

**MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT  
JANUARY 14, 2025**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (District) Board of Directors was held at 5:00 pm on Tuesday, **January 14, 2025**, via <https://zoom.us/my/mcbwsdboardmeeting>.

Members of the Board of Directors in attendance at the Regular Board Meeting were as follows:

Nancy Grindlay - Vice Chair, Brian Brown – Board Member, Jonathan Ferrell - Treasurer, and Jenn O'Brien - Board Member

Nancy Woolf – Chair, had an excused absence.

**Also present were:**

Mike Fabbre - District Manager, Adam Bembenek - Wastewater Supervisor, Nicole Bogenschuetz – Capital Projects Supervisor, Kent Fulton - Finance Manager/Board Secretary, Kyle Koelliker - Water Supervisor, Marcus Lock - District's Attorney, Members of the Public, Tracy Davenport - Recorder

**Board Meeting Agenda**

**1. Call to Order**

- The regular meeting of the Board of Directors was called to order by Grindlay at 5:01 pm and a quorum was present.

**2. Citizen Comment Period**

- No citizens presented comments.

**3. Approve Meeting Minutes**

- December 12, 2024

**MOTION** by O'Brien and seconded by Brown to approve the December 12, 2024 regular meeting minutes as submitted. Motion voted in favor.

**4. Designate Meeting Location & Notices Posting Location**

- District Board meetings are held on the second Tuesday of each month at 5:00 pm, <https://zoom.us/my/mcbwsdboardmeeting> or 100 Gothic Road, Mt. Crested Butte, CO. 81225
- Notices are posted on the MCBWSD Website ([www.mcbwsd.com](http://www.mcbwsd.com)) and 100 Gothic Road, Mt. Crested Butte, CO. 81225
- The designated meeting location and notices posting location will remain in place.

**5. Potential Reorganization of the Board**

- The policy of the District is to potentially reorganize the Board before the updated transparency notice is posted.
- There was consensus that the Board will maintain current positions at this time.

**6. Update Transparency Notice**

- There is a statutory requirement to post the transparency notice on the District website and is sent to various organizations such as DOLA and Gunnison County.
- The deadline for the official submittal is January 15<sup>th</sup>.

**MOTION** by Brown and seconded by O'Brien to keep the officers the same for the January 15, 2025 transparency notice to be posted. Motion voted in favor.

**7. Resolution 2025-1 Designate Election Official**

**MOTION** by Brown and seconded by Grindlay to approve Resolution 2025-1 appointing Kent Fulton as the Designated Election Official. Motion voted in favor.

**8. Discussion of 2025 Election Openings and Deadlines**

- Fulton reviewed the election openings and deadlines that are presented in the board packet.
- There are four positions open for election. Brown, Ferrell, and Grindlay's positions are for a four-year term with Brown being termed limited, so he is not eligible to return for another term. O'Brien's position is for a two-year term.

- The self-nomination and acceptance form deadline is 2/28/25 by 5:00 pm.
- The election will be held on May 6, 2025 if enough applicants require the need for an election.
- The District will post a Call for Nominations ad in the Crested Butte News.

### **9. Discussion of a Polling Place Election versus a Mail in Ballot Election**

- There is an option to have a polling place election or a mail in ballot election.
- Staff recommendation is to hold a mail in ballot election.

**MOTION** by O'Brien and seconded by Ferrell to hold a mail in ballot election should it be required for this year's election. Motion voted in favor.

### **10. Resolution 2025-2 Appropriate Sums of Money**

- Fulton noted that in filing the 2025 budget, a new resolution is required by the Department of Local Affairs.
- This resolution tells the public that the Board has accepted the potential expenditures from the budget classified as water fund, wastewater fund, and general fund.

**MOTION** by O'Brien and seconded by Grindlay to approve Resolution 2025-2 to appropriate sums of money for the Mt. Crested Butte Water and Sanitation District for 2025. Motion voted in favor.

### **11. Resolution 2025-3 Bridges of Columbine Final Acceptance**

- Fabbre noted that this project is located above the base area at the end of Cinnamon Mountain Road.
- Lines were put in the ground years ago by a prior developer that were never fully accepted by the District.
- A new owner has taken over and has been working with the District on what was accepted, tested, and approved.
- Before the 18-month warranty passed, staff & engineers inspected the infrastructure that will be owned by the District in the future and all the infrastructure is acceptable.

