

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on August 13, 2015 at the Woodmoor Water and Sanitation District No. 1 office.

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

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

Visitors: Mike Fink - Fountain, CO Utilities
Floyd Abeyta - Sun Construction, Inc.
Forrest Hindley - Village Center Metro District
Jeff Mark - Village Center Metro District
Tim Leigh - MGP
Jackie Burhans - Our Community News
James Howald - Our Community News

I. Call to Order:

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

Note: President Town introduced Kristin Cisowski, a new member of the Smith & Norton legal team to the Board.

II. Reading of the Minutes:

Copies of the July 9, and July 27, 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.

III. New Business:

- A. MGP Supplemental Water Agreement Request:** Shaffer stated that he received a request pertaining to the supplemental water agreement with MGP. Shaffer reported that Tim Leigh, an associate of MGP, contacted him regarding some of the challenges that MGP is going through to develop their property. Shaffer stated that El Paso County is unable to move forward on the preliminary plat that MGP submitted. Leigh stated he has been trying to sell this property since 2008, and now that the preliminary plat has been declined by the County, the value of the property has dropped significantly. Leigh stated that the original plan for the property was for commercial entities with high water usage. This plan is what prompted MGP to request the supplemental water agreement with WWSD. Leigh asked the Board to consider forgiving the debt that MGP owes on the supplemental water agreement and to release the lien on the property. Shaffer stated that he can see that this is an unfortunate situation, however, to forgive the supplemental water option payment would set a bad precedence to the other agreement holders. Town stated that the Board would address the issue in Executive Session, and Shaffer would let Leigh know the outcome.
- B. Mid-year Budget and Update:** Shaffer reviewed the mid-year budget, a copy of which is attached hereto. The budget shows the projected revenue and expenses for 2015 year end given the actual information as of 7-31-15. The Board approved the mid-year budget for working purposes.

IV. Old Business:

- A. Village Center Metropolitan Request for Non-Potable Water:** Shaffer stated that the Board had directed him to talk with the Village Center Metropolitan District concerning the ownership of Tract K, in regards to the non-potable water service they are requesting. Shaffer stated that he received a letter from the Town of Monument, a copy of which is attached hereto, stating their intention to transfer ownership of Tract K to the Village Center Metropolitan District. Shaffer stated that if the Board accepts this letter of intent from the Town of Monument, and decides to approve the non-potable water service request, he would suggest a provision in the agreement stating that if the Town of Monument does not deed Tract K to the Metro District, the agreement would be null and void and service would be disconnected from the non-potable tap. The Board decided to approve the non-potable water service agreement with the Village Center Metro District with the above provision added to the agreement. Hindley thanked the Board for accepting the letter from the Town of Monument, and will meet with his Board to confirm acceptance of the above provision. Hindley will contact Shaffer with his Board's decision.

V. Financial Discussion:

Director Schwab 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.

VI. Public Discussion:

A. Unscheduled People: Mike Fink from Fountain, CO utilities thanked Shaffer and Director Taylor for attending the Arkansas Basin Round Table meeting.

VII. Joint Use Committee Report: Strom stated that the grant money is now being allocated correctly between the three entities. Strom reported that the construction for the Phase 1 project is moving forward.

VIII. Chilcott Ditch Company/ JV Ranch Report: Gillette reported that he rented equipment to mow the weeds down at Chilcott Ditch. Gillette stated that the weeds in the ditch is also an issue he is working on. Gillette stated that the Chilcott Ditch Company is meeting all of their carriage agreements and augmentation requirements. Taylor reported that City Ordinance 1657 was approved, this Ordinance changes the sub-division code in regards to easements.

IX. Manager's Report:

Shaffer reviewed the Managers Report dated August 13, 2015, a copy of which is attached hereto.

A. Collaborative Organizations / Opportunities:

- i. **Pikes Peak Regional Water Authority (PPRWA):** Shaffer stated that the main topic of the Arkansas Basin Round Table meeting was the State wide water plan. Shaffer reported that draft two of the plan is now being circulated for comments.

B. Operations: Randy Gillette

- i. **Water Report:** Gillette reported that the unaccounted water for July, 2015 was at 8%. Gillette stated that WWSD is still doing a mix of 80/20 surface water. Gillette reported that Lake Woodmoor's elevation is at 7094. Gillette stated that WWSD has not received any recent water quality complaints.

C. District Construction/Planning Projects:

- i. JV Ranch Re-vegetation Project Update: Shaffer stated that Paul Flak is moving forward with the JV revegetation project. Shaffer stated that approximately 500 acres have been sprayed with the herbicide application. Shaffer stated that the weather has been an issue to complete the application.
- ii. Lake Woodmoor Access Road: Shaffer stated that he is working on acquiring easements from the property owner. Shaffer stated that he will have more information next month.
- iii. Aquatic Weed Control at Lake Woodmoor: Shaffer stated that Andrew Skibo from Sepro will have a presentation for the Board in September, 2015 regarding the aquatic weed control project Sepro performed at Lake Woodmoor.

D. WWSD Subdivision/Development Status Update:

- i. Village Center Filing 3, Phase 2: Shaffer stated that Village Center Filing 3, Phase 2 has been conditionally accepted by the District.
- ii. Misty Acres Filing 3: Shaffer stated that Misty Acres Filing 3 has been conditionally accepted by the District.
- iii. Pine Tree Property: Shaffer stated that staff has received a sketch plan for this development, which looks to be approximately 500 homes.

E. Other Topics:

- i. None.

X. Special Reports and Subjects:

- A. Engineer's Report: None.
- B. Attorney's Report: None.
- C. WIA Meeting Report: Schwab stated that there wasn't any water issues at the WIA meeting.

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 (4): (1) Subsection (a) to discuss purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest. (2) Subsection (e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; (3) Subsection (b) for a conference with legal counsel for the purpose of receiving legal advise on specific legal questions; all related to the Affordable Care Act, employee benefits, supplemental water, inclusions, leases and the Joint Use Agreement. Session commenced at 2:14 p.m. The Board returned to Regular Session at 4:13 p.m.

Motion: Upon motion by Director Taylor, and seconded by Director Courrau the Board unanimously voted to reject MGP's supplemental water agreement debt forgiveness request.

XII. 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 4:15 p.m.

Respectfully Submitted,


Beth Courrau, Secretary