

3/28/13

**1. Call to order** 6:05 pm

Directors present: Tom Brossia, Jeff Wagner, Ron Borrrego and Nick Laitsch. General Manager Charlie Smith, Naomi Reese, Tremaine Ebeid, and David Tyrpak were also present

**2. Approval of the Agenda**

Agenda was approved with the addition of item#7 – Alpine Bond.

**3. Approval of 2/28/13 Meeting Minutes.**

Tom moved to approve the 2/28/13 minutes, Ron 2<sup>nd</sup>, Approved.

**4. Ebeid tap Designation.**

Tremaine Ebeid and his agent Naomi Reese requested that the Board designate his inactive committed tap as residential to service his dwelling and a non-attached barn used for Hesperus Mountain Healers, a hydroponic medical marijuana grow facility. The State of Colorado considers all MMJ facilities commercial, Ms. Reese argued that this is a home based business and should be treated as such. Authority Rules and regulations do not include provisions for commercial taps but "... reserves the right to adopt policies and establish fees for commercial connections to the Water System." The Board agreed that the Authority is committed to serve the tap but would gather additional information from the county before determining whether to designate the tap as residential or commercial. Charlie will send a letter to the County acknowledging that the Authority is committed to serve the tap and request more information for the Board to consider in its residential/commercial deliberations and also in the determination of whether the barn should be considered a separate dwelling.

**5. Tyrpak Easement**

Customer David Tyrpak owns a parcel on West Fork Road where the Authority has an easement for water pipeline and pump station infrastructure. He is requesting that the Authority pay 1/3 of his annual Rafter J Home Owners Association Fees because the Authority also uses Rafter J roads. The Authority does not pay any annual fees for its other easements. Ron requested more information about the easement from Mr. Tyrpak and whether that portion of his property was exempt from property taxes. The Board will reconsider his request at the next regularly scheduled meeting.

**6. General Managers Report: Billing, Financial, Water System, Grants, Projects, Old Business.**

January ordinary income is greater than budget and YTD ordinary expense less than budget. Dalby Wendland CPA has provided the draft Audit Report and representation letter. The final report will be available once the representation letter has been signed.

The Lake volume is 477 acre-feet and stage 2 restrictions are in effect.

The DOLA grant request for reservoir improvements to Johnson 2 and Amber reservoirs has been approved for \$50,000, a contract will be sent by DOLA.

**7. Alpine Bond**

Pine River Valley bank has offered to refinance the Alpine Bond at 5% with a 0.5% fee (\$2,075) and late payment conditions. Alpine has offered to refinance at 5.13% if the Authority agrees to keep all of their deposits with Alpine, otherwise 5.38%.

Ron moved to refinance the remaining \$415,000 due on the Alpine Bond with Pine River Valley Bank at 5% interest for 8 ½ years with a 0.5% fee, Tom second, approved.

**8. Past Due Billing Policy.**

Tom moved to adopt resolution 2013-3 Establishing Procedures for the Collecting of Delinquent Acquisition Surcharges. Ron second, approved.

**9. Substitute Water Supply Plan**

Tom moved to enter into contract with the Bureau of Reclamation for the use of 25 shares of BOR water rights in the Pine Ridge Ditch at a cost of \$87.78/acre-foot. Jeff second, approved.

The Substitute Water Supply Plan has been review by the Division of Water Resources and will be approved pending the required 35 day waiting period for comments.

**10. Source Water Project Update**

The LDWA/LPWWA working group met Tuesday March 26 and discussed the Cost Allocation Worksheet prepared by Jeff Shamburg for LPWWA. The worksheet will be revised for later review.

**11. Approval of Bills**

Tom moved to pay the bills as presented in the Check detail, Ron 2<sup>nd</sup>, approved.

**12. Public Comments or Questions.**

There were no comments or questions.

**13. Adjourned at 7:55 pm**