

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
ST. MARY'S GLACIER WATER AND SANITATION DISTRICT
HELD

Monday, October 23, 2023

A regular meeting of the Board of Directors of the ST. MARY'S GLACIER WATER AND SANITATION DISTRICT (referred to hereafter as the "Board") was convened on Monday, the 23rd day of October, 2023, at 6:00 P.M., via Zoom.

ATTENDANCE

Directors in Attendance Were:

Hans Hultgren, Asst. Secretary
Tom Meyers, President
Peter Ward, Asst. Secretary
Glenn Clark, Treasurer [arrived where indicated*]

Absent: James Jandreau, Secretary

Also, in Attendance Were:

Colin B. Mielke; Seter & Vander Wall, P.C.
Chris Oeland, District Employee
Gabby Begeman, ORC Water Professionals
Noah Nemmer, Baseline Engineering
Various members of the public

The meeting was called to order at approximately 6:00 P.M.

It was confirmed that a quorum of the Board was present.

DISCLOSURE
MATTERS

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Mr. Mielke noted that the District received a request for response from Clear Creek County for an application to construct a restaurant within the District. Mr. Mielke further noted that the application lists Director Meyers as an interested party for purposes of the restaurant application. Mr. Mielke recommended Director Meyers abstain from participating in any discussion and voting on the District's response to the application.

AGENDA

The Board reviewed the agenda for the meeting, and upon motion made, seconded and unanimously carried, approved the agenda as presented. It was further noted that the Board will discuss a decrease in the District's Facilities Improvement Fee during the Directors Matters portion of the meeting.

MINUTES

The Board reviewed the minutes for the regular meeting held September 25, 2023. After review, and upon motion made, seconded and unanimously carried, the Board approved the minutes as presented.

COMMUNITY
MANAGEMENT
ITEMS

Community Manager's Report: The Board reviewed the written community manager's report provided by Pinnacle Consulting Group.

Director Clark arrived at this time.

PUBLIC HEARING
RE CERTIFICATION
OF PAST DUE
ACCOUNTS TO
COUNTY
TREASURER

The Board opened the public hearing regarding the certification of delinquent accounts to the County Treasurer.

Bill Spialek, resident at 250 Upper Forest, addressed the Board, and requested that his property be removed from the certification list. Mr. Spialek confirmed he will work to become current on payments as quickly as possible and will begin making regular payments in November with plans to become current in six months. Upon motion and second, the Board voted unanimously to remove Mr. Spialek's account from the certification list with the understanding that he will begin making regular payments in November, with all outstanding amounts to be paid in six months.

Shane Terra, resident at 76 Alice Drive, addressed the Board and requested that his property be removed from the certification list. Mr. Terra requested additional time to make payments and confirmed he expects to become current within one year. Upon motion and second, the Board voted unanimously to remove Mr. Terra's account from the certification list with the understanding that he will make all current payments, with all outstanding amounts to be paid within one year.

Ms. Nancy Wong-Bull, resident at 22 Pine Court, addressed the Board, and requested that the numbers on her account be updated, because she recently made payments. Mr. Mielke answered various questions regarding the amount of time it takes for accounts to reflect payments received. He directed her to contact Pinnacle for up-to-date financial information. Mr. Mielke explained that a lien would not be asserted against her property so long as the account is in good standing and that her account would be removed from the certification list. Ms. Wong-Bull further requested that rocks be removed her cul-de-sac, which were left there following a previous sewer dig.

Tom Ferguson, resident at 240 Little Creek addressed the Board and requested that his property be removed from the certification list, noting that he plans to pay past due amounts upon receipt of tax refunds. Upon motion and second, the Board voted unanimously to remove this account from the certification list with the understanding that it will be paid in full upon receipt of the resident's tax return.

Mr. Ferguson also spoke on behalf of the owner of 250 Little Creek because the property owner was unable to attend tonight's meeting, requesting that the property be removed from the certification list. Mr. Ferguson relayed the

message that the property owner has been paying extra toward the past due balance each month and needs some additional time to become current. Upon motion and second, the Board voted unanimously to remove this account from the certification list.

Director Meyers spoke on behalf of Dan Parsons, owner of 186 Alice Drive, because Mr. Parsons was unable to attend the meeting. On behalf of Mr. Parsons, Director Meyers requested that Mr. Parsons' account be removed from the certification list. Upon motion and second, the Board voted unanimously to remove this account from the certification list to allow for additional discussions to occur with the property owner regarding the past due balance.

Following discussion, upon motion by Director Hultgren, and second by Director Meyers, the Board voted unanimously to adopt the Resolution certifying delinquent accounts, with the exhibit modified as discussed.

There being no further members of the public wanting to address the Board, the public hearing was closed.

FINANCIAL ITEMS

Review and Consideration of Payables: The Board received and reviewed a payment of claims report and budget to actual report provided by Pinnacle Consulting Group. The Board determined to table acceptance and ratification of the financial report and payables until the next meeting so Pinnacle can provide additional information on the reports.

Status of 2022 Audit: There were no new updates on the status of the 2022 audit at this time.

Set Public Hearing on 2024 Budget: The Board determined to set its next meeting and budget hearing for November 27th at 5 p.m.

PUBLIC COMMENT

The Board opened the public comment period. There being no public comment, the public comment period was closed.

WATER &
WASTEWATER
SYSTEM
IMPROVEMENTS

Discuss Status of Grants and Loans: Mr. Mielke introduced Noah Nemmers from Baseline Engineering. Mr. Nemmers shared that Angela Kana-Veydovec and Daniel Stewart, who managed the St. Mary's account for Baseline Engineering, are no longer with Baseline Engineering. Mr. Nemmers explained that he is unsure of the ability to continue providing water and wastewater engineering services, and thus that deadlines and availability of service may shift as a result. The Board discussed the need to consider how this affects the District and to research this matter further.

