

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

MONDAY, FEBRUARY 27, 2023

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 February, 2023, at 6:00 P.M., via Zoom.

ATTENDANCE

Directors in Attendance Were:

Jason Yoho, Secretary
Hans Hultgren, Assistant Secretary
James Jandreau, Assistant Secretary (participating by phone)

Directors Absent but Excused:

Glenn Clark, Treasurer
Bruce Hohne, President

Also, in Attendance Were:

Christy McCutchen; Pinnacle Consulting Group, Inc.
Bob Orsatti, Anchor QEA
Colin B. Mielke; Seter & Vander Wall, P.C.
Michael Carrano, District Manager
Chris Oeland, District Operations
Gabby Begeman, ORC Water Professionals
And various members of the public

The meeting was called to order at approximately 6:00 P.M.

It was confirmed that a quorum of the Board was present with three 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 seconded and, upon vote, unanimously carried, the agenda was approved as presented.

Approval of Minutes: The Board reviewed and discussed the draft minutes for the January 23, 2023 board meeting. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the minutes as presented.

Public Comments: The Board opened the meeting to public comment. There being no comments from members of the public, this portion of the meeting was closed.

COMMUNITY
MANAGEMENT
ITEMS

Community Manager Report: Ms. McCutchen presented the Board with a written community management report and provided an overview of the report.

WATER AND
WASTEWATER
SYSTEM
IMPROVEMENTS

Anchor QEA Consultant Report: Mr. Orsatti informed the Board that the CDPHE has approved a fifty percent reduction in its penalty imposed on the District for CGRS's failure to meet the December 31, 2022 water project completion deadline. The Board discussed the responsibility for payment of the fine and directed Mr. Carrano to discuss with CGRS the District's position that CGRS is responsible for reimbursing the District for the amount of the penalty.

Discussion regarding Long-Range Plan: Mr. Orsatti informed the Board that the District's long-range utility replacement plan has been updated to extend the deadlines by one year. The Board requested that Mr. Orsatti and Mr. Carrano deliver a copy of the updated plan for the Board's review, and to place approval of the updated plan on the next meeting agenda.

Woods Court Main Line Extension Project: Mr. Orsatti confirmed that the construction plans for the Woods Court main line extension project have been submitted to the County for review and that the District is awaiting comments from the County.

DISTRICT
OPERATIONS/
MANAGEMENT
ITEMS

Operations Report: Mr. Oeland informed the Board of a sewer main line freeze on East Brook Drive and that he has used the hot jetter to help thaw the line. Mr. Oeland noted that a water main line on Crest has frozen. Mr. Oeland further confirmed that registration for the hot jetter was reduced from \$2,477 to \$9 after notifying the County that it is owned by a governmental entity.

ORC Report: Ms. Begeman informed the Board that all GWUDI water is now being treated in compliance with state regulations. Forms confirming the compliance need to be submitted to CDPHE. Discussion followed addressing Ms. Begeman's concern that this form had not yet been filed. It was established that this submission needs to be made by our engineer, Mr. Orsatti. Mr. Orsatti confirmed that there were no issues in completing the filing of this form and that he would do so on the following day.

Ms. Begeman requested the Board approve the purchase and installation of SCADA improvements in order to reestablish communication between three chemical mixers. The Board discussed the request and upon motion made, seconded and unanimously carried, the Board approved the request in an amount not-to-exceed \$15,000.

Ms. Begeman further updated the Board regarding District operations, as further identified in her written report presented to the Board. Among issues raised by Ms. Begeman was that there was a lack of communication concerning her list of items. Mr. Carrano then committed to contact her the next day.

Manager's Report: Mr. Carrano provided the Board with an update on District management items, as further identified in his written report presented to the Board.

FINANCIAL ITEMS

Review and Consideration of Payables: The Board reviewed a schedule of cash position through February 15, 2023 provided by Pinnacle in the total amount of \$125,067.49. After review and discussion, and upon motion made, seconded and unanimously carried, the Board accepted the reports as presented.

Budget to Actual Report: The Board reviewed and discussed the budget-to-actual report provided by Pinnacle. Upon motion made, seconded and unanimously carried, the Board accepted the report as presented.

