

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on April 16, 2015 at the Woodmoor Water and Sanitation District No. 1 office.

PRESENT: Director Town
Director Courrau
Director Taylor
Director Strom

Manager: Jessie J. Shaffer
Asst. Manager: Randy Gillette
Consulting Engineer: Steve Tamburini
Attorney: Erin Smith
Secretary: Marsha Howland

Visitors: Russ Broshous - Brookmoor HOA
Lisa Hatfield - Our Community News
Leon Bentson - Woodmoor Resident
Jim McDaniel - Woodmoor Resident

I. Call to Order:

President Town called the meeting to order at 1:00 p.m.

II. Reading of the Minutes:

Copies of the March 12, 2015 meeting minutes of the Woodmoor Water and Sanitation District were provided to each Director. It was moved, duly seconded, and unanimously passed that the meeting minutes be approved.

Motion: Upon motion by Director Taylor, and seconded by Director Strom the Board unanimously voted to excuse Director Schwab from the Board Meeting.

III. New Business: None

IV. Old Business:

- A. Consider Approving Memorandum of Understanding (MOU) with Chilcott Ditch Company:** Shaffer stated that there was a potential ambiguity with the original carriage agreement between WWSD and the Chilcott Ditch Company. Shaffer stated that the MOU, a copy of which is attached hereto, will identify the potential ambiguity which is referenced that WWSD would pay 42% of the shareholders assessment. The clarification is that WWSD would pay 42% of the previous year expenses for the Chilcott Ditch Company. Shaffer stated that this is how the assessment charge has been calculated in previous years.

Motion: Upon motion by Director Taylor, and seconded by Director Strom the Board unanimously voted to execute the Memorandum of Understanding between Woodmoor Water and Sanitation District No. 1 and the Chilcott Ditch Company.

- B. Draft Non-Potable Water Service Policy Discussion:**

Shaffer stated that a policy for the non-potable water service is better suited than site specific agreements. Shaffer stated that a policy gives him the guidance needed to administer the non-potable water program. Shaffer went over the changes he has made to the original non-potable water service policy with the Board. Shaffer reported that the main update to the policy includes an exception stating that if unique circumstances are identified, a request may be made before the Board for a site specific agreement for the non-potable water service. Shaffer stated that Brookmoor has special circumstances that would require a site specific agreement. The Board directed Shaffer to move forward on finalizing the non-potable water service policy.

- C. Consider Brookmoor 3rd Variance Request from Draft Policy Regarding Non-Potable Water Service:**

Shaffer stated that he received a letter from Brookmoor, a copy of which is attached hereto. Shaffer stated that Brookmoor feels that they meet the criteria for the grass in demand (GID) block rates. For this rate, the customer must justify irrigation consumption of over nine acre feet per year. Shaffer stated that Brookmoor provided an irrigation analysis summary based on information from Colorado Springs Utilities and the Southeastern Water Conservancy District. Shaffer stated that he had WWSD's hydro geologist review the calculations that Brookmoor submitted. Shaffer reported that the review indicated that the unit demand factors for the geographical area calculation is different from Woodmoor's area. The differences include climate, elevation, the length of growing seasons, and misapplication of the site configuration factor. Therefore, the calculations Brookmoor supplied overstate the true GID usage for Brookmoor's climate. Broshous stated that he feels that the calculations Brookmoor provided are reasonable for the Brookmoor area. Town directed Shaffer to have WWSD's consultant double check Brookmoor's calculations to be certain of his initial findings. Shaffer will bring a formalized memo from the consultant to the Board next month for review. Shaffer will wait to hear from Brookmoor before moving forward on the non-potable water service agreement.

V. **Financial Discussion:**

The Board stated that they had reviewed the financial statements, and everything looks to be on track. It was moved, duly seconded, and unanimously passed that the financial reports be approved.

VI. **Public Discussion:**

A. **Unscheduled People:**

Mr. McDaniel and Mr. Bentson stated that they were residents of the Woodmoor townhomes. They discussed different grasses and landscaping ideas to lower their water consumption with the Board.

VII. **Joint Use Committee Report:**

Strom stated that the main topic of the meeting was the acceptance of bids for the Phase 1 project. Strom stated that the JUC received 4 qualifying bids for the project. Strom reported that Monument Sanitation put in a motion for an expansion that was not seconded, and the motion was withdrawn.

VIII. **Chilcott Ditch Company/ JV Ranch Report:**

Taylor stated that he went with Shaffer and Gillette to visit the Reamy property. The Board discussed purchasing Reamy's one share of the Chilcott Ditch Company. After a lengthy discussion, the Board decided that there was not an advantage to purchase the share.

