

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

MONDAY, SEPTEMBER 26, 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 26th day of September 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

Directors Absent but Excused:

Hans Hultgren, Assistant Secretary

Also, in Attendance Were:

Peggy Dowswell, Sarah Bromley, Kevin Mitts, Christy McCutchen, Kirsten Starman, and Bryan Newby; 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  
Marc Lamoureux, Marissa Peck; Resident

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

Director Hohne confirmed that a quorum of the Board was present with four out of the five board members present at the start of the meeting.

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: The Board reviewed the agenda. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Jandreau and, upon vote, unanimously carried, the agenda was approved as presented.

Minutes: The Board reviewed the minutes of the August 22, 2022, regular meeting of the Board of Directors. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the minutes for the August 22, 2022, regular meeting of the Board of Directors.

Public Comments: The Board opened the meeting to public comment. Mr. Lamoureux expressed discontent to the Board over work that had been previously completed near his property. He requested that the District conduct post-construction clean-up.

There being no further Public Comment, this portion of the meeting was closed.

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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. Mr. Orsatti confirmed that the Water System Improvements Project is still on track to finish this season. Mr. Orsatti plans to meet with Mr. Hohne, Mr. Oeland, and Mr. Meyers to review the Woods Ct. Development Utilities Design.

Ratification of Agreement with Anchor QEA for Tasks 1-3 of Proposal for Wastewater Treatment Facility Project: Mr. Orsatti reviewed the Agreement with Anchor QEA for Tasks 1-3 of Proposal for Wastewater Treatment Facility Project. Mr. Mielke confirmed that the Board approved proceeding with Tasks 1-3 at the prior board meeting, and that the Agreement sets forth terms by which those Tasks will be performed. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the Agreement with Anchor QEA for Tasks 1-3 of Proposal for Wastewater Treatment Facility Project.

Review and Consideration of Task Four of Final Anchor QEA Engineering Design and Construction Phase Services for the WWTF Improvement Project: Ms. Bromley informed the Board that the District's budget has enough funds to complete Task 4 of the WWTF improvement project. Ms. Bromley discussed pursuing Task 4 with the Board. Mr. Mielke reminded the Board of Director Hultgren's comments at the prior board meeting and that the reason for grouping Tasks 1-3 together was because it created a complete package that allows Tasks 4-9 to be bid out at a later date if desired. Mr. Orsatti confirmed that if the Board decided to request bids for Tasks 4-9, stopping after Task 3 would be an appropriate point of transition. Following review and discussion, it was decided to table this conversation until Director Hultgren is present to comment.

Review and Consideration of Task Order 22-04: Mrs. Bromley reviewed the Board Task Order 22-04 related to Anchor QEA's contract for general on-call engineering services. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved Anchor QEA Task Order 22-04 subject to a not-to-exceed cost of \$10,165.

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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. Mr. Oeland informed the Board of an issue at Silver Creek. A sewer main needs to be extended, but efforts to track the passage of the main have proven difficult. Mr. Oeland discussed with the Board possible solutions, including digging until the path of the sewer main is discovered. The Board expressed concern over the destructive impact of such a digging operation. Mr. Oeland reviewed with the Board the status of the Brook Drive Sanitary Sewer Emergency repair and

updated the Board on his search for a hot jetter priced within the allocated budget. He reported that finding a hot jetter in this price range has been difficult, but he will continue efforts. Mr. Oeland is considering installing a heat line to mitigate the sewer lines freezing in the winter. Mr. Oeland reported that a resident had expressed interest in taking ownership of the shed at Well House #3, which the District no longer needs. Director Hohne expressed concern that the shed is not on the resident's property, and if permission is granted to take ownership, then the resident would have to remove the shed and place it on his own property. The Board decided to seek further legal consultation before making a decision and tabled the decision until sometime in 2023.

ORC's Report: Ms. Begeman presented the Board with a written ORC Report and discussed the contents of the report with the Board. Ms. Begeman informed the Board that a CDPHE compliance inspection was undertaken at the Wastewater Treatment Plant. The inspection went well. The District will receive a final report at a later date. Ms. Begeman also received an inquiry from contractors working on private service lines in the District requesting St. Mary's Glacier Water & Sanitation District's Rules and Regulations pertaining to private service line specifications. Ms. Bromley informed Ms. Begeman that the Rules and Regulations can be found on the District's website, and that she will send a copy of them directly to Ms. Begeman.

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. Ms. Starman reported there is a great working relationship with all parties working on projects together. Ms. Bromley informed the Board that quarterly reports are due by the end of September, and Pinnacle Consulting Group will be submitting them to CDHPE on Friday, September 30<sup>th</sup>. Ms. Bromley and Ms. Dowswell discussed with the Board the option of employing a full time District Manager solely dedicated to the District. Director Jandreau asked about the water and sewer fees payment schedule, and whether fees must be paid monthly or whether a different payment schedule could be implemented. Ms. McCutchen informed the Board that fees are invoiced monthly, however, they can be paid at any interval so long as they are paid in advance. Ms. McCutchen also reminded the Board that there is an additional charge for paying these fees with a credit card, but there is no charge when paying with a check.

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## FINANCIAL ITEMS

Consideration of Payables: Ms. Bromley reviewed with the Board the claims for the period ended August 31, 2022, totaling \$356,835.69. 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 August 31, 2022, totaling \$356,835.69.

Review and Approval of 2021 Audit: The Board agreed to postpone discussion of the 2021 Audit until a future meeting.

Resolution of the Board of Directors Authorizing the Legal Signors: Ms. Bromley reviewed a resolution authorizing legal signors with the Board. Ms. Bromley noted it was substantially similar to the one recently approved by the Board, but that it now identifies specific individuals as signors as required by CDPHE for grant signatory purposes. Following review and discussion, upon

motion made by Director Hohne, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the Resolution of the Board of Directors Authorizing the Legal Signors.

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LEGAL ITEMS

Stipulation with Owner of 230 Little Creek Road: Mr. Mielke provided an update to the Board regarding a settlement with the owner of 230 Little Creek Road who had a payment account fall into default status. The settlement resulted in an agreement between the property owner and the District wherein the resident would catch up on their default payments through scheduled supplementary payments. The property owner has since fallen behind in these payments. Mr. Mielke reported that the default sum has nearly been paid and discussed the Board's rights regarding enforcement of the stipulation. The Board determined to continue seeking repayment from the property owner without seeking default from the court at this time, but noted it reserves its full rights pursuant to the stipulation if payments continue to be delinquent.

Public Hearing for Certification of Delinquent Accounts: Mr. Mielke informed the Board that the Clear County Creek Treasurer has adjusted deadlines to certify delinquent accounts for collection with property taxes, and the District must therefore hold its public hearing regarding certification of delinquent accounts in October this year, which is a month earlier than prior years. Pinnacle Consulting Group, Inc. has accumulated all delinquent accounts and the District will deliver notices to applicable accounts for a public hearing at the regular board meeting in October.

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DIRECTORS ITEMS

Director Hohne informed the Board that he received an inquiry from a resident regarding the possibility of constructing a dock on their property that extends into the adjacent lake. The Board discussed the resident's inquiry and asked Mr. Mielke for advice regarding the legality of the construction. Mr. Mielke responded saying that further research will have to be completed. Director Hohne stated that he will update the resident. No further actions were taken.

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OTHER ITEMS

There were no additional items.

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EXECUTIVE  
SESSION

There was no executive session held.

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ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 7:26 P.M.

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By:

  
Bryan Newby, Recording Secretary for the Meeting