

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT
MARCH 11, 2025**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (District) Board of Directors was held at 5:00 pm on Tuesday, **March 11, 2025**, via <https://zoom.us/my/mcbwsdboardmeeting>.

Members of the Board of Directors in attendance at the Regular Board Meeting were as follows:
Nancy Woolf - Chair, Brian Brown - Board Member, Jonathan Ferrell - Treasurer, Nancy Grindlay - Vice-Chair and Jenn O'Brien - Board Member

Also present were:

Mike Fabbre - District Manager, Adam Bembenek - Wastewater Supervisor, Nicole Bogenschuetz - Capital Projects Supervisor, Tracy Davenport - Accounts Payable Coordinator, Jamie Eichenberger - HDR, Kent Fulton - Finance Manager/Board Secretary, Kyle Koelliker - Water Supervisor, Marcus Lock - District's Attorney, Kim Wisley - Recorder, Members of the public

Board Meeting Agenda

1. Call to Order

- The regular meeting of the Board of Directors was called to order by Woolf at 5:01 pm and a quorum was present.

2. Citizen Comment Period

- No citizens presented comments.

3. Approve Meeting Minutes

- February 11, 2025

MOTION by O'Brien and seconded by Brown to approve the February 11, 2025 regular meeting minutes as submitted. Motion voted in favor with Ferrell abstaining since he was not present at the February meeting.

4. District Manager Report

- Fabbre highlighted a few items and noted that additional items can be seen on the report included in the agenda packet.
- There are no staff anniversaries to report.
- Fabbre reviewed the various safety meetings the District has completed this year as well as those scheduled for the coming months.
- The wastewater nutrient regulations and compliance deadlines were highlighted.
- The District hosted a tour at the water plant for a couple of Town of Mt Crested Butte Town Council members as well as for a group of approximately twenty people associated with Project 7 (7 communities from the Montrose, CO area) who were researching information/ideas regarding new plant builds.

5. Updated Intergovernmental Agreement (IGA) with Town of Mt Crested Butte

- Fabbre reviewed the steps taken to renew the IGA with the Town of Mt. Crested Butte.
- There were a few minor discrepancies that are being edited.
- Lock noted the agreement is necessary despite a cooperative approach from both parties.

MOTION by Brown and seconded by O'Brien to authorize Woolf working with staff to sign the IGA with the Town of Mt Crested Butte once the minor administrative changes have been completed. Motion voted in favor.

6. 2025 Election Updates

- The District will be holding a mail-in ballot election on May 6, 2025 with seven candidates on the ballot.
- Uniformed And Overseas Citizens Absentee Voting Act (UOCAVA) ballots will be mailed out by Friday, March 21, 2025 and local ballots will be mailed out between April 14, 2025 and April 22, 2025.
- The District needs election judges and will take the necessary steps to vet and certify interested people in the near future.
- The ballot has been set and the order of candidates was finalized last week.

- All candidates on the ballot will be running for a four-year seat and once the new board is in place, it has the option to appoint one person to a two-year seat. It is not required that the person appointed to the two-year seat be one of the candidates that was on the ballot.
- The District has until May 14, 2025 to receive UOCAVA ballots and therefore requests the regular May Board meeting be moved from May 13, 2025 to May 20, 2025 so that all ballots can be received, counted and the election certified before the new Board begins to serve at the May meeting.
- The Board commented on the work that goes into holding an election and thanked staff for all they have done to make it happen.

MOTION by Woolf and seconded by Grindlay to approve moving the May regular Board meeting from May 13, 2025 to May 20, 2025 to accommodate certifying the election with all votes counted. Motion voted in favor.

7. District Goals 2025

- The Board would like to set a date for a work session/retreat to discuss more long-term tasks that the District is facing.
- There was consensus that sometime in April is best for the Board to meet. Fabbre will send out a Doodle poll to see what will work for staff and members.
- Since there will be a quorum present at the work session, it will be a publicly noticed meeting.

8. December 2024 Period 13 Financial Report

- All 2024 invoices have been received and are included in the report.
- It is anticipated that the annual audit will be completed in May.

9. February 2025 Financial Report

- Invoices are starting to come in for some projects that have begun.
- Other expenses are tracking as expected.
- The District received its first monthly property tax revenue.
- Tap fee revenue is currently minimal.

MOTION by O'Brien and seconded by Brown to approve the December 2024 Period 13 and the February 2025 Financial Reports. Motion voted in favor.

10. Legals

- Lock did not have anything to report during open session but continues to work with Fabbre on the trunkline and development projects that have been underway.
- Lock reminded the Board and District staff of the election code, the importance of their election neutrality and their responsibility not to urge the electorate to vote for or against any particular candidate while on District time or using District resources. Any campaigning by District employees or Board members must be done on their own personal time and with personal funds. The consequences of violating the election code are very serious.

11. New/Old Business Before the Board

- The District is working on a list of questions for the Town of Crested Butte to clarify numbers that were given.
- There are preliminary rates and fees from Raffelis and Fulton is working on putting a report together to present those numbers to the Board at the April meeting.

12. Executive Session

- Consideration of an executive session to be held pursuant to C.R.S. § 24-6-402(4)(b) and (e) (l), which concern respectively, conferences with the District's general counsel for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators in order to discuss the District's Collections Interceptor Line.

MOTION by O'Brien and seconded by Brown to enter into Executive Session at 5:44 pm with Fabbre, Bembenek, Bogenschuetz, Lock and Eichenberger remaining for the discussion.

MOTION by Woolf and seconded by Grindlay to exit the Executive Session at 6:29 pm.

13. Potential Discussion and Action Regarding the Collections Interceptor Line

- There was no discussion or action presented.

14. Executive Session

- Consideration of an executive session pursuant to: (1) C.R.S. Section 24-6-402 (4)(f)(I), which concerns personnel matters, to discuss the District Manager position and feedback from the District’s human resources consulting firm regarding the same; (2) C.R.S. Section 24-6-402 (4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators with respect to employee compensation, overtime, benefits, and revisions and updates to employee handbook, as well as input from the District’s human resources consulting firm regarding the same; and (3) C.R.S. Section 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions from the District’s general counsel regarding the foregoing subject matters.

MOTION by Woolf and seconded by Ferrell to enter into Executive Session at 6:32 pm with Fabbre and Lock remaining for the discussion. Fabbre approved the discussion be done in Executive Session.

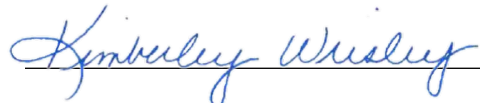
MOTION by O'Brien and seconded by Brown to exit the Executive Session at 7:09 pm.

15. Report on and Discussion of Status of Consulting Work Performed by District’s Human Resources Consultant and Next Steps

- There weren’t any action items to initiate and no further discussion took place in the Open Session other than noting that work on these matters continues and the Board is appreciative of the input from all employees and the HR consultants.

16. Adjourn

MOTION by Woolf and seconded by Brown to adjourn the regular board meeting at 7:12 pm. Motion voted in favor.



Drafted by: Kimberley Wisley



Submitted by: Kent Fulton