**MOTION** by Brown and seconded by O'Brien to approve Resolution 2025-3 for the acceptance of the Bridges of Columbine Improvements. Motion voted in favor.

### **12. District Manager Report**

- The water monitoring schedule has been released with no changes.
- The District requested an extension and temporary modification for total recoverable arsenic limits. After it was submitted, the State issued a statewide delay.
- District staff participated in avalanche training for Quarter 1.
- The District has hired Nicole Bogenschuetz for the capital projects supervisor position.
- An offer letter has been submitted for the wastewater position.

### **13. District Goals 2025**

- Woolf requested this item be listed on the agenda; Board members are to recommend potential goals the District should address. This can be short or long-term goals.
- This item would be a good topic to discuss at a Board retreat and there is interest from the Board in participating.

### **14. December 2024 Financial Report**

- Fulton reported that period 13 is open for outstanding invoices that will be accrued back to 2024.
- The District recently received the first main break repair invoice which was \$90,000 and are expecting invoices for two more water line break repairs.
- Big expenses paid in December were the Town of Crested Butte 3<sup>rd</sup> Quarter ATAD invoice for \$33,000 and expect the same amount for the 4<sup>th</sup> Quarter, and paid HDR for the Interceptor Line.
- Insurance was paid for 2025 at the end of December which shows on the check report but it will be expended over the next 12 months in 2025.

**MOTION** by Ferrell and seconded by Brown to approve the December 2024 Financial Report. Motion voted in favor.

### **15. Legals**

- Lock reported he has been working on the following items: Line expansion agreement, public infrastructure acceptance agreement for new developments, IGA with the Town of Mt. Crested Butte, ATAD agreement with the Town of Crested Butte, work with Upper Prospect and the Villages, the Bridges of Columbine acceptance, and work with the Nordic Inn.
- Lock and Fabbre anticipate working with Bogenschuetz on updating the Rules and Regulations and potential well field concept.

**16. New/Old Business Before the Board**

- Raftelis update:
  - The Town of Crested Butte with solids processing; Town has submitted more documents Raftelis has requested but the Town has not finalized the project with their construction company yet.
  - Rates and Fees study, Raftelis is reviewing a lot of data. Fabbre & Fulton have a meeting with them tomorrow and should have an update for the February meeting.
- Fulton reported that he is working with Mayberry and Company for the audit this year, potential week in February for them to do field work. A contract will be sent to the Board from Mayberry and Company.
- Fabbre celebrated staff anniversaries, Ben Manahan 2023 & Kim Wisley 2019.

**17. Executive Session**

- Consideration of an executive session to be held pursuant to C.R.S. §24-6-402(4)(b) and (e)(I), which concern respectively, conferences with the District’s general counsel for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators in order to discuss the Collections Interceptor Line.

**MOTION** by Grindlay and seconded by Brown to enter executive session at 5:49 pm with Fabbre, Bembenek, Bogenschuetz, Fulton, Lock, Megan Murphy and Darah Fuller with White Bear Ankele Tanaka and Waldron, and Jamie Eichenberger with HDR remaining for the discussion. Motion voted in favor.

**MOTION** by Grindlay and seconded by Brown to exit the executive session at 6:35 pm

**18. Potential Discussion and Action Regarding the Collections Interceptor Line**

- The Board directed staff and consultants to release the proposed draft Line Expansion Agreement and draft Public Improvement Acceptance Agreement to developers and requested it be posted on the District website.
- The Board authorized staff to proceed to 30% design and engineering for the interceptor line with a not to exceed amount of \$300,000.

**19. Executive Session**

- Potential executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) (District Manager Annual Review) and NOT involving any specific employees who have requested discussion of the matter in open session; any member of this body or of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

The executive session was tabled for the next District Board meeting scheduled for February 11, 2025.

**20. Potential Discussion and Action on the Subject Matter to be Discussed in Executive Session**

- No discussion or action was taken.

**21. Adjourn**

**MOTION** by Brown and seconded by Grindlay to adjourn the regular board meeting at 6:46 pm. Motion voted in favor.

  
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Drafted by: Tracy Davenport

  
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Submitted by: Kent Fulton