

**MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT  
JUNE 14, 2022**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (MCBWS) Board of Directors was held at 5:00 pm on Tuesday, **June 14, 2022**, via <https://zoom.us/my/mcbwsdboardmeeting>.

Members of the Board of Directors in attendance at the meeting were as follows:  
Brian Brown, Nancy Woolf, Nicholas Kempin

**Also present were:**

Mike Fabbre, District Manager	Kim Wrisley, Utility AR Coordinator/Admin Assistant
Perry Solheim, Finance Manager	Tracy Davenport, Utility AP Coordinator/Admin Assistant
Bryan Burks, Wastewater Supervisor	Marcus Lock, District's Attorney
Kyle Koelliker, Water Supervisor	

**1. Call to Order**

- The regular meeting of the Board of Directors was called to order by Brown at 5:01 pm and a quorum was present.
- Nancy Grindlay & Jonathan Ferrell were excused.

**2. Citizen Comment Period**

- No citizens presented comments.

**3. Approve Meeting Minutes**

- May 10, 2022

**MOTION** by Kempin and seconded by Woolf to approve the May 10, 2022, regular meeting minutes. Motion voted in favor.

**4. Irrigation Regulations**

- In prior years, the Board approved the irrigation regulations each spring, early summer.
- In 2017, the Board adopted an irrigation policy resolution that exists year-round and was slightly updated in 2018.
- The irrigation regulations are posted on the District website & Facebook page, the Crested Butte News, and are mailed/mailed to customers.
- Emergency restrictions can be recommended by District staff and/or the Board. Discussion was held on what constitutes placing the District into emergency restrictions such as monsoon season, drought, or capacity of old Water Treatment Plant. Plant capacity not a concern with the new Water Treatment Plant expansion.
- Discussion of changing landscape exemption verbiage would require a new resolution; it was decided to leave as is.

**5. Water Treatment Plant Expansion Project Update**

- Updates and progress can be seen in the monthly memo from JVA and on the District Manager Report.
- The project is on schedule and within budget.
- The old existing East River Pump Station is being torn down this week into next week.
- One minor issue while working on the valve garden at the Water Treatment Plant occurred. Moltz Construction had mechanically restrained one of the pipes they were working on to install a fire hydrant. A valve slip caused an uncontrolled release from the 12 inch/100 psi water line. The release scoured parts of the distribution system causing cloudy water to be experienced by some District customers. Water operators flushed hydrants to resolve water coloration issues. All issues appeared to be resolved within the day.

**6. District Manager Report**

- Fabbre reported that there are month end deadlines such as the copper report for the discharge permit. The next time the District goes through the discharge permit process, there will be a new person managing the department at the state. The Wastewater Utility Council is looking for a more science-oriented manager rather than a legal oriented manager.
- 43 Paradise settlement agreement has been executed, recorded and completed.
- Sanitary survey for MCB & MLP took about 11 hours to complete. The inspectors have 30 days to provide the District with the report for the sanitary inspections.
- The Consumer Confidence Report (CCR) has been published on the District website before the June 30 deadline. This is year 5 without a violation.
- There was an article published in the Crested Butte News that mentioned the Town of Crested Butte's centrifuge failed. There is a 16–20-week lead time for the part. Burks advised that the PLC is no longer supported but found

a PLC from a wastewater plant in Avon which will be overhauled in hopes to have it back online June 15. The centrifuge is for dewatering solids. The operation is governed by a cost split IGA with the Town of Crested Butte. Part of the Town of Crested Butte's current wastewater plant expansion is upgrading this older technology.

### **7. May 2022 Financial Report**

- All aspects of the financials are tracking as expected.
- Salaries are a little under where expected. One of the wastewater operators has been out for a worker's comp related issue.
- A capital project was added on page 33 of the board packet, this was a legal settlement related to the cost of the pump station. The agreement was finalized in the last day or two.
- Tap fee update: One of the largest tap fees ever collected is located on Snowmass Road, previously referred to as Andesite Pointe, which will consist of 8 duplexes. Tap fee revenue is currently at a little over a million dollars which is double budgeted expectations.

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

### **8. Legals**

- Lock advised that Meridian Lake Park (MLP) has responded to the settlement agreement. He will not be completing any additional work on the agreement receiving direction from the Board.
- Attorney, David Leinsdorf, emailed Lock today regarding potential agreements with Meridian Lake Meadows and Pristine Point. Lock has not worked on this matter, pending direction of the Board since the two issues are related. Lock would like to go ahead and work on the Meridian Lake Meadows & Pristine Point agreements because they are not adversarial in nature. It is related to MLP but not contingent or conditional on the broader agreement under negotiation. The matter is in regard to conveyances of property to the District that is currently used by the District. The Board requested Lock work on the draft agreements for Board review and possible approval.

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

- A wastewater operator is expecting a baby to arrive on Sunday.
- District staff and Board party to be held on Thursday, September 1<sup>st</sup> at 5:30 pm on the patio of 9380 Tavern.

### **10. Executive Session**

- Potential executive session for discussion of the Memorandum of Agreement, as amended, between the Mt. Crested Butte Water & Sanitation District and Meridian Lake Park Corporation and potential settlement agreement related thereto under and pursuant to C.R.S §24-6-402(4)(a), (b), and (e)(I), which concern respectively purchase or sale of property interests, conferences with the District's attorney 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.

**MOTION** by Brown and seconded by Woolf to move into Executive Session at 5:42 pm.

- Discussion occurred on whether to table the executive session because of two absent Board Members. It was decided to continue with the executive session with the intent that no action will be taken.

**MOTION** by Brown and seconded by Kempin to move into Executive Session at 5:43 pm with intent that no action will be taken. Fabbre, Solheim, and Lock to remain for the discussion. Motion voted in favor.

**MOTION** by Brown and seconded by Kempin to exit Executive Session at 6:20 pm. Motion voted in favor.

### **11. Adjourn**

**MOTION** by Brown and seconded by Kempin to adjourn the regular board meeting at 6:24 pm. Motion voted in favor.



Drafted by: Tracy Davenport



Submitted by: Perry Solheim