

**VALLEY AT WINTER PARK WATER DISTRICT
NOTICE OF MEETING AND AGENDA**

via teleconference

July 20th, at 6:00 P.M.

<https://www.vwpwaterdistrict.org/>

Kerri J. Stroupe, President	Term to May 2025
Kelli Kolar, Vice President	Term to May 2026
Lauralee Kourse, Treasurer	Term to May 2025
Matt Small, Secretary	Term to May 2027
Jay Kenney, Director	Term to May 2027

AGENDA

- Call to Order – Director Stroupe called the meeting to order at 6:01 pm
 - Roll call was taken. All Board of Directors were present. A quorum was met.
 - Guest Attendees:
 - Eric Weaver – Marchetti & Weaver, LLC
 - Lot Owners (Attendance noted from Zoom participant list):
 - Megan Hesse – Lot 6
 - Rob Barnes – Lot 7/8
 - Neil Ninnam – Lot 39
 - Tracy McGowan – Lot 27
 - Don & Susan Metzler – Lot 3
 - Mary and Tom Sangster – Lot 4
 - Mark Koenge and Megan Hesse – Lot 6
 - Barry Waryanka – Lot 41
 - Susan Oderwahl – Lot 42
 - Mark Kolar - Lot 33/34
 - Kathy Kilton – Lot 9
- Declaration of Quorum/Director Conflict of Interest Disclosures
 - No Conflicts Stated.
- Approval of Agenda

- A **motion** was made by Director Kenny to approve the agenda which was seconded by Director Kourse and carried unanimously.
- Consent Agenda
 - Approval of Minutes of June meeting (**enclosure**)
 - Approval of Minutes of May 18 meeting (enclosures): **Motion** was made by Director Kourse to approve the meeting minutes. Seconded by Director Kenney and carried unanimously.
- Financial Matters
 - Budget overview – Eric Weaver (enclosures)
 - Director Stroupe provided summary of unexpected expenses.
 - We are not a taxation district. To pursue this would be an approximate cost of \$10,000 to pursue through 2/3 votes of community and approval from county. Fees and dues is the only source of district revenue.
 - Testing – CDPHE Compliance
 - Election Costs
 - Rob Barnes asked for actual cost. Weaver indicated election cost was \$23,294 dollars actual cost. -. Eric Weaver described election process and ways to reduce costs.
 - Eric Weaver provided summary.
 - Payables –
 - 2 months of invoices. – Colorado water had increased testing CDPHE testing – additional \$2400 extra per month.
 - **Motion** was made by Director Kourse to approve the payables. Seconded by Director Kenney and carried unanimously.
 - Financial Summary
 - Mr. Weaver provided summary of current budget vs. expenses looking at current vs. projected to get through end of the year. Overall the District is in good position with \$460,000 in cash.
 - General Fund is facing shortfall. \$29,000 currently over budget for admin costs due to election, accounting and legal

expenses not anticipated in original budget. Election was more than a \$20,000 expense not anticipated due to several factors including certification of electors through the county.

- Mr. Weaver indicated that the total shortfall by the end of 2023 could be as much as \$52,000 based on current coverage and additional unplanned expenses due to CDPHE testing and reporting, as well as additional legal expenses needed to protect water rights.
- Board discussed various actions it could take with Mr. Weaver to make up for budget shortfall including transfer of money for the capital improvement fund to the operating fund. Mr. Weaver recommended waiting until 4th quarter to determine timing and costs of capital improvements before determining best course of action related to budget shortfall.
 - Director Kourse indicated that capital projects will be behind by 1 year given delays with engineering, materials, and contractor availability. There has been some costs savings realized, but the district will know more as plans are finalized related to overall budget impacts.
- Accounts Receivable.
 - \$6000 quarterly fees outstanding
 - Interest for outstanding dues will be applied to outstanding balances. Interest will accrue at 5% per month not to exceed 25% total amount due.
 - Late notices will be sent by District.
 - Director Kenney made a **motion** to assess 5% late fee not to exceed 25% of total amount due, and further, that late fee begins on 7/20/23 and that interest will be accrued accrue from time of delinquency. Motion was seconded by director Kourse and carried unanimously.
- Late Notices
 - Late notices will be sent by District.
 - Mr. Weaver indicated that District could certify amounts to county and for outstanding accounts receivable and this amount will be added to tax bill. Mr. Weaver indicated that this is the best path forward related to collections of money.

