

**MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT  
FEBRUARY 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, **February 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, Nancy Grindlay – Vice Chair  
Jenn O'Brien - Board Member, joined the meeting at 5:09 pm and left the meeting at 7:28 pm

Jonathan Ferrell – Treasurer, had an excused absence.

**Also present were:**

Mike Fabbre - District Manager, Adam Bembenek - Wastewater Supervisor, Nicole Bogenschuetz – Capital Projects Supervisor, Kent Fulton - Finance Manager/Board Secretary, Kyle Koelliker - Water Supervisor, Marcus Lock - District's Attorney, Members of the Public, Tracy Davenport - Recorder

**Board Meeting Agenda**

**1. Call to Order**

- The regular meeting of the Board of Directors was called to order by Woolf at 5:02 pm and a quorum was present.

**2. Citizen Comment Period**

- Citizens had questions and comments regarding the collections interceptor line and the Board advised there would be time for this item later in the meeting.

**3. Approve Meeting Minutes**

- January 14, 2025

**MOTION** by Brown and seconded by Grindlay to approve the January 14, 2025 regular meeting minutes as submitted. Motion voted in favor.

**4. Executive Session**

- Consideration of an executive session to be held pursuant to C.R.S. §24-6-402(4)(b) and (e)(I), 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 Collections Interceptor Line.

**MOTION** by Woolf and seconded by Brown to enter executive session at 5:11 pm with Fabbre, Bembenek, Bogenschuetz, and Lock remaining for the discussion. Motion voted in favor.

**MOTION** by Woolf and seconded by Brown to exit the executive session at 5:47 pm.

**5. Potential Discussion and Action Regarding the Collections Interceptor Line**

- In June of 2024, the District held a developer meeting with the District's engineers and each developer that attended advised they plan to break ground in the near future. At that point, the District looked at every aspect of the water and wastewater system and identified needs for the collection system.
- At the July 9, 2024 District Board meeting, the Board allocated \$550,000 for survey work, geotechnical work, and closed circuit tv investigative work which is information needed to start with the initial phase of design and engineering. The District went under contract with HDR Engineering and the tasks were completed,
- At the January 14, 2025 District Board meeting, the Board approved a not to exceed amount of \$300,000 to have the 30% design and engineering phase completed, which will give the District more certainty of the cost of this project. The District went under contract with HDR Engineering and anticipate the work completed this summer.
- The District held a meeting last week with the developer community and provided the draft Line Expansion Agreement and the draft Public Improvement Acceptance Agreement for review.
- The Board has looked at their responsibilities to the District, District's ratepayers, and has tried to accommodate developers that want to develop property within our District. The proposals the developers have access to are what the Board has determined is in the best interest of the District and the District's ratepayers.
- Comments from the members of the public consisted of transparency, charging impact fees to developers, the expansion of existing pinch points on the interceptor line, funding from developers without full reimbursement

guarantee, striving for a fair and equitable solution to developers and the District ratepayers, and for the District to look into a municipal bond to fund the project.

- The main reason behind the need of the interceptor line upsizing for new developments.

#### **6. Executive Session**

- Potential executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) (District Manager Annual Review) and NOT involving any specific employees who have requested discussion of the matter in open session; any member of this body or of any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

**MOTION** by Woolf and seconded by Grindlay to enter executive session at 6:22 pm with Fabbre remaining for the discussion. Motion voted in favor.

**MOTION** by O'Brien and seconded by Woolf to exit the executive session at 7:27 pm.

#### **7. Potential Discussion and Action on the Subject Matter to be Discussed in Executive Session**

**MOTION** by Brown and seconded by Grindlay to delegate responsibility to Woolf to work with Fulton to make a determination on a salary change for Fabbre relevant to the guidance provided by the Board. Motion voted in favor.

#### **8. District Manager Report**

- Fabbre noted that there are no staff anniversaries to report.
- The District has received the signed IGA from the Town of Mt Crested Butte after the agenda for this meeting was published.
- Will work on the calendar and schedule for the Per- and Polyfluoroalkyl Substances (PFAS) sampling updates that were recently added to the monitoring schedules.

#### **9. District Goals 2025**

- The Board is interested in a Board retreat with some staff participation.
- This item will be discussed at the next District Board meeting to potentially schedule a date during off-season.

#### **10. December 2024 Period 13 Financial Report**

- The District has received all invoices from Dietrich Dirtworks for water main line breaks which came in a little over \$200,000.
- Today, the District received the 4<sup>th</sup> Quarter ATAD invoice from the Town of Crested Butte which came in around \$16,000 which is less than Fulton expected.

**MOTION** by Brown and seconded by Grindlay to approve the December 2024 Period 13 Financial Report. Motion voted in favor.

#### **11. January 2025 Financial Report**

- Raftelis has submitted a preliminary draft of the District Rates & Fees report which can be presented at the March meeting or a special meeting may be scheduled.
- Raftelis has submitted an updated financial review of the Town of Crested Butte's solids processing plant to the District.

**MOTION** by Brown and seconded by Grindlay to approve the January 2025 Financial Report. Motion voted in favor.

#### **12. Legals**

- Fabbre, Bogenschuetz, Lock, and Jacob With from Law of the Rockies had their first meeting to update the District Rules & Regulations.

#### **13. New/Old Business Before the Board**

- No new/old business was discussed.

#### **14. Adjourn**

**MOTION** by Brown and seconded by Woolf to adjourn the regular board meeting at 7:46 pm. Motion voted in favor.

Tracy Davenport

Drafted by: Tracy Davenport

Kent Fulton

Submitted by: Kent Fulton