Next, Ms. Gabby Begeman shared that she applied for a loan for the District through a new State program aimed at local governments. She expects to hear back within the next month from the State.

Lastly, a representative from CGRS requested an update on the status of payment of CGRS invoices. Mr. Mielke noted that the Pinnacle is working on updated District financials and that CGRS should coordinate with Pinnacle and

his office to obtain updated information.

Director Hultgren requested confirmation that the project has been completed, noting that the last update was that road grading was still not complete. Confirmation that all punch list items have been completed is still required as well. requested that CGRS ensure that all items in this project are completed, 100%, and that all punch lists are cleared. All parties agreed to coordinate to identify the next steps to close out the project.

DISTRICT
OPERATIONS

Operations Report: Mr. Oeland shared his operations report, highlighting several projects completed over the past month.

First, he noted that Well House 1 continues to go offline, which requires that it be reset over the weekends. In addition, the Alice booster station blew a water line that required the pressure gauge valve be repaired. A waterline broke in the Wastewater Treatment Plant that was repaired by bypassing a gate valve and installing a straight pipe. Two curb stops were repaired at Beaver Circle and Stuart Court.

He provided an update on the Brook Sewer Drive project, noting good progress with only 98 feet left on the project.

He also noted that he was able to locate the dead end of the Silver Creek sewer main.

ORC's Report: Ms. Begeman shared her written report with the Board.

Over the past month, she has been working with Mr. Oeland on Well House 1 and is still working to figure out the best solution to that issue. Well #3 continues to have turbidity issues and is nonfunctional.

In addition, her team is unable to gain remote access to the system due to ongoing programming and internet issues. In particular, lack of internet service at Well #5 has rendered it completely non-functional. According to the internet account, invoices for Well #5 are outstanding and Ms. Begeman is awaiting a response from Pinnacle regarding the status of the account.

She also highlighted ongoing issues with the distribution systems, caused principally by non-functioning PRVs. High pressure is being sent downstream in the system as a result, which can cause breaks at the Wastewater Treatment Plant. To resolve this issue, it will require opening up the PRV to identify the problem. Ms. Begeman also recommended replacement of the PRV near Well #5.

Ms. Begeman updated the District on the wastewater treatment plant and proposals for addressing operational issues. Her team is also working on installing new RAZ pumps and meters, which requires piping be replaced first.

Lastly, Ms. Begeman requested Board approval for the purchase of a backup generator, at a cost of \$3,000. The generator, which will be purchased from another district, can serve as a mobile generator when needed and until something more permanent can be installed. Upon motion by Director Meyers

and second by Director Clark, the Board unanimously approved the purchase of this generator.

LEGAL ITEMS

There were no new legal matters to discuss at this time.

DIRECTOR'S ITEMS

Discuss Status of Brook Drive Project: The Board noted that updates regarding the status of the Brook Drive project were provided by Mr. Oeland earlier in the meeting.

Discuss Potential Well Construction along Alice Road: Discussion regarding the potential construction of a well on Alice Road was tabled to a future meeting.

Priority List Updates: The Board noted its desire to insulate vaults on Crest and Brook Drive.

Discuss Placement of Meters at Curb Stop: The Board tabled discussion regarding the potential relocation of water meters to curb stops.

Discuss Research regarding Cause of 2023 Winter Freezes: The Board noted that research into the cause of the 2023 winter freeze remains ongoing.

Subcommittee Updates: There were no subcommittee updates at this time.

Discussion of Decreasing Tap Fees & Facility Improvement Fees: The Board discussed the reduction in tap applications that the District has received over the past year. The Board discussed the possibility of reducing Facilities Improvement Fees to encourage additional development within the District that will increase the number of water and sewer service users. Director Hultgren voiced support for reducing the Facilities Improvement Fees and creating an option for a property owner to request the District perform installation of service lines on behalf of that property owner at that property owner's cost. Director Meyers noted that he has various properties he is developing in the District and therefore abstained from discussion and voting on this matter.

Following discussion, upon motion by Director Hultgren and second by Director Clark, the Board voted unanimously, with Director Meyers abstaining, to maintain the District's Tap Fees at \$1,500 (\$750 for Water and \$750 for Sewer) and to reduce Facilities Improvement Fees to \$16,500 (\$8,250 for Water and \$8,250 for Wastewater), for a total amount of \$18,000, and to update the District's rules and regulations to allow property owners to request the District, in the sole discretion of the District's board of directors, to install service lines at a cost of \$6,500 or actual cost to install, whichever is greater, to be billed to such property owner.

PUBLIC COMMENT

The Board opened the meeting for public comment. There being no public comment, the public comment portion of the meeting was closed.

OTHER

Consideration of Clear County Re-Zoning Request for Construction of New Restaurant: Mr. Mielke provided an overview of the letter received from Clear Creek County requesting input on the application for construction of a new

restaurant. Namely, the County seeks input from the District regarding its willingness and ability to provide water and sewer services to a new restaurant should the re-zoning request be granted.

Following discussion, the Board, with Director Meyers abstaining, indicated its general support for the re-zoning, assuming engineering and design plans show that the District has the ability to provide water and sewer service to the restaurant.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 8:10 P.M.

By:



Asst. Secretary






Meeting Minutes - SMGWSD (10.23.2023) Regular Meeting Execution Copy (00712319).DOCX

Final Audit Report

2024-01-23

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