

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

MONDAY, OCTOBER 24, 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 24th day of October 2022, at 6:00 P.M., via Zoom and in person at the Alice School House.

ATTENDANCE

Directors in Attendance Were:

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

Directors Absent but Excused:

Glenn Clark, Treasurer

Also, in Attendance Were:

Peggy Dowswell, Sarah Bromley, Kevin Mitts, Christy McCutchen, Kirsten Starman, Nicole Wing, Amanda Castle, and Jennifer Ondracek; 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
Marissa Peck, Bart Bockman, Tom Meyers, Eduard Ulyanovskiy, Pam Kidwell, Ralph Chavez, and residents of the District; Resident

The meeting was called to order at 6:03 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 September 26, 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 September 26, 2022, regular meeting of the Board of Directors.

Public Comments: The Board opened the meeting to public comment. Ms. Kidwell stated her water bill increased and is having issues paying the bill online. Mr. Bockman stated his water bill was too high. Mr. Ulyanovskiy stated he recently installed a tap and disagreed with being charged water and sewer. Director Hohne explained per the District's Rules and Regulations monthly water and sewer service fees once connection is made into the system. Ms. McCutchen provided Pinnacle Consulting Group, Inc.'s contact information and encouraged residents to reach out when they are experiencing issues.

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

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 expressed his concern regarding the width of existing roadbed near the Woods Ct. development.

Review and Consideration of Task Four of Final Anchor QEA Engineering Design and Construction Phase Services for the WWTF Improvement Project: Ms. Starman reviewed the Task Four of Final Anchor QEA Engineering Design and Construction Phase Services for the WWTF Improvement Project with the Board. Mr. Mielke stated there is funding in place to complete Task Four. Director Hultgren requested to put the remaining task numbers out to bid. Mr. Orsatti stated he is willing to collaborate with the Board on reducing the estimated price of Tasks Four through Nine. After further review and discussion, upon motion duly made by Director Hohne, seconded by Director Jandreau and, upon vote, unanimously carried the Board approved Director Hultgren and Director Jandreau to prepare a scope for a competitive bid process for engineering to present to the Board in November. Mr. Mielke agreed to assist with the bidding process once the scope of work is complete.

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 reported he has not been able to locate a Hot Jetter for less than \$50,000. Following review and discussion upon motion duly made by Director Hohne, seconded by Director Hultgren and, upon vote, unanimously carried, the Board approved to increase the purchase of a Hot Jetter in an amount not to exceed \$60,000.

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 reported that she continues to collaborate with Mr. Orsatti to finish work on Well No. 1. Ms. Begeman reported there will be an engineering meeting to address compliance schedule for the Wastewater Treatment Plant. Ms. Begeman will continue to collaborate with Pinnacle Consulting Group, Inc. with responses to CDPHE.

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. Bromley explained that three lots were erroneously billed availability of service fees rather than water and wastewater service fees. Ms. Castle reported residents were provided information about water and wastewater billing per the Application for Water and Wastewater Services and were aware that their properties were receiving water and wastewater services during the applicable time period. Ms. Bromley reported that the billing has been corrected and that there is a new tracking process to prevent this from happening in the future. Following review and discussion, upon motion made by Director Hohne, seconded by Director Yoho, upon vote, unanimously carried, the Board approved invoicing constituents for the correct water and sewer amounts.

Ms. Bromley reported Pinnacle Consulting Group, Inc is starting the recruitment process for a District Manager and answered questions from the Board. The Board appointed Director Hohne and Director Jandreau as the hiring committee. Mr. Mitts reported that the District received nine applications for the position.

Metro District Building User Agreement: Ms. Bromley reported that legal counsel reviewed the Metro District Building User Agreement and is in the process of revising the agreement. It is anticipated that the lease will be presented for the Board's consideration at the next Board meeting.

FINANCIAL ITEMS

Consideration of Payables: Ms. Ondracek reviewed the claims for the period ended October 19, 2022, totaling \$286,423.26 with the Board and answered questions. Following review and discussion, upon motion made by Director Hohne, seconded by Director Hultgren and, upon vote, unanimously carried, the Board approved the EFT payments and the claims for the period ended October 19, 2022, totaling \$286,423.26.

Public Hearing regarding Certification of Delinquent Accounts to County Treasurer: Mr. Mielke presented the Board with a resolution regarding certification of delinquent accounts and a list of delinquent accounts that meet the statutory criteria for certification of those accounts to be submitted to the County Treasurer to be collected with property taxes. It was confirmed that notice of delinquencies and public hearing were delivered to the applicable accounts.

