

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on August 10, 2020 at the Woodmoor Improvement Association Barn.

PRESENT:	Director Bush Director Wyss Director Roddam Director Hanson
Manager:	Jessie J. Shaffer
Operations: Engineer	Gary Potter Ariel Hacker
Attorney:	Erin Smith
Secretary:	Marsha Howland
Visitors:	James Howald - Our Community News John Mills – Inclusion Request Richard Hood – JVA Consulting Engineers Fritz Holleman – Buchanan and Sperling P.C.

I. Call to Order: President Bush called the meeting to order at 1:00 p.m.

II. Reading of the Minutes: Copies of the July 13, 2020 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 Wyss, and seconded by Director Hanson, the Board unanimously voted to excuse Director Clewe from the Board Meeting.

III. New Business:

A. Appoint Specific Alternate to the Tri-Lakes Joint Use Committee: President Bush stated that Director Clewe volunteered, in an email to him, to be the alternate representative for the Tri-Lakes Joint Use Committee.

Motion: Upon motion by Director Wyss, and seconded by Director Hanson, the Board unanimously voted to appoint Director Clewe as the Joint Use Committee alternate representative for Woodmoor Water and Sanitation District No. 1.

B. Consider Awarding CMAR Construction Contract for the 2020 Capital Improvements Project Bid Results and Recommendation (JVA Engineers): Hood presented a recap of where the projects are at this time: CWTP design is at 60%, SWTP design is at 90% and they are looking at a new alternate design for LPS that should lower the cost. Hood stated that six contractors came to the pre-bid meeting, and they received two proposals for the CMAR project. The first proposal was from Moltz Construction and the second from Stanek Construction. Hood stated that staff reviewed the proposals and interviewed both contractors. Hood reported that Stanek is very motivated to do the project and that they would be a good fit for the CMAR process. Hood stated that JVA would recommend Stanek Construction Inc. for the CMAR design phase contract. Hood stated that their contract price is \$25,000. Shaffer explained the CMAR process to the Board, stating that he will be coming back to the Board to award the construction contract in the next few months. Shaffer stated that he also recommends Stanek Construction for the design phase award. Director Hanson asked why there was such a large variance in the contract prices between the two proposals. Hood replied that Stanek is very competitive and they are looking to get back into the construction business on the Front Range.

Motion: Upon motion by Director Wyss, and seconded by Director Hanson, the Board unanimously voted to award the CMAR design phase contract to Stanek Construction, Inc. for \$25,000. The Board authorized President Bush to sign the award contract.

C. Public Hearing on Jon Mills Inclusion: - Jon Mills Inclusion Request Presentation and Staff Analysis: President Bush presented the Chairman's Opening Statement to open the Public Hearing, a copy of which is attached hereto. President Bush asked for any objections from the Board. No objections. President Bush asked Mr. Mills to make his presentation. Mills stated that his family has owned four lots since the 1920's. Three lots are within the District boundaries, (Timberview III lots 2, 3, and 4) and his lot is adjoined to the others, but outside the District boundary. Mills reported that his family had to sell one lot in order to pay the property taxes. Mills stated that if the Board allows his lot to be included in the District it will give him not only security

that he will have water, but will also decrease the property tax liability. Mills thanked the Board for their consideration. President Bush asked for the staff analysis and presentation. Shaffer went through the inclusion process with the Board. Shaffer stated that Mills has paid a \$5,000 deposit to cover any cost the District occurs during the inclusion process. Shaffer reported that Hacker will present an analysis on what impact this inclusion could have on the District if any. Shaffer stated that the Mills family does not have any plans to develop this property, but the analysis will show the impact to the District if at some time they should want to develop. Hacker reported that staff looked at three different scenarios for the property; no change, subdividing into two lots, and fully developed. Hacker stated that they analyzed how the District would provide water service, what the fire codes would be, sanitary sewer services, and easements. Shaffer stated that the property is approximately 5.5 acres, and at full build-out, it could hold 28 single-family homes. Shaffer stated that any and all easements needed would be included in the inclusion agreement. Hacker reported that the District could provide sanitary sewer service to the property if needed, at build-out with an addition of a new lift station. Shaffer reported that if the Board grants the Mill inclusion petition, the water rights would be conveyed to the District. Shaffer stated that for this small amount of water rights, he would wait to go through the Water Court process until the District had additional cases to present to the Court. Shaffer reported that the conclusions to the analysis are; benefit to the District in tap fees if the property is developed, limited water rights on the property are beneficial for the future, District has the capacity to serve the property with little or no impact on the District's water services, and there is no need for an additional well site. President Bush asked for public comment, there was none. Bush asked Smith to add an additional term to Resolution 20-05 that is needed to move forward with the petition. The Board discussed the inclusion fees and decided to waive them if they move forward. The Board also decided to waive the easement/major facilities fee. The Board unanimously granted the Mills Inclusion Petition. Shaffer will bring back the inclusion agreement upon completion.

