

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT
April 12, 2022**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (MCBWS) Board of Directors was held at 5:00 pm on Tuesday, **April 12, 2022**, via <https://zoom.us/my/mcbwsboardmeeting>.

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

Brian Brown, Nancy Woolf, Nicholas Kempin, Jonathan Ferrell (joined the meeting at 5:09 pm), Nancy Grindlay

Also present were:

Mike Fabbre, District Manager	Kim Wrisley, Utility AR Coordinator/Admin Assistant
Perry Solheim, Finance Manager	Tracy Davenport, Utility AP Coordinator/Admin Assistant
Bryan Burks, Wastewater Supervisor	Marcus Lock, District's Attorney
Steven Bushong, District's Discharge Permit Attorney (joined for executive session)	

1. Call to Order

- The regular meeting of the Board of Directors was called to order by Brown at 5:00 pm and a quorum was present.

2. Seating New Board Member

- Nancy Grindlay was appointed to the vacant MCBWS Board seat for the month of April. The May third election has been canceled. At the May 10 meeting she will be seated for a 3-year term position along with Brown and Ferrell. There will be a review of the Board roles and any potential role changes will be made at that time. There will also be a review of the District's common Parliamentary Orders.

3. Citizen Comment Period

- No citizens presented comments.

4. Approve Meeting Minutes

- March 8, 2022
- Solheim was not present at the March meeting but as the Board Secretary he has reviewed the minutes and is subsequently submitting them.

MOTION by Kempin and seconded by Woolf to approve the March 8, 2022 regular meeting minutes. Grindlay abstained and Ferrell did not vote as he had not yet joined the meeting. Motion voted in favor.

5. Water Treatment Plant Expansion Project Update

- Updates and progress can be seen in the monthly memo from JVA and on the District Manager Report.
- The project is on schedule and within budget. A few minor delays have occurred as the result of supply chain issues and there are a couple of small change orders but these have had minimal impact on overall progress.
- The District is planning to have an open house this summer or early fall for the public to tour the new plant.

6. District Manager Report

- Fabbre noted that updates can be seen in the District Manager report.
- The District will be purchasing a 2011 PistenBully 100 Snowcat from the Crested Butte Nordic Center for \$65,000. It was previously approved as part of the WTP Expansion project as a critical piece of infrastructure. It includes a tiller and several attachments. It is in very good condition and has been well maintained.
- The District has hired Will Brunner as a water operator so the District is once again fully staffed.
- Fabbre noted that improvements to the Wildhorse Lift Station can be seen in the report.
- Fabbre reported that there have been several mainline breaks over the last few weeks. Associated costs vary by severity and location of the breaks. The Headworks area leak has resolved on its own and was likely caused by over saturation of the hillside after a prior mainline break at Gothic and Hunter Hill Roads. The District's leak detection vendor will be doing their annual inspection for the entire distribution system in the near future.
- A chemical delivery that was dropped off at the Washington Gulch Trailhead was the result of a new RAC Transport driver who was uncertain about routes and delivery protocols. Water operators retrieved the chemicals and the problem was resolved following reports to Treatment Technology and RAC Transport.
- Appreciation and congratulations were expressed to one water operator and one wastewater operator who received their highest departmental certifications.

7. Audit Engagement Letter

- Solheim explained the cost of the 2021 audit is estimated at about \$14,700.
- Mayberry & Co is experiencing significant staffing shortages so they will be doing the audit in May this year instead of March. Solheim does not anticipate any problems with this later timeframe.

MOTION by Kempin and seconded by Woolf to accept the 2021 Audit Engagement Letter from Mayberry & Company. Motion voted in favor.

8. December 2021 Period 13 Financial Report

- The final 2021 WTP expansion capital improvements have been included in this report.
- Solheim explained that at the May meeting he will be presenting a Board Resolution amending the 2021 budget. It will include 2020 Daisy Circle repairs that were paid in 2021, it will remove the amount budgeted for a potential land purchase and it will also move the approved 2021 purchase of a water department truck to 2022 since supply chain shortages prevented a 2021 purchase.

