

Winter Park Water & Sanitation District  
Regular Meeting  
June 28, 2023.

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Board Present: Jack Buchheister, Brendan Irving, Jordan Dominguez, Maureen Lantero  
Staff Present: Kent Bosshard, Wendy Chameroy, Kent Whitmer, Katie Randall, Bill Wemmert,  
Guests Present: Todd Holzwarth

The meeting was called to order at 10:00 a.m.

Minutes from the May 10, 2023, Board Meeting had been mailed to the Board for review. A motion was made by Jordan, seconded by Maureen, that the minutes be approved as presented. Motion carried unanimously.

Treasurer's Report

- 1) Account Balances – Wendy said interest rates continue to go up. The operating account balance is high, will get with Maureen in July as to where we should move some of those funds around.
- 2) Current Bills – Kent B. reviewed the bills for June, noting the bills for Utility Tech which was for the annual leak detection, and Power to the People for the VFD installation. A motion was made by Maureen, seconded by Jordan to approve the bills as presented. Motion carried unanimously.
- 3) Service Fee Arrears – Wendy said that Winter Park Resorts workforce housing is past due once again and received a check this week for the prior past-due balance. Heather Ruth and Doug Laraby have been helping to get Alterra to pay these bills on time. Late fees will be applied to the June invoices. The Board asked if Alterra has gotten the accounts ever paid in full, Wendy stated they had not, they just pay the past due balance, not the current.
- 4) 2023 Budget Update – Kent B. noted that everything is currently under budget.

Open Forum

- 1) Nothing to discuss.

Service Considerations

- 1) Fire Station ESFU Discussion - Todd Holzworth, Fire Chief with East Grand Fire District stated his concerns with the ESFU preliminary assessment. Kent B. received a call from Jack Buchheister and paused the discussion until after Jack arrived at the meeting. Kent B. said he had had a brief discussion with Jack and would like Jack to be part of this discussion. The discussion will continue under the Service Considerations portion of the meeting.

Staff Reports

- 1) Water System – Kent B.
  - a) Kent B. said the plant is running well.
  - b) Kent B. noted the leak on Winter Park Drive near Fraser Crossing, from which he has received many calls about the leak. The leak is not from the District's distribution system, the leak is from groundwater.
- 2) Wastewater System – Kent B.
  - a) Kent B. said that the plant is running well.
  - b) Kent B. said the burner assembly has been inspected visually and is structurally sound enough to make it through the next winter season. The weld assemblies will need to be addressed, but Tomco has not been responding to his phone calls regarding the repairs.
- 3) Administration – Wendy
  - a) Late Fees – At the last meeting it was noted that late fees can either be no more than \$15.00 or 5% per month of the customer's invoice, whichever is greater. Notice was posted in accordance with the statute prior to the meeting regarding the proposed change in late fees. A motion was made by Jordan,

seconded by Maureen, to change the late fee to \$15.00 per month effective immediately. Motion carried unanimously.

- b) Wendy had nothing further to discuss.
- 4) Attorney Report – Besides the items covered in Kent W.'s status letter, it was discussed:
  - a) Katie said the augmentation plan case is making good progress. We have reached a stipulation with the Colorado Water Conservation Board (CWCB), and the Court has approved it. Counsel for Cornerstone, Byers Peak and Rendezvous has indicated that his clients are prepared to stipulate as well; we are waiting for the final signature before those stipulations can be filed. A status conference was scheduled for June 27<sup>th</sup>, but the judge was a no-show. The status conference will be rescheduled for early August. Settlement conversations are still underway with the Town of Fraser and Winter Park Ranch Water and Sanitation District.

Jack arrived at the meeting at 10:20 am.

- b) Katie said that Tabernash Meadows Water and Sanitation District has filed an application to expand their existing augmentation plan and to change some historic irrigation rights. Per the recommendations of LRE Water, the District has filed a statement of opposition in the case to ensure that the changes do not injure the District's water rights.
- 5) Engineers Report – Bill
  - a) Bill said he has nothing to report.