IX. **Manager's Report:**

Shaffer reviewed the Managers Report dated April 16, 2015, a copy of which is attached hereto.

A. **Collaborative Organizations / Opportunities:**

- i. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer reported the PPRWA has been tracking Senate Bill 183, which was introduced this year. Shaffer stated that Senate Bill 183 deals with quantified water rights and historical consumptive use. Basically, if the water right has been quantified, it will not have to be re-quantified at a later date. Shaffer stated that Roni Sperling is part of the ad hoc attorney group working on this Bill. Shaffer stated that the Bill has passed the Senate and the House. Shaffer stated that the Bill will have a positive affect if passed through the Supreme Court. Shaffer will have more information next month.
- ii. **Zone Three Preliminary Engineering Study and Grant:** Shaffer stated that the PPRWA did receive the grant money for the zone three engineering study, so the project will be moving forward.

B. Operations: Randy Gillette

- i. **Water Report:** Gillette reported the unaccounted water for March, 2015 was at 6%. Gillette stated that WWSD is making decent progress with repairs to the water system. Gillette reported that the new leak detection equipment is working nicely.
- ii. **Sewer System:** None.

C. District Construction/Planning Projects:

- i. **JV Ranch Re-vegetation Project Update:** Shaffer stated that WWSD will start the weed control project at the JV Ranch next month.
- ii. **Lake Pump Station Improvements Update:** Gillette reported that WWSD has ordered an extra pump that can be used immediately in case of an outage. Gillette stated that Olsen Plumbing will be doing the upgraded piping work. Gillette stated that new valves have also been ordered. The project will move forward as soon as all of the parts are received.

D. WWSD Subdivision/Development Status Update:

- i. **Dunes at Woodmoor Filing 2:** Shaffer reported that 56 homes are proposed for this area. Shaffer stated that construction should start in four to six weeks.
- ii. **Monument Hill Self Storage:** Shaffer stated that the easement agreement with Monument Hill Self Storage has been completed. The project is moving forward.

E. Other Topics:

- i. **SePro Aquatic Weed Control Project Update:** Shaffer stated that Sepro has started their site evaluation for the weed control project at Lake Woodmoor. The first treatment is scheduled for April 27, 2015. Shaffer stated that staff sent out a blast email informing residents of the project. Also, letters were mailed to residents living around Lake Woodmoor advising them of the project.
- ii. **Woodmoor Public Safety Contract Discussion:** Shaffer stated that Woodmoor Public Safety's contract with WWSD is up for renewal. Shaffer reported that the new contract has provisions in it that he is concerned about. Shaffer discussed the new contract with Smith and sent Woodmoor Public Safety their revisions. Shaffer stated the Woodmoor Public Safety has refused to make any changes to the contract. Shaffer will continue discussions with Woodmoor Public Safety and will bring more information to the Board next month.
- iii. **2nd Quarter Pipeline Newsletter:** Shaffer asked the Board to review the Pipeline Newsletter and submit any changes. The Board discussed changing the format of for next quarter.

X. Special Reports and Subjects:

- A. Engineer's Report: None.
- B. Attorney's Report: None.
- C. WIA Meeting Report: None.

XI. Executive Session:

It was moved, duly seconded, and unanimously approved that the Board move into Executive Session pursuant to: C.R.S. Section 24-6-402: (1) Subsection (a) for discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; and (2) Subsection (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; and (3) Subsection (b) for a conference with legal counsel for the purpose of receiving legal advise on specific legal questions; all related to the purchase of land, water rights, and pending litigation regarding the Joint Use Agreement, and discussion relating to the Phase 1 construction contract. Session commenced at 2:40 p.m. The Board returned to Regular Session at 3:43 p.m.

Note: Shaffer will talk to WWSD's IT Consultant about having the Board Directors e-mail accounts set up through the District server. Shaffer will have more information next month.

XII. Consider Adoption of Resolution 15-04 Authorizing Entering into a Construction Contract and Payment not to Exceed 46.88% of the Phase 1 Project Cost: Smith asked the Board to consider adopting Resolution 15-04.


Motion: Upon motion by Director Courrau, and seconded by Director Taylor the Board unanimously voted to enter into a construction contract and payment not to exceed 46.88% of the Phase 1 project cost. However, if Monument Sanitation District chooses not to pay 19.79%, Woodmoor Water and Sanitation District No. 1 will cover the project cost up to 66.67% . In the case that the Board President is not available to sign the contract, the Board authorized WWSD District Manager to sign the contract.

Note: The next Board Meeting will be held on May 7, 2015 at 1 p.m.

XIII. 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 3:53 p.m.

Respectfully Submitted,


Beth Courrau, Secretary