

**MINUTES OF THE REGULAR MONTHLY MEETING
OF THE BOARD OF DIRECTORS
OF THE TABERNASH MEADOWS WATER AND SANITATION DISTRICT**

TMWSD Water Plant, 729 County Road 5141, Tabernash, Colorado
April 26, 2010
6:30 p.m.

1. **DIRECTORS PRESENT:**
Irene Cooke, President
Molly Lipke, Secretary/Treasurer
Susan Koeneke, Director
Marilyn Hajicek, Director, via teleconference
Lee Reynolds, Director

2. **PUBLIC IN ATTENDANCE:**
None

3. **STAFF/CONSULTANTS PRESENT:**
Lauralee Kourse, Manager/Operator
Cindy Greiner, Administrative Staff
Donette Schmiedbauer, District Accountant

The meeting was called to order at 6:38 p.m.

4. **DISCLOSURES:** There were no disclosures presented at this meeting.
5. **FINANCIAL REPORT:** Donette Schmiedbauer presented the financials for March, 2010.
- LL Kourse asked for clarification regarding the bond accounts. Donette explained that there is enough money in the UNB account for the old bond to cover the interest payment to the new bond that will be due in June, 2010. Eventually, the accounts will be merged.
 - Lot 16 has paid their back taxes.
 - The Board discussed the need for the number of bank accounts ^{held} ~~had~~ by the District. The reason is we disburse our funds so that they are FDIC insured.
 - Donette presented the check disbursements for March. See Action Item #10a.

- Sending the supplemental budget to the State was discussed. Donette would like to wait since the District has many operational changes. LL suggested and the Board agreed that September would be a good deadline for submitting the supplemental budget.
- Donette reviewed two budget formats with the changes in insurance, bond interest, and the ending fund balance tabor line changed by 3%. She would like the Board to talk about an operational budget change to move the tap fees from the debt tap fees (as a restriction) line to the water and tap fees line before the September meeting for the supplemental budget.
- Bond Refinance Summary - LL reviewed the documents and certificates for the bond refinance listed in the minutes from the March 24, 2010, meeting. There is enough money in the escrow account managed by UNB to guarantee the interest to the bond holder due December 1, 2010. Extra funds will go into the 2010 bond account with UNB. LL thanked everyone for getting through the bond refinance. LL, Donette, and Cindy were also thanked.
- Delinquencies - LL reviewed four properties that are delinquent due to various reasons including foreclosure, bankruptcy, etc. The District raised their rates partially due to the delinquent accounts. These accounts will be certified to the Grand County Treasurer for collection.

Donette left the meeting at 7:20 p.m.

6. **MINUTES APPROVED:** Upon a motion by Molly Lipke, seconded by Lee Reynolds, the Board voted unanimously to approve the minutes of the March 22, 2010, meeting and the March 24, 2010, continuation meeting, with one correction regarding motions.
7. **MANAGEMENT REPORT:** The Board member election for 2010 was cancelled. See action Item #10b.
8. **OPERATIONS/MANAGERS REPORT:** LL presented the operations report for review.
 - See operations report attached.
 - Stormwater flooding at the waste plant. Spring runoff in the wetland is always a challenge. Staff is going to try a two pump system to keep up with both the surface run off and the groundwater infiltration.
 - The path around the pond has been made safe. The staff repaired the ditch and the muskrat damage. Scott Bradley will be sent a bill for the ditch repair and for the costs for the year. We do not expect that he

will pay his fair share but the damage and safety issues needed to be addressed.

- Scott Bradley's attorney sent several bullet points to the District's attorney regarding his water rights; defining ownership of the storage in the pond, who would operate it, how the costs would be shared, and additional storage. Our attorney has been directed to send a correction. Mr. Bradley must perfect an augmentation plan and an operating agreement for his water rights so that he can sell his property. The District is keeping a notebook that details the costs to the District by Mr. Bradley in the past and going forward showing all expenses.
- Grand Enclave's water storage was discussed.
- The Fraser River is part of the Denver farming project issue. The County and all the water discharges are trying to make an agreement with Denver Water. The County is trying to get everyone to work together and set up agreements and rules for all to abide by.
- Biosolids Project/Drying Bed - The District is moving forward with the grant application. USDA is very positive for approval if the application is turned in by July, 2010. The District is asking for \$350,000 to build the biosolids drying bed. We should know by October, 2010, if it is approved.

9. **LEGAL UPDATE:** Thompson Creek Townhomes had a hearing last Wednesday with the Planning and Zoning Commission. Their final plat was approved with the District's condition that they must buy sewer and water taps before recording the plat.

Tomorrow is an oral argument in Denver on the appeal from Thompson Creek Townhomes regarding the judgment that was in the District's favor. This decision will probably take a couple of months. It is a three judge court of appeals panel. The oral argument allows for judges to ask questions.

10. **THANK YOU** - The Board thanked Lee Reynolds for his service as a member of the Board.

11. **ACTION ITEMS:**

- a. Upon a motion by Molly Lipke, seconded by Susan Koeneke, the Board voted unanimously to approve the expenditures as presented.
- b. Upon a motion by Susan Koeneke, seconded by Molly Lipke, the Board voted unanimously to approve Resolution #04/10-01, Cancellation of Election and Declaration Deeming Candidates Elected.

11. **ADJOURNMENT:** There being no further business, upon a motion by Lee Reynolds, seconded by Susan Koeneke, the Board voted unanimously to adjourn the meeting at 7:52 p.m.

The next Board meeting is scheduled for May 17, 2010, at 6:30 p.m. at the TMWSD Water Plant.

Molly Lythe
Secretary

21 June 2010
Date