Service Considerations (continued)

1) Fire Station ESFU Discussion – Todd Holzworth, Fire Chief for East Grand Fire Protection District, discussed the fire station currently being built in the Lone Tree lot in Old Town. Todd initially approached Kent B. about the new fire station and was sent a copy of the District fee schedule. Todd built his budget using the assumption that the applicable fee for the fire station would be 0.15 ESFU per 1,000 square feet. When he received a preliminary assessment from Kent B. and Bill it was approximately twice what he estimated from the fee schedule. Todd is attending this meeting to learn why this is being assessed differently than the fee schedule. Kent B. noted that he sent Todd the fee schedule before any plans were submitted. Bill handed out a memo that he and Kent B. put together explaining the calculations that were used for the preliminary assessment, and setting forth potential options for the Board's consideration regarding the tap fees to be assessed to the fire station. Bill explained why the fee schedule rate is not appropriate for the facility the fire station is building, including the presence of the bedrooms, bathrooms, laundry, and kitchen facilities in the plans. The Board asked Todd to discuss the construction timeline. Todd explained the delays with the project and is hoping the road will be open by the upcoming holiday weekend. Todd said they are hoping to have concrete poured by mid to late July. Todd requested that the truck bays not be included in the living space calculation to determine square footage for ESFUs assessed, and requested a metering/billing system similar to the Fraser firehouse. The Board discussed the calculation alternatives included in Bill's memo. One alternative is for the Board to consider offering a reduced tap fee for the fire station, similar to the reduction in tap fees previously approved for the workforce housing project 72.5% of the standard tap fee rate. This is the alternative recommended by District staff. The Board emphasized that the reduction in tap fees would not correspond with any reduction in service fees. Location and access issues were noted, and details of construction progress were discussed. Given the unique characteristics of this project, and that the fire station will serve a public good performed by a public entity, the Board would be comfortable if the building permit was obtained prior to paying the tap fees. The Board stated that a September 1, 2023 deadline to pay tap fees should be set. A motion was made by Maureen, seconded by Jordan to approve the tap fees assessment outlined in alternative #2 in Bill's memo, applying the workforce housing rate reduction factor and with a payment deadline of September 1, 2023, contingent on satisfactory review by the District's attorney regarding the potential need for a deed restriction and to ensure that proper notice and procedures are followed to implement this motion. Motion carried unanimously.

Todd explained that the Town of Fraser tracks water usage at the fire station but does not charge the fire district for water associated with fire suppression. Todd requested that the District consider implementing a similar billing structure at the new fire station when constructed. The Board directed staff to obtain water usage numbers from the Town of Fraser and tabled this item until the next meeting.

- 2) Winter Park Resort – Nothing to report.
- 3) Lakota Pointe – Kent B. said a preliminary plat has been submitted and Kent B. and Bill have provided comments to their engineers. Kent B. said that it looks like they may be getting an easement agreement in place with the owners of lots 46 and 49.
- 4) New Assessments – No new assessments. Last year we had a lot of single-family home assessments which are currently under construction.

#### District Projects

- 1) No updates.

#### General Items


- 1) Grand County Mutual Ditch & Reservoir Company (GCMDRC) – No update.
- 2) East Grand Water Quality Board (EGWQB) - No update.
- 3) Slopeside Village HOA Violation Letter – Kent B. noted the letter that was included in the packet regarding an unauthorized sump pump. Staff had noticed flow coming in at a pulsating rate into the sanitary sewer. The sump pump was shut off within a few days and is now physically abandoned.

#### Development of water Storage Projects for the District

A motion was made by Jordan, seconded by Maureen, to enter into executive session pursuant to C.R.S. § 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations in connection with development of water storage for the District. Motion carried unanimously.

A motion was made by Jordan, seconded by Maureen to come out of executive session. Motion carried unanimously.

There was no further business before the Board. The Board's next regular meeting scheduled for July 12, 2023, will be canceled. The next meeting will be scheduled for August 9, 2023. Meeting adjourned.

  
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Secretary