

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT
JUNE 8, 2021**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (MCBWS D) Board of Directors was held at 5:00 pm on Tuesday, **June 8, 2021**, via <https://zoom.us/my/mcbwsdboardmeeting>.

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

Brian Brown Nancy Woolf Nicholas Kempin JD Crichton Jonathan Ferrell

Also present were:

Mike Fabbre, District Manager	Tracy Davenport, Admin Assistant
Perry Solheim, Finance Manager	Kim Wrisley, Admin Assistant
Bryan Burks, Wastewater Plant Supervisor	Marcus Lock, District's Attorney
Kyle Koelliker, Water Plant Supervisor	Steve Bushong, District's Water Quality Attorney

1. Call to Order

- The regular meeting of the Board of Directors was called to order by Chairman Brown at 5:02 pm and a quorum was present.
- Crichton joined the meeting at 5:03.

2. Citizen Comment Period

- No citizens presented comments.

3. Approve Meeting Minutes

- May 11, 2021

MOTION by Kempin and seconded by Woolf to approve the May 11, 2021 regular meeting minutes as submitted. Motion voted in favor.

4. Hunter Ridge, LLC Application for Inclusion (Discussion Only)

- The District will hold a Special Meeting on Monday, June 14, at 5:00 pm to discuss the language of District Rules and Regulations Section 6.3.4 and whether or not to allow a waiver of the annexation requirement under the existing applicable rule as it relates to the inclusion of 45 Hunter Hill Road into the District. Public comments will be accepted through Wednesday, June 9, 2021 at 5:00 pm. The agenda packet for the meeting will be published on Thursday, June 10, 2021. Public comments can still be submitted after 5:00 pm June 9 by emailing info@mcbwsd.com. Comments received after that time will then be published on the website. Currently no public comments have been received.
- In the event the Board decides to waive the annexation requirement, a public hearing will be scheduled to take up the merits of the application for inclusion itself.

5. WTP Expansion Project Update

- The project is still on schedule and within budget. Approximately 1% of the 10% contingency fund has been expended and the District received a \$100,000+/- change order credit from Lacy Construction for the raw water pipeline. Further progress details can be seen in the JVA memo included in the District Manager report.
- The East River Pump Station is now accessible for the season and construction of the new metal building is underway.

6. Meridian Lake Park Water Color Issues (Updates)

- The District received a \$32,314 contract proposal from Carollo Engineers for their work on this project. This is a non-capital budget item for 2021 but there are funds in District Repair & Maintenance categories that can currently be used to address the issue. This is separate from the manganese issues observed at the Wastewater Treatment Plant. The Board is in agreement that the District should move forward with signing the Carollo proposal.

7. District Manager Report

- The District received Permit Modification #4 which removes the I&I compliance schedule.
- The Wastewater Treatment Plant received its triennial Compliance Evaluation Inspection by the CDPHE on 6.8.21. The inspection was successful and the state inspector was complimentary of plant operations.
- The Board expressed congratulations to water operators Brian Carney and Doug Collin on the recent births of their babies.

8. May 2021 Financial Report

- It was determined that there is currently no need for a 2021 contingency fund for the \$32,314 contract with Carollo Engineers for the work to be done in Meridian Lake Park.
- May usage and billing were flat. June usage is expected to increase as irrigation season begins.
- The District received a final payment of \$63,000 (for a total of \$150,000) from the CARES Act grant which funded an IT overhaul and an updated phone system. This grant will now be terminated.
- The District is still waiting on its new truck as production rates have been severely impacted by the COVID 19 pandemic.

MOTION by Woolf and seconded by Crichton to approve the May 2021 Financial Report. Motion voted in favor.

9. Legals

- Colorado House Bill 21 1278 was just passed and clarifies what qualifies as a meeting and a location for purposes of the meeting of a board of a special district. The bill also prohibits a challenge to the method of conducting any special district board meeting that was held virtually before the effective date of the bill. In light of this passage, virtual meetings are permissible and will continue to be permissible going forward.

10. New/Old Business Before the Board

- The Board revisited a conversation from their January meeting to get a status update about the possibility of putting a bonus structure in place for Fabbre. No progress on the matter has currently been made but it was decided that Mountain States Employers' Counsel will be contacted for salary data input to implement an appropriate bonus structure.
- There was discussion about the pros and cons of holding board meetings virtually and for the time being, they will continue to be virtual.

11. Executive Session

- Chairman Brown announced an Executive Session pursuant to C.R.S. § 24-6-402(4)(b), which allows conferences with the District's attorneys for the purposes of receiving legal advice on specific legal questions. The purpose of the executive session will be to discuss with the District's attorneys the process for considering the Wastewater Treatment Plant Discharge Permit.
- It was suggested that Fabbre, Solheim, Burks and Lock remain and for Bushong to join now for the Executive Session and the Board agreed.

MOTION by Brown and seconded by Kempin to move into Executive Session at 5:44 pm. Motion voted in favor.

MOTION by Brown and seconded by Kempin to end the Executive Session at 7:14 pm. Motion voted in favor.

12. Adjourn

MOTION by Brown and seconded by Ferrell to adjourn the regular board meeting at 7:19 pm. Motion voted in favor.

Kimberley Wrisley

Drafted by: Kimberley Wrisley

Perry Solheim

Submitted by: Perry Solheim