

MINUTES OF THE REGULAR MEETING OF THE BOARD OF
DIRECTORS OF THE ST. MARY'S GLACIER WATER AND
SANITATION DISTRICT
HELD

MONDAY, JUNE 27, 2022

A regular meeting of the Board of Directors of the ST. MARY'S GLACIER WATER AND SANITATION DISTRICT (referred to hereafter as the "Board") was convened on Monday, the 27th day of June 2022 at 6:00 P.M., via Zoom and in person at the Alice School House.

ATTENDANCE

Directors in Attendance Were:

Bruce Hohne, President
Glenn Clark, Treasurer
Jason Yoho, Secretary
James Jandreau, Assistant Secretary
Hans Hultgren, Assistant Secretary

Directors Absent but Excused:

[Arrived when indicated*]

Also, in Attendance Were:

Peggy Dowswell, Sarah Bromley, Christy McCutchen, Kirsten Starman, and Nicole Wing; Pinnacle Consulting Group, Inc.
Colin B. Mielke; Seter & Vander Wall, P.C.
Chris Oeland; St. Mary's Glacier Water and Sanitation District Operator
Gabby Begeman, ORC Operator
Bob Orsatti; Anchor QEA, LLC
Chris Terry; General Contractor
Lyle Ricker and Derek Barnes; St. Mary's Glacier Metropolitan District Board members
Murray Wilkening; Legal counsel for Dan and Patti Parson
Tom Meyers, Ronnie Ratzloff, Morgan Barnes, Mr. Thomas, Mr. Longhenry; Residents

The meeting was called to order at 6:12 P.M.

Director Hohne confirmed that a quorum of the Board was present.

DISCLOSURE
MATTERS

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

ADMINISTRATIVE
MATTERS

Agenda: Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Clark and, upon vote, unanimously carried, the agenda was approved.

Minutes: The Board reviewed the minutes of the May 23, 2022, regular meeting of the Board of Directors. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Clark and, upon vote, unanimously carried, the Board approved the minutes for the May 23, 2022, regular meeting of the Board of Directors.

Public Comments: Lyle Ricker addressed the Board regarding his operations and maintenance concerns, including trash and lack of reflective tape on markers near the roads, and requested more communication between St. Mary's Glacier Metro District and St. Mary's Glacier Water and Sanitation District.

Chris Oeland requested clearer communication between St. Mary's Glacier Metro District and St. Mary's Glacier Water and Sanitation District. Mr. Oeland further expressed the importance of Metro District personnel not touching or removing the Water District's gate valves or valve keys.

Derek Barnes addressed the Board requesting a positive and helpful working relationship between St. Mary's Glacier Metro District and St. Mary's Glacier Water and Sanitation District. Mr. Barnes expressed his agreement that Mr. Oeland can access the Metro District building.

Murray Wilkening addressed the Board on behalf of Dan and Patti Parsons regarding the requirement to pay water and sewer service fees, even during times of unavailability of water. Mr. Wilkening stated he has been in communication with Colin Mielke. Mr. Mielke explained fees are to be paid per the District's Fee Resolution and District Rules and Regulations, without exception, and that the District has historically required payment from other users during times of water service interruptions.

Director Yoho reaffirmed it is necessary to the financial health of the District to keep District fees consistent for all residents. Bob Orsatti noted that water pressure should improve upon completion of projects this year.

There being no further Public Comment, this portion of the meeting was closed at 6:42 p.m.

WATER AND
WASTEWATER
SYSTEM
IMPROVEMENTS

Anchor QEA Water Consultant's Report: Mr. Orsatti reviewed the written Anchor QEA Water Consultant's Report with the Board and answered questions. He reported CDPHE has not yet provided a response to the Districts long-range capital plan.

Brook Drive Emergency Sewer Assessment and Rehab Construction Project: Mr. Orsatti provided a summary of a memo he provided to the Board. He recommended that the District coordinate with Chris Terry, from Premier Consulting and Construction Inc., to complete the Brook Drive project and coordinate compaction testing. Ms. Dowswell noted the District had limited funding for this project. Mr. Orsatti stated that he will work with Mr. Terry and Pinnacle Consulting Group, Inc., to provide recommendations and estimates to the Board by the next meeting.

DISTRICT
OPERATIONS/
MANAGEMENT
ITEMS

Operations Report: Mr. Oeland presented the Board with a written Operations Report and discussed the contents of the report with the Board.

ORC's Report: Ms. Begeman presented the Board with a written ORC Report and discussed the contents of the report with the Board, noting that a new chlorine manifold will be installed this week, and lead and copper samples are scheduled to be completed soon.