The Board reviewed the list of accounts subject to certification to the County Treasurer. Mr. Mielke opened the public hearing on the certification of the delinquent accounts and asked if any representatives of those accounts were present for the public hearing.

at the owner of 134 Little Creek Road addressed the Board and confirmed she received notice of the certification. She affirms that she owes money to the District and requested that the Board refrain from certifying her property as she is waiting for public relief funds through COVID-19 Relief Fund, as well as seeking her own legal counsel. She requested itemized statements from 2018 to present with corrected billing statements. Ms. Kidwell stated she plans to make monthly payments and hoping that the relief fund will help her get caught up with payments. Ms. Castle offered to provide her an itemized bill. The Board further discussed and determined to remove her property from the list of

accounts to be certified to the County Treasurer, but noted the large delinquency and the Board's intention to certify the delinquent account in 2023 if the balance is not made current in 2023.

The owner of 440 Beaver Road addressed the Board and requested the Board refrain from certifying his property as he has qualified for LEAP assistance from the State of Colorado. Once he receives funds, he will make monthly payments. The Board further discussed and determined to remove the property from the list of accounts to be certified to the County Treasurer.

The owner of 210 Little Creek Road addressed the Board and requested that the Board refrain from certifying his property. He qualified for LEAP relief funds and is expecting to receive funds within the next 30 days. The owner stated he could make double payments toward his bill until the LEAP funds were available. The Board further discussed and determined to remove the property from the list of accounts to be certified to the County Treasurer.

The owner of 250 Upper Forest addressed the Board with a proposal via email, requesting a payment plan for the remainder of the calendar year. The Board discussed the request and determined to remove the property from the list of accounts to be certified to the County Treasurer.

There being no further comment from the community, the public hearing was closed. After review and discussion, and upon motion made by Director Hohne, seconded by Director Yoho, upon vote, unanimously carried, the Board approved the resolution certifying the delinquent accounts, subject to the removal of the accounts discussed and subject to the removal of any other accounts that make full payment by November 15, 2022.

2021 Audit: Ms. Ondracek presented the 2021 Audit to the Board and noted the formatting and the loan amount will be edited. Ms. Ondracek will send the updated 2021 Audit to the Board once the corrections have been made. Following review and discussion, upon motion made by Director Hohne, seconded by Director Hultgren, upon vote, unanimously carried, the Board accepted the 2021 Audit subject to correction of the formatting and updating the loan amount.

2023 Budget Review: Ms. Castle presented the 2023 Budget to the Board and answered questions. Director Hultgren stated that he is not in support of the proposed five percent increase in District fees as it impacts the Districts Budget. Ms. Castle explained that the five percent increase in District fees is necessary to help sustain the District and to offset other costs. The budget hearing will be held at the November board meeting.

LEGAL ITEMS

FAMLI Act: Mr. Mielke presented the Board with a memorandum regarding the recently enacted FAMLI Act and reviewed the provisions of the FAMLI Act with the Board and answered questions. Mr. Mielke explained the options to remain opted-in to the FAMLI Act, to fully opt-out of the FAMLI Act, or to partially opt-out of the FAMLI Act. Following review and discussion, upon motion made by Director Hultgren, seconded by Director Hohne, upon vote, unanimously carried, the Board approved to opt in to the FAMLI Act and

determined that the District will pay employees' portions of wage deductions required under the Act.

DIRECTORS ITEMS

Director Hohne informed the Board that he has been collaborating with the fire chief regarding fire hydrants and grant funding.

OTHER ITEMS

Mr. Orsatti addressed the Board and stated Anchor QEA's Scope of Service, attached as Exhibit A in the First Amendment to Agreement for Services related to the Phase II Water System Improvements Project, expired September 2022. He requested the Board extend the Scope of Services to complete engineering services for the Phase II Water System Improvements Project through December 2022. Following discussion, upon motion made by Director Hultgren, seconded by Director Hohne, upon vote, unanimously carried, the Board approved to extend Mr. Orsatti's Scope of Services in the Services Agreement for Phase II Water System Improvements Project through December 31, 2022, and not to exceed \$23,000.

EXECUTIVE
SESSION

There was no executive session held.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 8:37 P.M.

By:

Nicole Wing _____
Nicole Wing, Recording Secretary for the
Meeting