

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

HELD

Monday, June 22, 2020

A special 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 22nd day of June, 2020, at 6:00 P.M., via videoconference.

ATTENDANCE

Directors in Attendance Were:

Bruce Hohne, President
Glenn Clark, Treasurer
Jason Yoho, Secretary
Beth Ramsey, Assistant Secretary
Frank Brown, Assistant Secretary

Also, in Attendance Were:

Jim Nikkel and Traci Miller; Pinnacle Consulting Group, Inc.
Colin B. Mielke; Seter & Vander Wall, P.C.
Chris Oeland: St. Mary's Glacier Water and Sanitation District Operator
Pete and Penny Landau, Marci Mayo, and Rhiannon Deibert; St. Mary's Glacier Residents.

The meeting was called to order at 6:01 P.M.

Director Hohne confirmed that a quorum of the Board was present with five out of five Board members in attendance.

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 Brown, seconded by Director Ramsey and, upon vote, unanimously carried, the agenda was approved as presented.

Minutes: The Board reviewed the minutes of the May 26, 2020 special meeting of the Board of Directors. Following review and discussion, upon motion duly made by Director Brown, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the minutes of May 26, 2020 special meeting of the Board of Directors, as presented.

Public Comments: There were no public comments.

WATER SYSTEMS
IMPROVEMENTS

Orsatti Water Consultant's Report: Mr. Orsatti reviewed with the Board the written Orsatti Water Consultant's Report. Mr. Orsatti noted that the negotiation process continues with CGRS to determine a guaranteed maximum price for the Water System Improvements project. Mr. Orsatti and Mr. Nikkel will participate in a conference call with CGRS later this week to finalize the proposal and scope of work. Mr. Orsatti reviewed with the Board the updated project details.

Mr. Orsatti reported that Colorado Water Well completed additional hydraulic pumping and development at Well #3. Samples have been collected and submitted to the State. Initial results are positive and indicate that the well is producing water as expected.

Wastewater System Improvement Proposal: Mr. Nikkel distributed to the Board the Wastewater System Improvement Proposal. Mr. Orsatti reviewed the permitting process and requirements, and wastewater system design details. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Ramsey and, upon vote, unanimously carried, the Board approved the Wastewater System Improvement Proposal.

Lamp Rynerason Change Order: Mr. Orsatti reviewed with the Board the Change Order for Survey Services with Lamp Rynerason for additional work related to Lot 70. Mr. Orsatti reported that Clear Creek County has requested that Lot 71 is surveyed due to the boundary changes on Lot 70. Following review and discussion, upon motion duly made by Director Yoho, seconded by Director Clark and, upon vote, unanimously carried, the Board approved the Change Order for Survey Services with Lamp Rynerason for additional work related to Lot 70.

DISTRICT
MANAGER ITEMS

ORC Report: Mr. Nikkel reviewed with the Board the written ORC Report.

Operations Report: Mr. Oeland reviewed with the Board the written Operations Report.

Manager's Report: Mr. Nikkel discussed that there were rumors in the community that the District had drilled a poorly performing well that was producing large volumes of sand at Well # 3. Mr. Nikkel reiterated that Well #3 is performing well and that there are no concerns with its performance. Mr. Nikkel reported that clean, clear water is being produced and it is expected to continue to improve over time.

FINANCIAL
ITEMS

Review and Consideration of Payables: Mr. Nikkel reviewed with the Board the claims for the period ended June 11, 2020, totaling \$58,955.56. Following review and discussion, upon motion duly made by Director Clark, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the EFT payments and the claims for the period June 11, 2020, totaling \$58,955.56.

LEGAL ITEMS

Consider request for Combination of Lots: The Board discussed a request from Mike Ryan of Lots 387 and 388, St. Mary's Subdivision Unit 3 to combine the two lots into a single lot, and specifically (1) that the Board waive any objection to the combination of those two lots, and (2) the Board vacate easements that exist between the two lots. Mr. Oeland has evaluated this situation in the field and found no issue with allowing Mr. Ryan to combine these lots.

Following review and discussion, upon motion duly made by Director Brown, seconded by Director Yoho and, upon vote unanimously carried, the Board determined that (1) it does not object to the combination of the two lots; and (2) the District agrees to vacate the easement interests it may have solely for the 5-foot side lot line utility easement located between the two lots, subject to the combination of those lots being approved and completed by Clear Creek County. Furthermore, the District reserves any easement rights it may have on other areas of the lots, including but not limited to the entirety of the easements along street lot lines, rear lot lines, and other side lot lines for the lots.

Update Regarding Revised Request for Combination of Lots – CLA 2019-0017, CLA 2020-0001, CLA 2020-0002 and CLA 2020-0003: Mr. Mielke reported that correspondence was received from Clear Creek County inviting members of the Board to meet with Mr. Van Dyne to discuss several items including lot combination procedures, infrastructure development plans and revenue sources. It was the consensus of the Board to only discuss matters directly relating to the District. Mr. Mielke reported that the County Commissioners are not able to join the meeting due to potential conflicts of interest. Mr. Mielke will coordinate with two directors to participate in a telephone conference with Mr. Van Dyne and other county representatives.

Update Regarding Proposed Easement from Property Owner Adjacent to Well #1: Mr. Mielke reported to the Board that the property owner adjacent to Well #1 has granted approval for the easement. The District will reimburse the property owner for associated expenses, in the amount

of \$5,000. The easement will be recorded with Clear Creek County once payment has been made.

Update Regarding Notice of Violation for 29 and 31 Eva Road: Mr. Mielke reported that he spoke to the attorney for Mr. Landau regarding the Notice of Violation. Mr. Mielke expects to receive a formal response this week regarding Mr. Landau’s stance on the issue.

Update Regarding Claims by Mr. Grech regarding Interruption of Service to 401 Lake Road: Mr. Mielke reported that Mr. Grech has not responded to communication regarding service line responsibilities nor has Mr. Grech provided the District with a copy of a previous settlement agreement that he referenced in prior correspondence. Mr. Mielke reiterated that the District’s rules require property owners to maintain their service lines, and noted that the District’s operations technician had previously confirmed the freezing had occurred in Mr. Grech’s service line, not the District’s main line.

Update Regarding Woods Court Infrastructure Proposal: Mr. Mielke reported that Mr. Orsatti and Mr. Meyers are working together to determine the details of the Woods Court Infrastructure Proposal. Mr. Orsatti will ensure that the plan meets the District’s requirements regarding main line extension. Mr. Mielke noted that the District can draft a cost sharing agreement to for Mr. Meyers to receive reimbursement from property owners who directly benefit from the main line extension.

Wastewater Treatment Plant Property: Mr. Mielke recommended obtaining a title commitment for the wastewater treatment plant property to confirm ownership and encumbrances against the property. Mr. Mielke reported that a title company has been contacted and was notified that the cost will be approximately \$1,500. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Ramsey and, upon vote, unanimously carried, the Board authorized Mr. Mielke to proceed with obtaining a title commitment for the Wastewater Treatment Plant property.

DIRECTORS
ITEMS

There were no Directors Items brought before the Board.

OTHER ITEMS

There were no Other Items brought before the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 7:25 p.m.

By: 
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Secretary for the Meeting