

RECORD OF PROCEEDINGS

A meeting of the Woodmoor Water and Sanitation District No. 1 (WWSD) Board of Directors was held on September 14, 2020 at the Woodmoor Improvement Association Barn.

PRESENT: Director Bush
Director Wyss
Director Roddam
Director Hanson
Director Clewe

Manager: Jessie J. Shaffer

Operations: Dan LaFontaine

Attorney: Erin Smith

Secretary: Marsha Howland

Visitors: James Howald - Our Community News
John Mills – Inclusion Request
Richard Hood – JVA Consulting Engineers
Josh McGibbon - JVA Consulting Engineers (Phone Conference)

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

II. **Reading of the Minutes:** Copies of the August 10, 2020 and August 24, 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.

III. New Business:

A. SPF/CWTP/LPS Progress Update Presentation – JVA Consulting: Shaffer reported that Richard Hood has an update for the Board on the CMAR projects and a guaranteed maximum price for the SFP project. Shaffer stated that they also have a recommendation for the construction award for the SFP project. Hood stated that McGibbon is also joining the discussion via telephone conferencing. Hood reported that back in July they discussed different alternatives for the LPS and agreed on alternative 2A with some revisions. Since that date, staff along with JVA has come up with a new alternative, (1B). Hood reported that when they were up at Lake Woodmoor, the water levels were down and they noticed a sandy beach where contractors could build a new wet well when the lake was drained. Hood stated that building the wet well in that area would lower the excavation cost which would be a large cost-saving to the District on this project. Hood stated that the advantages to this alternative besides the cost-saving, is that it would be a familiar operation for staff, it would have multiple outlets, and it would be father away from existing homes. The disadvantage of 1B is that it is not as easily assessed by staff as 2A. Hood stated the cost for 1B came in at \$4,214,000, which is lower than 2A which came in at \$5,434,900. The Board discussed both alternatives and decided on 1B.

Hood reported that they have been working with Stanek Constructors through the CMAR process on the SFP design. Hood stated that Stanek provided a guaranteed Maximum Price price, (GMP) for the construction of the SPF project. The GMP came in at \$508,305. Hood stated that in the last couple of months the programmable logic controller at SFP started having some major issues and needs to be replaced. This controller is not included in the GMP. Hood stated that he would have more information about the cost and the installation of the controller next month. Hood stated that it would be cost-savings to the District if they would combine the projects at CWTP and LPS to be placed on a change order status with the construction award contact. The savings to the District would be approximately \$306,000. Hood reported that if the Board would approve a change order amount of 15% of the construction contract, this would allow Shaffer to make minor change order decisions immediately instead of waiting for the next Board Meeting or holding several Special Meetings. Hood reported that JVA and staff would recommend Stanek Construction for the construction award. Hood reviewed the approximate dates for completion of the three projects: SFP – April 2021, CWTP – September 2021, and LPS – December 2021.

B. Consider Awarding Construction Contract for South Filter Plant Improvements to Stanek Construction & Authorizing Staff to Issue Change Orders Nor to Exceed an Aggregate Amount of 15% of the Construction Contract:

Motion: Upon motion by Director Hanson, and seconded by Director Clewe, the Board unanimously voted to award the construction contract for SFP Improvements to Stanek Constructors and authorized staff to issue change orders not to exceed an aggregate amount of 15% of the construction contract. The Board authorized President Bush to sign the award contract and any follow-up documents.

C. Consider Execution of Inclusion Agreement with SJ Mills Trust: Shaffer reported that the Inclusion Agreement for the SJ Mill Trust is pro-forma with the District's standard inclusion agreements with two exceptions. Shaffer stated this is a small parcel of land with an existing home on it that shares a well, so it is not likely that the Mills family will ever connect to the District's system. Shaffer stated that the benefit to the District for accepting a new inclusion is that the District will gain a new customer. Shaffer reported that the agreement states that the property must connect to the District's system by December 31, 2040. Shaffer stated that there are three events added to the agreement that would accelerate the connection to the District's system which are; if the well should fail, the joint use well agreement terminates or expires, or if the property is sold or developed. Mills talked about the history of the property starting with the Mills ownership in the 1800's. Mills reported that his family does not have any intent to sell or develop the property, so the twenty-year end date to connect to the system concerns him. Mill stated that if for some reason they decide to sell the property, the restriction that the new buyers would have to connect to the system lowers his probability of selling the property due to the tap fee expense. Mills asked the Board to strike both of these restrictions. Mills stated that when he started the inclusion process and paid the \$5,000 deposit he did not realize that there would be extra conditions added to the agreement. After a lengthy discussion, the Board decided to strike the twenty-year end date for connection but to leave the other conditions in the agreement. Mills agreed to the revision.