LEGAL ITEMS

CGRS Agreement for Water Main Repairs: Mr. Mielke presented the Board with a proposed agreement with CGRS related to water main break repairs. The Board discussed that the original estimate from CGRS was for \$3,000, but that CGRS required \$12,000 to complete the work. Mr. Carrano noted that the work performed constituted an emergency and that the work represented good quality for the \$12,000 price. The Board requested additional information regarding the costs and to place consideration of the agreement on the next meeting agenda.

Update regarding Delinquency of 230 Little Creek Road: Mr. Mielke informed the Board that the account for 230 Little Creek Road, which was the subject of a settlement agreement, is delinquent. Mr. Mielke explained the District's right to seek a judgment from the court or to certify the account as delinquent to the County Treasurer. The Board agreed that the property should be considered with other delinquent properties for certification to the County Treasurer later this year.

Update regarding Small Communities Grants: Director Yoho informed the Board that he has received information from Pinnacle regarding the District's application for a small communities grant and is in the process of reviewing the information.

Water Rights Due Diligence: Mr. Mielke informed the Board of the District's requirement to complete certain conditional water rights due diligence activities during 2023. Mr. Mielke recommended the District engage Bushong & Holleman PC, which is the law firm that has performed these services for the District in the past. Mr. Mielke apprised the Board of the hourly rates for the services. After review and discussion, and upon motion made, seconded and unanimously carried, the Board approved the engagement of Bushong & Holleman PC and asked Mr. Mielke to obtain an estimate of the total cost to complete the due diligence activities.

Engineering Services RFP: Mr. Mielke presented the Board with a notice of request for proposals for engineering services that will be published in the Clear Creek Courant. The Board agreed that interested candidates may schedule site visits between April 2-14, 2023, and that proposals will be due on May 15, 2023. Mr. Carrano offered to vet the bids and bidding firms. Director Hultgren clarified, and it was agreed, that Mr. Carrano was not to be involved in this

process as a) he had demonstrated a bias towards retaining the incumbent engineering firm, and b) the process is being managed by committee established for this purpose in conjunction with Seter & Vander Wall. As to the coordination of site visits, it was agreed that Seter & Vander Wall would receive such requests, that board members would be invited to join, that available resources including Mr. Carrano would be leveraged, and that Ms. Begeman, who offered her assistance, would also be invited and leveraged to assist with these site visits. Note that Mr. Mielke confirmed that the selection of the engineering firm is ultimately determined by a vote of the directors.

Consider Amendment to Agreement with Meyers Enterprises, LLC: Mr. Mielke informed the Board that Mr. Tom Meyers has requested an amendment to the Woods Court main line extension agreement to increase the maximum reimbursement from \$400,000 to \$450,000. Mr. Meyers addressed the Board and confirmed that his request is based on his recent pricing of materials for the work to be performed. After discussion, and upon motion made, seconded and unanimously carried, the Board approved the amendment.

Election Update: Mr. Mielke updated the Board regarding the May 2, 2023 regular election, noting that there are more candidates than seats available. Mr. Mielke stated that all candidates would be invited to the next board meeting to discuss anticipated election activities.

DIRECTORS ITEMS

There were no Director items brought before the Board.

OTHER ITEMS

There were no additional items.

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 8:20 P.M.

By:


Jason Yoho (Apr 27, 2023 10:56 MDT)

Secretary







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Final Audit Report

2023-04-27

Created:	2023-04-27
By:	Catherine Bright (cbright@svwpc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAPGZ-a23Q1D0c8_I3MNOIjFbmeDwsyhsq

"00661463" History

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-  Document emailed to jason@hyperlabs.com for signature
2023-04-27 - 4:50:23 PM GMT
-  Email viewed by jason@hyperlabs.com
2023-04-27 - 4:55:46 PM GMT- IP address: 73.243.9.120
-  Signer jason@hyperlabs.com entered name at signing as Jason Yoho
2023-04-27 - 4:56:07 PM GMT- IP address: 73.243.9.120
-  Document e-signed by Jason Yoho (jason@hyperlabs.com)
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