports be approved.

IV. Public Discussion:

A. Dale Beggs - Supplemental Water Service Agreement Discussion: Shaffer stated that Mr. Beggs was scheduled for the Board Meeting, but did not show up. Shaffer stated that Beggs wanted to ask the Board to modify his supplemental water service agreement to continue making monthly payments instead of the annual payment which will be due on January 30, 2014. Shaffer reviewed the terms of the supplemental water agreement that WWSD has with Mr. Beggs. Shaffer stated that

the agreement states that Mr. Beggs could make monthly payments until the end of 2013, and then annual payments starting in 2014. Shaffer reported that this supplemental water service agreement is structured in the same manner as all the other WWSD supplemental water service agreements. After a lengthy discussion, the Board decided not to modify Mr. Beggs' agreement, and his annual payment will be due January 30, 2014. Shaffer will contact Beggs to inform him of the Board's decision.

V. Joint Use Committee Report (JUC):

Director Taylor stated that he did not have anything new to report from the JUC meeting.

VI. Manger's Report:

Shaffer reviewed the Manager's Report dated December 20, 2013, a copy of which is attached hereto.

1. Collaborative Organizations/Opportunities:

- a. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer stated that the PPRWA has not met recently and the next meeting will be February 5, 2014. Shaffer stated that the Regional Infrastructure Project kickoff meeting will be held Friday, January 24, 2014.

2. Operations: Randy Gillette

- a. **Water Report :** Gillette stated that WWSD has had a few water main breaks since the beginning of the year. Gillette stated that the actual unaccounted water percentage for 2013 was 10%. Gillette stated that WWSD will continue to look for leaks and make the repairs as needed.

3. District Construction/Planning Projects:

- a. **Lake Best Management Practices (BMP) Final Report:** Shaffer stated that he has received the BMP study report, a copy of which is attached hereto. Shaffer reviewed the report with the Board. Final conclusions show that there is not enough data at this time to point to one reason for the taste and odor issues. Shaffer stated that GEI recommends that WWSD put together a more thorough sampling plan. Shaffer reported that WWSD will continue the sampling process and monitoring of Lake Woodmoor.

4. WWSD Subdivision/Development Status Update:

- a. **Progress on Development of New/Revised "System Specifications":** Shaffer stated that staff has been working on revising the system specifications for WWSD's Rules & Regulations. The specifications are for new sub-divisions coming into the District. Shaffer stated that he should have a draft revision for Smith's review next month.

Upon motion by Director Schwab, and seconded by Director Taylor, the Board unanimously voted to adopt Resolution 14-01, approving a summary of revenues and expenses, adopting a budget, approving the appropriation of moneys to each fund set forth in the budget, and approving the imposition and certification of a mill levy, if any, for calendar year beginning on the 1st day of January, 2014 and ending on the 31st day of December, 2014.

- 4. Consider Adoption of Resolution 14-05:** Smith explained that ratification of certain expenditures made between January 1 and January 20, 2014 was in order and briefly described these expenditures.

Motion:

Upon motion by Director Courrau, and seconded by Director Strom, the Board unanimously voted to adopt Resolution 14-05, to ratify and approve the interim appropriations and expenditures.

- 5. Consider Execution of the Amended and Restated Supplemental Water Service Agreement & Associated Documents - YMCA:** Shaffer reviewed the amended water usage service agreement and associated documents between WWSD and the YMCA, a copy of which is attached hereto. Shaffer asked the Board to consider executing this agreement. Shaffer stated that WWSD needs to receive a subordination agreement from Wells Fargo, which is forthcoming, to complete the agreement.

Motion:

Upon motion by Director Schwab, and seconded by Director Strom, the Board unanimously voted to execute the Supplemental Water Usage and Service Agreement and Agreement to Vacate 2008 Covenant Agreement between WWSD and the YMCA upon receipt of the subordination agreement with Wells Fargo.

- 6. Consider Execution of Supplemental Water Service Agreement & Associated Documents - Clearwater Communities, LLC:** Shaffer reviewed the supplemental water usage and service agreement with Clearwater Communities, LLC, a copy of which is attached hereto. Shaffer asked the Board to consider executing this agreement.

Motion:

Upon motion by Director Schwab, and seconded by Director Courrau, the Board unanimously voted to execute the Supplemental Water Usage and Service Agreement between WWSD and Clearwater Communities, LLC upon Clearwater Communities, LLC not making any subsequent changes to the agreement.

- 7. Consider Execution of Kings Deer HOA Augmentation Service Agreement:** Shaffer reviewed the water augmentation agreement between WWSD and King's Deer HOA, a copy of which is attached hereto. Shaffer asked the Board to consider executing this agreement.

Motion:

Upon motion by Director Taylor, and seconded by Director Schwab, the Board unanimously voted to execute the Water Augmentation Service Agreement with King's Deer HOA, and to charge King's Deer HOA for all legal fees incurred to execute the agreement.

IX. New Business:

1. **Adopt Resolution 14-02 Regarding Annual Administrative Matters:** Smith asked the Board to consider adopting Resolution 14-02. Smith explained that this is an annual Resolution regarding administrative matters.

Motion:

Upon motion by Director Courrau, and seconded by Director Taylor, the Board unanimously voted to adopt Resolution 14-02.

2. **Adopt Resolution 14-03 Regarding Election Matters:** Smith asked the Board to consider adopting Resolution 14-03. Smith explained that this Resolution is in regards to the pending Board Election to be held May 6, 2014.

Motion:

Upon motion by Director Schwab, and seconded by Director Courrau, the Board unanimously voted to adopt Resolution 14-03.

Note: Smith stated that she will publish a notice in the Tri-Lakes Tribune after February 5, 2014, for a District call for nominations for the upcoming Board Election. The current Board Members who are interested in running for re-election and any additional residents who are interested in running for the Board must contact Marsha Howland for a self-nomination form after February 5, 2014. The self-nomination form must be turned back in to Howland no later than February 28, 2014.

Note: President Town asked Shaffer to communicate with Our Community News about the time and dates of the regular Board Meetings.

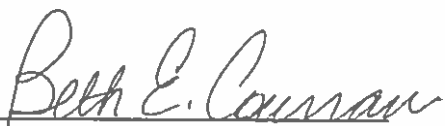
Note: Schwab presented a copy of his response to the letter he received last month concerning the walking trail, a copy of which is attached hereto.

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) (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, all related to water and storage rights; (2) 24-6-402-4 (b) for conferences with District council for purpose of receiving legal advice on specific legal questions regarding water and storage rights. The Executive Session commenced at 9:35 a.m. The Board returned to Regular Session at 10:07 a.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 10:09 a.m.


Beth Courrau, Secretary