Motion: Upon motion by Director Hanson, and seconded by Director Roddam, the Board unanimously voted to execute the Inclusion Agreement with SJ Mills Trust pending the agreed revision to strike the twenty-year end date.

D. COVID-19 - Consider Authorizing Acceptance of COVID Impact Grant Funds: Shaffer reported that the Colorado Department of Local Affairs approved the District's application for the Coronavirus Relief Fund Program. The grant amount is \$23,887.00. Shaffer stated that this amount is what was paid out to employees when staff was on the alternate schedule for social distancing during the first months of COVID. Employees were paid for 40 hours per week, but only worked 35 hours a week.

Motion: Upon motion by Director Clewe, and seconded by Director Hanson, the Board unanimously voted to accept the grant funds and authorized Shaffer to sign the grant request.

IV. **Old Business:** None.

V. **Financial Report:** Director Wyss stated that he has reviewed the financial statements for August 2020 and did not have any changes. Wyss reported that August was a good month with receipts up and expenses on budget. The Board accepted the August 2020 financial statements.

VI. **Public Discussion:** None.

VII. **Joint Use Committee Report:** Hanson reported that the JUC reviewed the 2021 budget. Hanson reported that salaries at the wastewater plant are down from 2020 due to lower wages for new employees who are not yet certified. Hanson stated that the JUC discussed new regulations for the plant that will be coming up.

VIII. **Chilcott Ditch Company / The Ranch Report:** Shaffer reported that operations at the ditch and ranch are moving forward. Shaffer stated that LaFontaine is monitoring the ten-year volumetric history closely at the Chilcott Ditch for any water delivery overages. Shaffer asked how many Board Members would like to go on a tour of the Chilcott Ditch and ranch and when they would like to go. Shaffer will send out a memo to the Board when a date is decided.

IX. **Manager's Report:** Shaffer reviewed the manager's report dated September 14, 2020, a copy of which is attached hereto.

A. Collaborative Organizations / Opportunities:

i. PPRWA: None.

B. Operations

i. **Water Report:** LaFontaine reported that the unaccounted water percent for August was 9%, year to date is 8%. LaFontaine reported that the higher unaccounted water percent was due to a meter issue at Well 21. The meter has now been repaired. LaFontaine stated that August was a dry month and water usage was up.

C. District Construction/Planning Projects:

- i. **Backlot Sewer Cleaning:** LaFontaine reported that staff contracted a backlot sewer cleaning company. LaFontaine stated that 80,000 linear feet of sewer line cleaning should be completed by mid-October. LaFontaine reported that the District does not own the correct equipment for this project. Shaffer stated that the budget for this project is \$160,000.
- ii. **Tank Maintenance Painting:** Shaffer reported that tank painting is a budgeted item for 2020. Shaffer stated that maintenance painting is needed at North Tank, both the large and small tanks. Shaffer reported that Hacker is working on signing up a contractor for the project.
- iii. **Water Distribution System Renewal & Replacement Program:** Shaffer stated that he is working on a plan for the water distribution system and plans to bring a general structure overview of the program to the budget workshop.

D. WWSD Subdivision/Development Status Update: None.

E. Other Topics:

- i. **Trespassing/Fishing/Wading – Lake Woodmoor:** Shaffer reported that there has been a lot of foot traffic at Lake Woodmoor. Shaffer stated that staff has received several phone calls reporting people fishing, walking, and wading at the lake. Shaffer reported that one home by the lake is a VRBO and guests do not realize the restrictions regarding Lake Woodmoor. Shaffer reported that he has ordered 15 new No Trespassing and Lake Restriction signs to be posted at the lake and has asked Woodmoor Public Safety to up their patrols.
- ii. **2021 Draft Budget:** Shaffer reported that he will have the 2021 draft budget to the Board by October 15, 2020.

X. Special Reports & Subjects:

A. Attorney's Report: None.

B. WIA: President Bush reported that District 38 is in the design phase of the Safe Route to School trail they are developing. Bush stated he does not know when the construction will start on the trail. Bush stated that Cloverleaf is still looking at the possibilities of donating 65 acres to WIA and they are in negotiations.

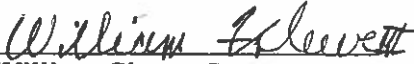
XI. Executive Session:

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 Geronimo Energy, Colorado Springs Utilities and Lake House Association. Session commenced at 3:07 p.m. The Board returned to Regular Session at 3:49 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 3:50 p.m.

Record of September 14 2020 Board Meeting

Respectfully Submitted,


William Clewe, Secretary