

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
MARY'S GLACIER WATER AND SANITATION DISTRICT
HELD
October 22, 2018

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 22nd day of October 2018, at 6:00 P.M., at Alice School House, 271 Silver Creek Road, Idaho Springs, Colorado, 80452.

ATTENDANCE

Directors in Attendance Were:

Bruce Hohne, President/Secretary
Ray Hodge, Treasurer
Glenn Clark, Secretary

Also, in Attendance Were:

Peggy Dowswell; Pinnacle Consulting Group, Inc.
Colin Mielke; Seter & Vander Wall, P.C.
Chris Oeland; St. Mary's District Employee
Bob Orsatti; TZA Water Engineers

Beth Ramsey, Glen Lutsch, Edward Garcia, Pam Kidwell, Drexel Disbrow, Jim McGrath, Mary Romero; St. Mary's Glacier Community Members

Director Hohne called the meeting to order at 6:00 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: A proposed agenda for the regular meeting was distributed for the Board's review and approval. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Hodge and, upon vote, unanimously carried, the agenda was approved as presented.

Discussion Regarding Board Vacancies: Mr. Mielke informed the Board that Peter

Hansen has expressed interest in serving on the Board and that his firm confirmed Mr. Hansen's qualifications to serve on the Board. The Board discussed Mr. Hansen's interest and qualifications, and upon motion made, seconded and unanimously carried, the Board appointed Mr. Hansen to the vacant seat on the Board to serve until the 2020 term.

Public Comments: Director Hohne opened the meeting for public comment. There being no comments made by the community members present, Director Hohne closed the public comment period.

Minutes: The Board reviewed the minutes of the August 27, 2018 regular meeting of the Board of Directors. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Hodge, and upon vote, unanimously carried, the Board approved the minutes of the August 27, 2018 regular meeting of the Board of Directors as presented.

FINANCIAL
MATTERS

Review and Consideration of Payables: Ms. Dowswell reviewed claims for the period ending August 31, 2018 totaling \$40,586.44.

Following review and discussion, upon motion duly made by Director Hodge, seconded by Director Hohne and, upon vote unanimously carried, the Board ratified the EFT payments and the claims for the period ending August 31, 2018, totaling \$40,586.44.

Review and Consideration of 2018 Audit Engagement Letter: Ms. Dowswell reviewed the 2018 Audit Engagement Letter with Marc, James & Associates, PC.

Following review and discussion, upon motion duly made by Director Hodge, seconded by Director Hohne and, upon vote unanimously carried, the Board approved the 2018 Audit Engagement Letter with Marc, James & Associates, PC.

Public Hearing to Consider Resolution to Adopt the 2019 Budget; Set Mill Levies; and Appropriate Sums of Money: Director Hohne opened the public hearing to consider adoption of a Resolution to Adopt the 2019 Budget; Set Mill Levies; and Appropriate Sums of Money.

Ms. Dowswell noted that publication of a notice regarding the public hearing for the proposed 2019 was made in a newspaper having general circulation within the District. No written objections or public comments were received prior to the public hearing. There were no comments made by the members of the public in attendance, and upon motion duly made by Director Hone, seconded by Director Clark and, upon vote, unanimously carried, the public hearing was closed.

Ms. Dowswell presented the revised 2019 draft budget, including estimated revenues, expenditures and ending fund balances per the general, enterprise, debt service and capital funds. Ms. Dowswell noted that the proposed budget included a

rate increase of \$180/year to \$2200 total for those connected to the system and the same increase of \$180/year to \$240 total for AOS payers. The Board will take up the rate discussion at the November board meeting. The Board and members of the public further discussed in detail the plans for financing and constructing water and sewer system repairs within the District.

Following discussion, upon motion duly made by Director Hohne, seconded by Director Clark and, upon vote, unanimously carried, subject to the Rate Hearing next month, the Board adopted the Resolution to Adopt the 2019 Budget; Set Mill Levies; and Appropriate Sums of Money, and, further, authorized minor adjustments to the draft budget and Resolution that may be required as a result of the Counties' final Certifications of Assessed Valuation on or before December 10, 2018.

Ms. Dowswell was authorized to transmit the Certification of Mill Levies to the Board of County Commissioner of Clear Creek County, the Division of Local Government and the Division of Property Taxation, not later than December 15, 2018.

Public Hearing regarding Service Shut Off for Delinquent Accounts

The Board opened the Public Hearing on the Service Shut off for Delinquent Accounts. Ms. Kidwell stated that she had a prior payment plan which she followed except one payment and has reconciled her balance to show she has a payoff amount she calculated of \$2553.35, noting a January payment that the District's books did not show. She noted that she has not had water service to her property for 10 years due to problems with AAA and last year Chris got her service. Ms. Kidwell stated that she would make a payment of \$2,553.35 by November 5th.