Manager's Report: Ms. Bromley, Ms. Starman, and Ms. McCutchen presented the Board with a written Manager's Report and discussed the contents of the report with the Board.

FINANCIAL ITEMS

Consideration of Payables: Ms. Bromley reviewed with the Board the claims for the period ended June 17, 2022, totaling \$50,444.83. Following review and discussion, upon motion made by Director Hohne, seconded by Director Clark and, upon vote, unanimously carried, the Board approved the EFT payments and the claims for the period ended June 17, 2022, totaling \$50,444.83.

LEGAL ITEMS

Discussion Regarding Updates to Tap Application and Permit: Mr. Mielke reviewed the revised St. Mary's Glacier Water and Sanitation District Application and Permit for Water and Wastewater Service with the Board. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Jandreau and, upon vote, unanimously carried, the Board approved the Application and Permit for Water and Wastewater Service.

Consideration of updates to District Rules and Regulations: Mr. Mielke noted the updated section of 4.1 in the Rules and Regulations and requested this be available on the District's website. Mr. Mielke suggested completing a large-scale update to the Rules and Regulations in 2023, in which he and Pinnacle Consulting Group, Inc., can work together with the other consultants. Director Hohne requested changes be tracked and to provide names of who suggested the changes during that process. Mr. Mielke suggested that two Board members assemble as a committee to oversee the revisions to the Rules and Regulations. The Board decided that Director Hohne and Director Yoho will participate on the committee if this is approved for 2023.

Master Service Agreement: Mr. Mielke discussed Mr. Terry's Service Agreement with the Board and recommended that he create a similar Master Services Agreement to the one used for Anchor QEA, which sets forth the main contractual terms and allows for project-specific work to be contracted via additional task orders. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Hultgren and, upon vote, unanimously carried, the Board approved the Service Agreement with the understanding that the Task Orders will be approved by the Board on an as-needed basis.

St. Mary's Glacier Water & Sanitation District Rules and Regulations: Mr. Mielke discussed and reviewed Director Jandreau's suggestion that the District's Rules and Regulations be updated to allow limited water and sewer facilities in detached workshops on residential properties. Mr. Mielke noted that

Director Jandreau would not be participating in the discussion or voting on this matter because it could constitute a potential conflict of interest due to the benefit it could bestow on his property. Mr. Mielke reviewed and discussed the District's Rules and Regulations with the Board. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Hultgren, and upon unanimous vote with Director Jandreau abstaining, the Board approved the concept of limited water and sewer facilities in outbuildings being allowed pending revisions to the Rules and Regulations and the approving fees related to the policy, to be considered at the August board meeting.

DIRECTORS ITEMS

Director Yoho noted a resident's desire for the Water District's assistance in helping the Metro District and private residents flush culverts in the community. The Board discussed potential coordination and liabilities. Mr. Mielke recommended the District obtain waivers of liability from any private residents, and that the District be added as an additional insured on the Metro District's insurance policy if the Water District decides to provide assistance.

OTHER ITEMS

There were no additional items.

EXECUTIVE
SESSION

At approximately 8:20 p.m., Director Hohne moved that pursuant to section 24-6-402(4)(b) and (f), C.R.S. and upon an affirmative vote of at least two-thirds of the Board members present for the motion, the Board entered into executive session for the purpose of receiving legal advice and discussion personnel matters related to employee disciplinary matters and the request to waive sewer and water fees for Dan and Patti Parson. Director Clark seconded the motion and, upon unanimous vote, the Board approved the motion to enter into executive session for the above-stated purpose.

The Board reconvened from executive session at approximately 8:50 p.m. and affirmed that no action was taken in executive session.

Probationary Period: The Board discussed allegations against the District's employee by a resident and the Board's monitoring of the situation since it was raised at the May 2022 board meeting. Upon motion duly made by Director Hohne, seconded by Director Clark and, upon vote, unanimously carried, the Board approved a 30-Day Probationary Period for the District's employee, with the probationary period started on May 23, 2022.

Request for Fee Waiver by 186 Alice Drive: The Board noted the request by Dan and Patti Parsons for a waiver of service fees during times of alleged water service interruption. The Board again noted its treatment of other property owners with similar requests, the financial needs of the District, and the pending projects that the District is completing this year. Upon motion made, seconded and unanimously carried, the Board denied the request from Mr. and Mrs. Parsons to have fees waived and directed legal counsel to inform the Parsons' attorney, Mr. Wilkening, of the determination.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 8:53 P.M.

By:

Nicole Wing
Nicole Wing, Secretary for the Meeting