- Director Course made a **motion** and Seconded by Director Kenney to allow Eric Weaver to work to pursue process of certify delinquent accounts with Grand County and motion carried unanimously.
- Legal Matters
 - Update Statement of Opposition in Tabernash Meadows Water and Sanitation District’s Case No. 23CW3053, Water Division 5
 - Director Kenney provided update for board regarding participation in court case. CCC, Grand County Water San, Tabernash HS Land CO, Winter Park water and San, City of Englewood. All parties will be involved to determine if there are any injuries to our rights, and if so, what compensation would be warranted. August 29th status conference. Board will be looking for ways to maintain water rights for least amount of cost.
 - Update on correction of legal description for well locations.
 - Director Kenney provided update for board.
- Water System update.
 - Water System Capital Improvement Updates – workshop July 27 9am
 - Drilling 2nd well.
 - Submit Engineering design for new treatment plant.
 - Workshop on July 27th – 9am re: planning infrastructure.
 - Sanitary Survey and Inspection – Scheduled for October.
 - Ensure compliance with water decree and regulations.
 - General Contractor Roll – Need person who can keep the project moving forward and coordinate engineers and subcontractors.
 - Water usage and schedule of fees (enclosure – appendix A)
 - Director Stroupe provided summary of recommend changes to water overage fees. No additional fees are being proposed. Changes proposed set limits to amounts of water usage and what increased fees would be based on usage. Director Stroupe provided summary of historical water usage for the last 5 quarters for lots have houses with usage.
 - Engineers need to understand how big of a well pump to design, how big of a storage tank needs to be design.

- Director Kourse indicated an inclining rate structure is best way to enforce usage.
 - Engineers requested that meters be read monthly. District is looking into more proactive ways to track usage and notify homeowners when usage is above peak allowable usage.
 - Board discussed if it would be feasible to notify owners monthly.
 - Director Kenney made a motion and seconded by Director Kourse to accept inclining rate structure as outlined table 2 – with exception of turning off water upon excessive water usage.
 - Board will evaluate outreach and communication related to overage. Director Kourse to distribute inclining rate structure. Director Kenney to look at CDPHE. Director Small to look at workflow and processes related to meter readings, collections, billing, etc.
- Operations Reports – volunteers for gauge reading.
 - Director Stroupe provided updated on types of CDPHE tests. All tests have come back with no issues.
- Administrative Overview (Tabled until next meeting)
 - Statement of Authority (enclosure)
 - Administrative tasks and hired help. (Proposal from Public Alliance)
- Public Comment
 - Rob Barnes – Lot 7/8.
 - Diamondback engineering report usage projected usage. Requested that board leverage that spreadsheet as part of research. Asked that board forecast future budget expenditures to cover elections and have a plan each time for a board meeting leaving. Indicated long term concern for cost of water.
 - Director Kenney asked if Rob felt rate structure was high, low or just about right. Rob Barnes indicated he did not feel comfortable answering but felt rates were too far out of line with rates compared to Granby property.
 - Mark Kolar – Lot 33/34.
 - Expressed concerns related to storage tank and need to replace. CDPHE basis will be sanitary survey related to existing storage tank. Encouraged board to speak to third party companies to gain additional insights related to existing tank and options to avoid replacing it.

- Formally request that we not access water district equipment through owner lot – request formal notice and/or use recorded easement for access to equipment.
 - Usage – not willing to pay for someone else to know what they are using. Expressed concerns that district would incur costs related to reporting usage to owners.
 - Cost related to water district insurance. Why did we pay out of pocket when insurance would pay for frivolous lawsuits if insurance would pay for it.
- Adjourn
 - Director Kourse made a **motion** and Seconded by Director Kenney to adjourn the meeting at 8:24 and motion carried unanimously.

Minutes Approved on 8.17.23

Signature: _____

President

Signature:  _____

Secretary