Motion: Upon motion by Director Hanson, and seconded by Director Wyss, the Board unanimously voted to close the Public Hearing at 2:25 p.m.

Motion: Upon motion by Director Hanson, and seconded by Director Roddam, the Board unanimously voted to adopt Resolution 20-05 with the additional term added.

D. Mid-Year Budget Update: Shaffer reviewed the mid-year budget, a copy of which is attached hereto. The mid-year budget reflects the projected revenues and expenses for the 2020 year-end given the actual information as of 7-31-20. The Board approved the mid-year budget for working purposes.

E. COVID-19: Shaffer reported that staff is healthy. Shaffer asked the Board if they would agree to let operators enter resident's homes to replace meters that are not reading properly. Shaffer

stated that under normal circumstances, staff replaces meters that have not read correctly for three consecutive months. Shaffer stated that he would order the appropriate PPE gear to keep the operators and residents safe. The Board agreed for staff to replace meters. The Board decided to leave the District office closed to the public at this time.

IV. Old Business: None.

V. Financial Report: Director Wyss stated that he has reviewed the financial statements for July 2020 and did not have any changes. Wyss reported that water usage was up for July 2020. The Board accepted the July 2020 financial statements.

VI. Public Discussion: None.

VII. Joint Use Committee Report: Wyss reported that the JUC discussed the issue with a customer dumping beer down the sewer. Wyss stated that WWSD staff is in contact and working with the customer. Shaffer reported that Mike Wicklund has left Monument Sanitation and they have hired a new interim general manager.

VIII. Chilcott Ditch Company / The Ranch Report: Shaffer reported that the Chilcott Ditch is delivering water as requested. Shaffer stated that irrigation continues at the ranch. Shaffer asked the Directors if they would be interested in taking a tour of the ranch and ditch when the heat breaks. Three Directors agreed to a tour, and Shaffer will get times in place later in the month.

IX. Manager's Report: Shaffer reviewed the manager's report dated August 10, 2020, a copy of which is attached hereto.

A. Collaborative Organizations / Opportunities:

- i. PPRWA: Shaffer reported that the PPRWA is on summer break now until October. Shaffer stated that Colorado Springs Utilities has formed a new committee regarding regionalization. Shaffer stated that he is part of the committee.

B. Operations

- i. **Water Report:** Potter reported that the unaccounted water percent for July was 3%, year to date is 8%. Potter stated that in regards to main breaks, the District has been very quiet. Potter reported that Wells 15 and 17 are down and staff is working on repairs.

C. District Construction/Planning Projects:

- i. **Water Distribution System Renewal & Replacement Program:** Shaffer reported with Potter leaving the District, his plan to present a draft copy of the water renewal and replacement program has been put on hold. Shaffer hopes to have the draft to the Board at the October budget workshop.
- ii. **Well 21 Landscaping:** Hacker reported that the District landscaper is working at the Well 21 site. Hacker stated a new fence is being constructed. Hacker reported that the landscaping plans include new trees and shrubs at the site.

D. WWSD Subdivision/Development Status Update:

- i. **Cloverleaf:** Shaffer stated that the supplemental water service agreement with Cloverleaf has been recorded.
- ii. **Beach (South Half):** Shaffer reported that staff should be able to give the south half of the Beach Conditional Acceptance soon. Hacker stated that staff is waiting for signatures regarding the plat and easement. Shaffer stated that the District should be receiving tap applications for this development very soon.

E. Other Topics: Shaffer stated that Potter will be leaving the District at the end of the month. Shaffer reported that he has extended an offer to Dan LaFontaine for the position, which he accepted and will start on August 17, 2020.

X. Special Reports & Subjects:

A. Attorney's Report: None.

B. WIA: President Bush reported WOSC, LLC has expressed considerable intent to donate 65 acres to WIA for a common area. Bush stated that it will probably be next spring before the transaction is complete.

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 agreements with Lewis Palmer School District #38., Geronimo Energy, and Grandwood Estates (4) Subsection (f)(I) for matters related to personnel. Session commenced at 3:15 p.m. The Board returned to Regular Session at 4:00 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 4:02 p.m.

Record of August 10 2020 Board Meeting

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "B. Bush", written over a horizontal line.

Brian Bush, President