

**MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT  
July 14, 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, **July 14, 2020**, via GoToMeeting at <https://www.gotomeet.me/MCBWaterSanitationDistrict>

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

Brian Brown    Carlos Velado    Nicholas Kempin    Nancy Woolf

**Also present were:**

Mike Fabbre, District Manager	Jaime Watt, Hunter Ridge LLC
Kyle Koelliker, Water Plant Supervisor	Norm Whitehead, NCW & Associates
Tracy Davenport, Admin Assistant	Michael Dawson, O'Hayre Dawson, P.C.
Kim Wrisley, Admin Assistant	Toni Abbott
Marcus Lock, District's Attorney	Kathy Hooge
Cooper Best, JVA Engineers	Harold Duble
Scott Clarkson, Clarkson Concepts	Patricia Mullin

**1. Call to Order**

- The meeting was called to order by Brown at 5:01 pm.

**2. Work Session:** Hunter Ridge Inclusion Application Discussion

- The work session began at 5:02.
- Velado recused himself and left the meeting to avoid any appearance of a conflict of interest because he is an employee of the Town of Mt Crested Butte.
- Fabbre presented a Hunter Ridge inclusion application timeline. Fabbre and Lock led discussion with Watt and Whitehead clarifying details of the application. All timeline dates are estimates.
- Whitehead submitted a wastewater capacity report to the District. The District has contracted with JVA for an independent study with an estimated completion date of July 31, 2020.
- Per the schedule timeline, the Draft Order of Decision is estimated to be completed by November 30, 2020.
- At Brown's request, Lock recited the rules and requirements of the statute regarding the Board's responsibilities for the inclusion of this property.
- The work session was adjourned at 5:37 pm and Velado rejoined the meeting.

**3. Citizens Comment Period**

- No citizens presented comments.

**4. Board Meeting Virtual Attendance, Resolution 2020-4**

- Discussion took place to determine what the best practices are for a permanent Resolution 2020-4 regarding virtual attendance to future board meetings.

**MOTION** by Velado and seconded by Kempin to table the discussion of best practices for Resolution 2020-4 until county health orders allow the board to meet in person. Motion voted in favor.

**5. COVID-19 Update – Revisit temporary late fee suspension**

- The staff recommended the suspension of late fees be extended for another month because unpaid accounts are minimal and it may help those in need.
- The staff continues to follow guidelines of the county health order and all employees are healthy.

**MOTION** by Velado and seconded by Woolf to approve the extension of the District temporary late fee waiver for another month. Motion voted in favor.

**6. Clarifier Project Update**

- The clarifier project is 97% complete as a small leak was discovered during the substantial completion walk through on June 25, 2020.
- Integrated Water Services (IWS) requested substantial completion on June 26, 2020 and the District denied it until the clarifier is capable of its intended use.
- Liquidated damages for the project are at a rate of \$500 per day so IWS is working quickly to repair the leak.
- Most of the punch list is complete, once the leak is repaired, it is anticipated final completion will come very quickly after substantial completion. There is a 2-year warranty on all work.

- Paving for the project has also been completed. A portion of the paving will be a District expense as a result of the broken MCBWSD water service line to the UV building. The liquidated damages will be a point of discussion during final completion/final payment and release of the retainage amount.

### **7. Water Treatment Plant Expansion Project Update**

- The District was not able to resolve the site access issues that the Crested Butte Fire Protection District requires. As a result, a pre-action sprinkler system to the existing and new building will be installed. This system will require multiple incidents to set it off which will help avoid accidental activation.
- Adding the sprinkler system will require a change order and a cost increase however we have realized significant cost savings of \$85,000 from dewatering the backwash pond and \$160,000 from the pipeline which will help offset the sprinkler increase.
- Koelliker mentioned that work has also begun on the East River Pump Station. The pre-construction meeting with Lacy Construction will be sometime next week.

### **8. PFAS Sampling Results Update**

- The District took part in a state wide sampling project through the CDPHE and Terracon Consulting Engineers. The lab data results were “Non-detect” for all PFAS compounds at the Mt. CB WTP and the Meridian Lake Park WTP. Discussion continued around the great news that these man made “forever chemicals” are not contained in the District’s source water.

### **9. Water Committee Update**

- The District water committee met with the Meridian Lake Park Corporation (MLPC) water committee, which includes Robin Smith and Scott Hamilton, on June 24 and July 8, 2020.
- The first meeting provided introductions and discussion of basic objectives.
- The committees agreed they would like Lock to help them put together the terminology and legal process to propose discontinuing the MOAs.
- The committees will be meeting every two weeks.
- Lock suggested the District water committee meet with him prior to their next meeting to discuss some of the action items for moving forward.
- The committee goal is to have a proposal for the District Board and the MLPC Board by October 15, 2020.

### **10. District Manager Report**

- The District met all of the deadlines for the wastewater discharge permit submittals. The next non-disclosure meeting is set with the Division and the Attorney General’s office. The District continues to work diligently on these compliance issues.
- Fabbre requested the 1M gallon Timberland tank project included in the 2020 capital budget be tabled for the year because despite needing eventual repair, there is no immediate risk of failure. During water plant expansion construction, the tank serves a vital risk mitigation function as a potential emergency water source.
- The Daisy Circle mainline is the last piece of galvanized pipe in our system and requires replacement due to continual failures. The project opens for bidding July 16, 2020, closing July 31, 2020.

### **11. June 2020 Financial Report**

- Velado reported financial results matched expectations. Tap fees exceed budget. 2020 usage is up from 2019. Cashflow is as anticipated with CWRPDA loan draws. Most of the significant payments related to the treatment plant expansion. The \$297,000 credit to the Town of Mt CB was a correction to the original building permit estimate. Other expenditures track well with budget.
- There was brief discussion suggesting that at a future meeting the District examine the impact of tiered rates on conservation.

**MOTION** by Woolf and seconded by Velado to approve the June 2020 financial report. Motion voted in favor.

### **12. Approve Meeting Minutes**

- Velado suggested that the first bullet point under item 11 regarding the discontinuation of board term limits be revised to reflect a statement rather than a question. It should state that to remove board term limits would require board authorization and a District vote.

**MOTION** by Velado and seconded by Woolf to approve the June 9, 2020 regular meeting minutes of the Board of Directors as amended. Motion voted in favor.

### **13. Legals**

- Lock’s legal work has involved Spectrum’s vacation of the District’s building. Some issues continue due to the vacation of the building. The property should be returned to the District no later than July 31, 2020.

**14. New/Old Business Before the Board**

- Fabbre noted that the District has been advertising the 5<sup>th</sup> board position for several months but has not received any applications. The ads will be discontinued for the time being.

**15. Adjourn**

**MOTION** by Velado and seconded by Kempin to adjourn the meeting at 7:04 pm. Motion voted in favor.

*Kim Wrisley*

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Kim Wrisley – Administrative Assistant