

**MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT  
MARCH 10, 2020**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (MCBWS D) Board of Directors was held at 5:00 pm on Tuesday, **March 10, 2020**, at the office of the District, 100 Gothic Road, Mt. Crested Butte, Gunnison County, Colorado. Members of the Board of Directors in attendance at the meeting were as follows:

Brian Brown    Carlos Velado    Nicholas Kempin    Sara Morgan

**Also present were:**

Mike Fabbre, District Manager	Jamie Watt, District Customer
Kyle Koelliker, Water Plant Supervisor	Chuck McGinnis, District Customer
Bryan Burks, Wastewater Plant Supervisor	Nancy Woolf, District Customer
Tracy Davenport, Admin Assistant	Cooper Best, JVA
Marcus Lock, District's Attorney	Scott Clarkson, Clarkson Concepts

**REGULAR BOARD MEETING**

**1. Call to Order**

- The meeting was called to order by Brown at 5:00 pm.
- Roger Cram was excused.

**2. Citizens Comment Period**

- Watt was present to discuss sewer line options for the Hunter Ridge project.
- No other citizens presented comments.

**3. Cancel Election & Declare Candidates Elected. Resolution 2020-2**

- Resolution 2020-2 and notices to candidates presented in board packet.
- Morgan & Cram will serve until 5/5/20. Existing and new candidates to be sworn in at May board meeting.
- Three candidates self-nominated for four board seats. Two candidates will serve three-year terms, one candidate will serve a two-year term. One seat remains open.
- Nancy Woolf and Nicholas Kempin will serve three-year terms and Carlos Velado will serve a two-year term.

**MOTION** by Velado and seconded by Morgan to cancel the election and declare candidates elected as stated in Resolution 2020-2. Motion voted in favor.

**4. Election Updates**

- Discussion held regarding posting on web only or to include posting locations.
- Legally, only posting required is posting on the web.
- Notice of cancellation to be posted on the website and the posting locations.

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

- Colorado Water Resources & Power Development Authority (CWRPDA) held meeting last Friday, loan was approved.
- Moltz Construction developing the guaranteed max price through the CMAR process.
- District may need to pass a resolution that rates will be raised in 2021 which was already planned. Some revenue sources tough to estimate such as tap fees. We need to show that we can cover the debt service ratio.

**6. Wastewater Enterprise, Resolution 2020-3**

- District's Bond counsel recommends a three fund structure: General Fund, Water Fund, and Wastewater Fund.
- District will pledge Water & Wastewater funds to support the CWRPDA loan.

**MOTION** by Morgan and seconded by Velado to establish the Wastewater Enterprise Resolution 2020-3. Motion voted in favor.

**7. WTP Expansion Project 90% Design Review**

- Submitted Basis of Design report to CDPHE and are expecting approval letter any day now.

- Lot line vacation plat & conditional use permit approval with the Town of Mt. Crested Butte in upcoming weeks.
- Best presented exterior and interior design renderings and discussed details of the project.
- Estimate construction to start May of 2020, two years for completion.

#### **8. Water Committee Update**

- The District Water Committee presented proposed agenda. Requesting feedback from the Meridian Lake Park Water Committee and will hold their first meeting soon.

#### **9. District Manager Report**

- Paradise Lift Station secondary subcontractor has still not been paid. The District will pay the 5% retainage to general contractor as the statutory 90-day window has passed.
- Clarifier Building behind schedule but still anticipate being online for spring runoff.
- North Village was sold and is being developed. The District owns a conditional water right of 700 acre feet decreed in 1984. The main purpose was for all municipal purposes and also has a snowmaking caveat. Crescent Lake is 160-acre feet and is owned by CBMR which was decreed in 2008.
- The District will still plan to pursue Long Lake water right.

#### **10. February 2020 Financial Report**

- Letter regarding audit and disclosures presented in board packet from auditor, Tim Mayberry.
- Major expenses paid to Resource Engineering, IWS for the Clarifier, and JVA for the WTP Expansion project

**MOTION** by Velado and seconded by Kempin to approve the February 2020 Financial Report. Motion voted in favor.

#### **11. Approve Meeting Minutes**

**MOTION** by Morgan and seconded by Velado to approve the 2/11/20 meeting minutes as submitted. Motion voted in favor.

#### **12. Legals**

- Executive session will be needed to discuss the Hunter Ridge Inclusion process.
- COVID-19 is here in the Valley, Governor Polis declared state of emergency today. Prudent steps to minimize risk such as board meetings. Potentially pass temporary emergency rule of the board to be able to meet telephonically.

**MOTION** by Morgan and seconded by Kempin to allow the Mt. Crested Butte Water & Sanitation District Board of Directors to enact a temporary emergency rule that when under a state of emergency declared by the governor of Colorado and under the guidance of the District Manager and public health officials if it is deemed appropriate to be able to participate and vote telephonically. Motion voted in favor.

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

- Fabbre advised that parcel of land by driveway is currently owned by Muellers, District is looking into purchasing it.
- Small office remodel, back two offices of admin building.

#### **14. Executive Session**

- Velado recused himself from the executive session

Brown announced executive session pursuant to C.R.S. § 24-6-402(4)(b), which allows conferences with the District's attorney for the purposes of receiving legal advice on specific legal questions. The purpose of the executive session will be to discuss with the District's attorney the process for considering the Hunter Ridge Petition for Inclusion.

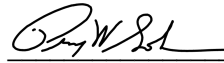
**MOTION** by Kempin and seconded by Morgan to move into executive session at 7:16 pm.

Lock advised that the remainder of the discussion that will occur in executive session pursuant to C.R.S. § 24-6-402(4)(b) to discuss with the District's attorney the process for considering the Hunter Ridge Petition for Inclusion that during the remainder of the executive session will constitute attorney/client privileged communications and therefore no further recording need be made of it.

**MOTION** by Brown and seconded by Kempin to end the executive session at 7:50 pm

**15. Adjourn**

**MOTION** by Morgan and seconded by Kempin to adjourn the meeting at 7:51 pm. Motion voted in favor.



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Perry Solheim, Board Secretary