

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT
NOVEMBER 8, 2022**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (MCBWS) Board of Directors was held at 5:00 pm on Tuesday, **November 8, 2022**, via <https://zoom.us/my/mcbwsdboardmeeting>.

Members of the Board of Directors in attendance at the meeting were as follows:

Brian Brown - Chair, Jonathan Ferrell - Board Member, Nancy Grindlay - Interim Secretary, Nicholas Kempin – Treasurer, and Nancy Woolf - Vice Chair

Also present were:

Mike Fabbre - District Manager, Bryan Burks - Wastewater Supervisor, Kyle Koelliker – Water Supervisor, Marcus Lock - District's Attorney, Tracy Davenport – Recorder, Members of the public

1. Call to Order

- The regular meeting of the Board of Directors was called to order by Brown at 5:00 pm and a quorum was present.

2. Citizen Comment Period

- A Homestead subdivision resident had requested the District and the Board consider putting a fence or some landscaping around the generator located behind the Water Treatment Plant (WTP) at the last meeting and wanted to be present for this meeting as this topic is listed as an agenda item for discussion.

3. Approve Meeting Minutes

- October 11, 2022

MOTION by Grindlay and seconded by Ferrell to approve the October 11, 2022 regular meeting minutes as submitted. Kempin abstained from voting as he was not present at the meeting. Motion voted in favor.

4. Screening WTP Generator Discussion – Public Comment

- Fabbre advised that there were already two public comment periods through the Town of Mt. Crested Butte. One when the original WTP expansion project was being proposed and one when the District requested a variance to the setback from the lot line. Certified letters were sent to the homeowners of the surrounding area.
- District Rules & Regulations 2.3.4 identifies items such as trees, fences, and landscaping that are precluded from the District easements.
- A raw water pipeline is buried within the District's designated easement and it is the only utility easement access for the East River Pump Station during the winter months which is accessed by the snowcat.
- The generator is equipped with a critical grade exhaust silencer and exercises once per week for approximately 20 minutes during the day.
- It was suggested to work with the Homestead HOA and/or the Town of Mt. Crested Butte for possible options of landscaping or a fence outside of the utility easement to be addressed this spring.

5. Water Treatment Plant Expansion Project Update

- Updates and progress can be seen in the monthly memo from JVA.
- The District is working with Moltz Construction on some warranty items and will be advertising for final payment.
- This agenda packet will be the last one to include the JVA memo and progress photos of the WTP Expansion project.

6. District Manager Report

- Fabbre reviewed highlights of the report included in the agenda packet.
- The October 15th moratorium for tapping into District main lines has passed, however, there are several contractor projects going on around the District such as Bridges of Columbine, Prospect Ridge, North Village, and Andesite Pointe.
- A wastewater operator resigned from the District so advertisements have been submitted for this position.
- The December meeting will contain lots of motions including budget items and the FAMLI Leave Act.
- The Malensek Ditch No. 5, Second Enlargement, north of the water plant, had 1.4 c.f.s. granted as an absolute water right and 0.6 c.f.s. as a conditional water right. Instead of filing for the 0.6 conditional water right, the District requested the whole 2.0 c.f.s. as an absolute water right which has been granted.

7. October 2022 Financial Report

- Fabbre reviewed page 26 of the financial report noting that the District is at 73.98% of the budget and 83% of the year has elapsed.
- The District budgeted funds for the wastewater discharge permit and legal expenses which will be under budget.
- Capital projects are getting wrapped up. Spectrashield manhole lining will come in right at the budgeted amount.
- The District is trending well, tap fees are a high-end revenue source.

MOTION by Woolf and seconded by Kempin to approve the October 2022 Financial Report. Motion voted in favor.

8. Draft 2023 Budget

- Fabbre reviewed the draft 2023 budget with minimal changes.
- The one change on page 2 was increasing the tap fees from 6% to 9% but that doesn't change the rest of the numbers in the budget leaving the revenue source at \$500,000.
- Fabbre included the 2023 draft proposed rates & fees in this agenda packet.
- Notice of a public hearing advertisement will be presented in the Crested Butte News regarding the December 13, 2022 meeting.
- There was discussion on the proposed rate increase. Fabbre advised that the debt coverage ratio at 110% needs to be maintained throughout the entirety of the 20-year municipal bond for the WTP. The CWRPDA has the authority to force the District to raise rates to maintain that debt coverage ratio. Out of the \$7.1 million funds of the District, some of those funds are restricted and cannot be used for operations.

9. Legals

- Lock reported that he has not received an official response from the Meridian Lake Park Corp (MLPC) regarding the MOAs.

10. New/Old Business Before the Board

- No new/old business was presented.

11. Executive Session

- Consideration of an executive session to be held pursuant to C.R.S §24-6-402(4)(b), (e)(l), and (f)(l), which concern respectively, conferences with the District's general counsel for the purpose of receiving legal advice on specific legal questions, determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, and personnel matters in order to discuss Meridian Lake Reservoir and related infrastructure, potential related agreements with Meridian Lake Park Corporation, Meridian Lake Meadows Association, Inc., and the Pristine Point Owners' Association, Inc., and the Finance Manager position.

MOTION by Brown and seconded by Kempin to move into Executive Session at 6:30 pm. Motion voted in favor.

MOTION by Brown and seconded by Kempin to exit Executive Session at 7:03 pm. Motion voted in favor.

11. Adjourn

MOTION by Brown and seconded by Kempin to adjourn the regular board meeting at 7:13 pm. Motion voted in favor.



Drafted by: Tracy Davenport



Submitted by: Mike Fabbre