MOTION by Kempin and seconded by Ferrell to approve the December 2021 Period 13 Financial Report. Motion voted in favor.

9. March 2022 Financial Report

- Kempin reviewed page 36 of the Board packet which shows that usage and billing were tracking as anticipated.
- Solheim will be changing future financial reports to show separate line items for planned and unplanned Repair and Maintenance issues instead of combining those into one single line item.
- Part of the \$35,005 for MLP operations shown on page 37 of the packet includes the mainline break on Meridian Lake Drive and the one large \$89,832.50 payment to Lacy Construction shown on page 40 displays the breakdown of repairs/allocations by location and department. There will be more work done for the mainline breaks to repair asphalt once the weather allows.
- It was suggested that the upcoming 2022 budget amendment resolution should also account for the unexpected Repair and Maintenance possibilities.
- It was noted that the District must remain competitive to retain staff therefore discussions to brainstorm ideas for how best to achieve the competitiveness, such as potential employee housing, will be forthcoming. It was reported that recently the town of Mt Crested Butte was able to offer one of its employee housing units to the District and this opportunity resulted directly in the retention of a District employee.

MOTION by Woolf and seconded by Kempin to approve the March 2022 Financial Report. Motion voted in favor.

10. Legals

- Lock reported that the Meridian Lake Park Committee is still considering the draft agreement.
- Lock has been researching additional title issues to be resolved in conjunction with the MLPC agreement. He observed that there are 2 Meridian Lake Meadows parcels and 2 Pristine Point parcels that should properly be owned by the District because its infrastructure is located on them. David Liensdorf, the attorney who represents these parties, has requested separate agreements for each entity to convey the properties to the District and they are willing to do so without material consideration. Lock suggests also clarifying information about the utility easement along Pristine Point Drive for the potential pipeline from MLP Reservoir up to Long Lake as part of the agreements. Lock and Fabbre still have some parcel boundary details to work through with the county prior to creating these two agreements.

11. New/Old Business Before the Board

- No new or old business was presented.

12. Executive Session

- Potential executive session pursuant to C.R.S §24-6-402(4)(b), which allows conferences with the District's attorney for the purposes of receiving legal advice on specific legal questions. The purpose of the executive session will be to discuss with the process for evaluating IT security with District legal counsel.
- Potential executive session for discussion of the Memorandum of Agreement, as amended, between the Mt Crested Butte Water and Sanitation District and Meridian Lake Park Corporation and potential settlement agreement related thereto under and pursuant to C.R.S. Section 24-6-402(4)(a), (b) and (e)(I), which concern respectively purchase or sale of property interests, conferences with the District's attorney 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.

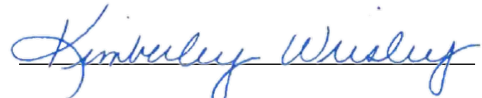
- Potential executive session pursuant to C.R.S. §24-6-402(4)(b), which allows conferences with the District's attorney for the purposes of receiving legal advice on specific legal questions. The purpose of the executive session will be to discuss the process for considering the Wastewater Treatment Plant Discharge Permit with legal counsel.

MOTION by Brown and seconded by Kempin to move into Executive Session at 5:54 pm with Fabbre, Solheim, Burks, Bushong and Lock joining for the discussion. Motion voted in favor.

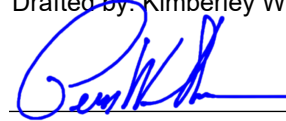
MOTION by Brown and seconded by Woolf to exit Executive Session at 7:56 pm. Motion voted in favor.

13. Adjourn

MOTION by Brown and seconded by Ferrell to adjourn the regular board meeting at 7:58 pm. Motion voted in favor.



Drafted by: Kimberley Wrisley



Submitted by: Perry Solheim