Mr. James McGrath explained to the Board that his automatic payments for the year mistakenly did not include amounts for the 2018 rate increases, and requested additional time to pay the difference in the amounts billed versus the amounts paid. that.

Mr. Randy Pitts stated that he mailed a money order to the District Managers' office and would like to make \$300 payments per month.

Ms. Teresa Chauteneuf noted that they haven't had water for over 4 years and her husband Michael is very ill and can't work.

Ms. Romero requested that the balance of her late fathers' property be forgiven by the Board, as her father was sick for a very long time and there is no longer a building on the lot. The Board noted that it is unable to forgive balances and must apply the District's Rules and Regulations in a fair and equal manner across every user and with such a small amount of users, everyone must do their part. Ms. Beth Ramsey noted that she is forming a coalition of major non-profits in the county to aid in assisting residents with their water bills, but it likely no funds would be available until next year.

Ms. Dowswell presented to the Board a list of delinquent accounts, and a list of

proposed payment plans received from community members. It was the consensus of the Board not to shut off service to delinquent accounts at this time and the Board recognized that there is a lack of community resources for those that need assistance with their water and sewer bill. The Board directed Pinnacle Consulting Group, Inc. to contact all owners with delinquent accounts to establish payment plans and present the payments plans at the next board meeting for approval. On November 30, 2018, delinquent accounts that meet the statutory criteria for certification and have not established a payment plan will be turned over to the County Treasurer to be collected with taxes. A public hearing on the certification of delinquent accounts will be held at the November 26, 2018 board meeting.

DISTRICT
MANAGER ITEMS

ORC's Report: Ms. Dowswell reviewed the written ORC report prepared by ORC Water Professionals. It was noted that the PRV #3 was replaced and is regulating pressure downstream.

Operations Report: Ms. Dowswell reviewed the written Operations Report prepared by Chris Oeland. It was noted that a new service taps were installed on Silver Creek and Beaver Road. Mr. Oeland also reported that the District's truck is getting old and will need replaced and noted that he will check Bidnet and Colorado Rural Water for possible trucks for sale.

Manager's Report: Ms. Dowswell reviewed her Manager's Report and answered questions. Ms. Dowswell reviewed the housing of the district's equipment separate from the Metro District's building.

Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Hodge, with Director Clark abstaining, upon vote unanimously carried, the Board approved the purchase of a container to house the District's equipment, with direction to management to notify the Metro District that their building will not be needed for the District's equipment in 2019.

Ms. Dowswell stated that management would prefer to switch the District to monthly billing in 2019 for properties connected to the water and wastewater systems, and to switch to a single annual bill for Availability of Service Fees. This would assist the District with cash flow and reduce the costs for delivering Availability of Service Fee invoices. The Board will consider this matter at its November meeting.

Engineer's Report: Mr. Orsatti, from TZA Water, presented his background and experience, and presented the process for determining priorities and completion of the Water System Improvement plan. TZA has 4 deliverables: 1) Map of the system (which has been delivered), 2) Technical memo on the status of the pressure zones, and recommended improvements with cost estimates, 3) analysis of GWUDI and well needs and recommended improvements, and 4) Wastewater assessment (to be delivered next March). Mr. Orsatti will be presenting at the November and December board meetings to solicit public input and to inform on the options for the Board's approval.

Discussion regarding CWRPDA Drink Water Revolving Fund Loan Status: Mr. Mielke reported that the District is reviewing and giving comments on the Loan documents, to be presented to the Board at the December board meeting, with the loan closing scheduled for late December.

LEGAL MATTERS

Lot Combination Request – Lots 923 and 924, St. Mary’s Subdivision Unit 7: The Board discussed a request from Bill Fox and Beth Ramsey of Lots 923 and 924, St. Mary’s Subdivision Unit 7 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. Chris Oeland has evaluated this situation in the field and found no issue with allowing Mr. Fox and Ms. Ramsey to combine these lots.

Following review and discussion, upon motion duly made by Director Hodge, seconded by Director Clark 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 utility easements 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.

Resolution regarding Destruction of Personal Identifying Information: Mr. Mielke presented the Board with a resolution to adopt a policy regarding the destruction of personal identifying information, which is required under a new law passed during the previous state legislative session. The Board reviewed the resolution and policy and upon motion made, seconded and unanimously carried, the Board adopted the resolution and policy.

DIRECTORS MATTERS

Update from Board Members Regarding Coordination of District Activities with Idaho Springs: Director Hohne reported that there was a Clear Creek County meeting in May/June regarding the coordination of public services by the District, the County, and other public entities for the purpose of increasing the synergy between the entities. Director Hohne will follow up regarding the possibly of sharing resources between the County and the District.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 8:15 p.m.

By: 
Secretary for the Meeting