

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on March 8, 2021, at the Woodmoor Improvement Association Barn.

PRESENT: Director Bush
Director Roddam
Director Clewe

Manager: Jessie J. Shaffer

Operations: Dan LaFontaine

Attorney: Erin Smith

Secretaries: Marsha Howland
Danielle Hyde

Visitors: James Howald – Our Community News
Richard Hood – JVA Consulting Engineers
Josh McGibbon – JVA Consulting Engineers

I. Call to Order: President Bush called the meeting to order at 1:05 p.m.

Motion: Upon motion by Director Bush, and seconded by Director Roddam, the Board unanimously voted to excuse Director Hanson and Director Wyss from the March 8, 2021 Board Meeting.

II. Reading of the Minutes: Copies of the February 8, 2021 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.

III. New Business:

- A. New employee – Shaffer introduced new employee, Danielle Hyde. Hyde will be replacing Marsha Howland, who is retiring mid-April 2021, as Office Manager.

- B. Richard Hood from JVA Consulting provided a PowerPoint presentation to show progress in the South Water Treatment Plant (SWTP) improvements. The presentation also showed design plans for the Lake Pump Station (LPS) which include an appealing boathouse design with impact-resistant glass windows. Safety concerns were discussed, an intrusion alarm is already included in the design, however, it was decided through further discussion that cameras should also be installed at a low cost. Access to the house is adjacent to the existing driveway. The interior roof is grated so operators can work on top. Director Bush raised concern about locking the grate cover, however, LaFontaine assured board members that this has not been an issue in the past. SFP project has a substantial completion date of March 31, 2021. Stanek Constructors provided a guaranteed maximum price (GMP) to construct the SWTP and CWTP projects of \$7,005,071, which includes Change Order No. 3. Change order No. 3 includes the construction of the LPS and Transmission Pipeline Project for a GMP of \$3,931,377. There are several assumptions built into the GMP. The substantial assumptions include the reuse of soil from the lake and the District to pay the new electric service fee directly. Final controls narrative will not affect costs. There may be small contingencies aside from the contract with JVA/Stanek. Once the lake is drained it may be beneficial to complete any repairs, though there are no known repairs needed at this time.

Motion: Upon motion by Director Bush, and seconded by Director Roddam, the Board unanimously voted approval of Change Order No. 3.

- C. Shaffer requested approval from the Board to grant him authority to approve change order contingencies less than 5% of the total contract price.

Motion: Upon motion by Director Bush, and seconded by Director Roddam, the Board unanimously voted to grant authority to Shaffer to approve change order contingencies less than 5% of the contract price.

- D. Shaffer provided the Board a PowerPoint presentation explaining the PPRWA Project Participation Agreement for Reuse/Storage Study. PPRWA would be the administrator for the project which would develop a system to store water using 6-8 storage sites, run water through CSU's system to treat, then deliver water back to entities involved in the program. The study would provide the best options for the delivery of water from the south to CSU's system and back out to the entities. The total cost of the study will be \$100k, with an estimate of 10 entities to divide the cost (\$10k each).

Motion: Upon motion by Director Clewe, and seconded by Director Bush, the Board unanimously voted to participate in the PPRWA Project Participation Agreement for Reuse/Storage Study with a total cost not to exceed \$15k.

IV. Old Business: None.

- V. **Financial Report:** Director Bush stated that he has reviewed the financial statements for February 2021 and did not have any changes. The Board accepted the February 2021 financial reports.
- VI. **Public Discussion:** None.
- VII. **Joint Use Committee Report:** None
- VIII. **Chilcott Ditch Company / The Ranch Report:** Shaffer reported that staff will start operations at the ranch and Chilcott Ditch on March 9th, 2021. Staff will begin by cleaning the ditch in preparation of turning the ditch on to deliver water to shareholders on March 15th, dependent on weather.
- IX. **Manager's Report:** Shaffer reviewed the manager's report dated March 8, 2021, a copy of which is attached hereto.

A. Collaborative Organizations / Opportunities:

- i. PPRWA: See III.D

B. Operations

- i. Water Report: LaFontaine reported two shear breaks and one service failure in the month of February. The unaccounted water percent for February was 10%, and the 12-month average is 7%. LaFontaine reported Woodmoor Lake will be filled at 7092 to accommodate for the Lake Pump Station Project; it would be too difficult to drain back down if filled to capacity. The water R&R program is in the beginning stages; a trailer has been purchased. Sewer R&R for this year has not been started yet due to weather. Approximately 1,000 feet of sewer line will be rehabbed.

C. District Construction/Planning Projects:

- i. None.

D. WWSD Subdivision/Development Status Update:

- i. **WOSC Lot Additions and Easements:** Shaffer reported 115 residents in the Woodmoor Greens division gave money to the WOSC in exchange for either an extension of their lot lines or a tract of land immediately behind their existing lot. However, these lot line extensions include easements in which WWSD would be able to access utility lines. The concern is that the residents may build structures over the tops of these easements. The WIA's position has always restricted the use of easements (no fences, plants, sheds, etc.). Shaffer asked the Board if WWSD should step in. Director Bush provided a detailed explanation and history of past easement issues ("friendly lawsuits") and suggests the WIA should remain as "gatekeeper" due to covenants already in place. LaFontaine raised concern over what may happen should WWSD need to enter the extended lots due to sewer line issues. Residents will not be receptive to sewer trucks driving on their land, especially if they put sod down or other upgrades. In the past, it has been policy for WWSD to repair or replace any damage to homeowner/business property to maintain a "neighborly" relationship. If we want to continue this neighborly policy, costs may increase to the District with these particular lots. Shaffer will discuss the issue with the county and report back to the Board.
- ii. **Jackson Creek Parkway Development:** Shaffer met with Joe Iota at Classic Homes and Iota presented plans for the development. Iota has requested a reduction in tap fees due to the dwellings being very close together, even though they are detached. The lots have very small yards. Fountain will slightly reduce tap fees if the developer, over time, can demonstrate lower water consumption. Classic Homes would like to pay the same rate as multi-family dwellings for these detached lots, which are only separated by approximately ten feet. Even though these homes are close together, they still do not meet the District's definition of a multi-family dwelling. The Board agreed that making an exception could be a "slippery slope" and that the District should be consistent on policy.

E. Other Topics:

- i. **COVID 19:** Office remains closed to the public indefinitely. Shaffer is hopeful that WWSD can begin using the conference room once again this summer.

X. Special Reports & Subjects: 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 advice on specific legal questions; all related to a potential agreement(s) with Colorado Springs Utilities and other Pikes Peak Region Water Suppliers and (4) Subsection (f)(I) for matters related to personnel. Session commenced at 2:47 p.m. The Board returned to Regular Session at 3:59 p.m.

XII. Adjournment: There being no other business 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.

Record of March 8, 2021 Board Meeting

Respectfully Submitted,

William Clewe
William Clewe, Secretary