

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
DIRECTORS OF THE ST. MARY'S GLACIER WATER AND
SANITATION DISTRICT
HELD
Monday, April 27, 2020

A special 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 27th day of April, 2020, at 6:00 P.M., via videoconference.

ATTENDANCE

Directors in Attendance Were:

Bruce Hohne, President
Glenn Clark, Treasurer
Jason Yoho, Secretary
Beth Ramsey, Assistant Secretary
Frank Brown, Assistant Secretary

Also, in Attendance Were:

Jim Nikkel, Molly Janzen and Traci Miller; Pinnacle Consulting Group, Inc.
Colin B. Mielke; Seter & Vander Wall, P.C.
Chris Oeland; St. Mary's Glacier Water and Sanitation District Employee
Bob Orsatti; Orsatti Water Consultants
Pam Kidwell, Dawn Czajka, Tunnie and Renee Ortega, Rhiannon Deibert, Tom Meyers, Bob Brown and Karen Wilderman; St. Mary's Glacier Residents/members of the public.

Director Hohne called the meeting to order at 6:03 P.M.

Director Hohne 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.

ADMINISTRATIVE MATTERS

Agenda: Following review and discussion, upon motion duly made by Director Brown, seconded by Director Ramsey and, upon vote, unanimously carried, the agenda was approved as presented.

Minutes: The Board reviewed the minutes of the January 27, 2020 regular meeting of the Board of Directors. Following review and discussion, upon motion duly made by Director Brown, seconded by Director Ramsey and, upon vote, unanimously carried, the Board approved the minutes of January 27, 2020 regular meeting of the Board of Directors, as presented.

Public Comments: Director Hohne opened the meeting to public comment at approximately 6:08 p.m. Dawn Czajka addressed the Board and stated that she was negatively impacted by the change in the District's due date policy. Ms. Janzen explained that the due dates were changed from net 60 to net 30 to better align with the monthly invoicing process, but invoices are not considered past due or eligible for late fees until 30 days after the due date. The Board encouraged Ms. Czajka to contact Ms. Janzen directly to discuss her account status.

Rhiannon Deibert expressed concerns regarding her account status and stated she would contact Ms. Janzen directly.

Pam Kidwell stated that her residence has not had water for two months due a main line freeze. Mr. Oeland noted his belief that the main line is frozen, and the inability to defrost it. The main line is expected to thaw as the temperature increases. Bob Brown asked if the St. Mary's Metropolitan District can move the snow that is sitting on top of the main lines. The Board directed Mr. Oeland to provide the Metro District with updated copies of the map indicating where the main lines are located and to request that roadways with main lines be prioritized during snow removal operations.

There being no further comments made by the community members present, Director Hohne closed the public comment period at approximately 6:20 p.m.

WATER SYSTEMS IMPROVEMENTS

Orsatti Water Consultant's Report: Mr. Orsatti reported that Well #3 is continuing to experience turbidity, and Layne is unwilling to perform additional work without a new work order. Mr. Orsatti stated that Tom Dea has submitted a proposal to the District in an amount not to exceed \$17,500 to complete improvements to the well that will address the low pumping rate and turbidity issues. The Board discussed that Mr. Dea's proposal includes a clause that if the pumping rate and turbidity issues are not resolved satisfactorily, the District will not be charged by Mr. Dea's company for any work performed. The applicable pumping rate and turbidity levels will be identified after further inspection of the well and prior to Mr. Dea's company performing work under the contract.

Director Clark recommended that the Board considers abandoning this well, and drilling a new well in a different location. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Brown and, upon vote, unanimously carried, the Board directed Mr. Orsatti and Mr. Nikkel to engage Mr. Dea's company to complete improvements to Well #3, in an amount not to exceed \$17,500.

Mr. Orsatti reported that a site application document will be submitted to CDPHE next week.

Review and Consider Award of St. Mary's Glacier Water and Sanitation District Phase 2 Water Improvements Contract and Notice to Proceed: Mr. Orsatti reviewed the details of the Phase 2 Water Improvements Project to be completed, and reported that a pre-bid meeting was held in the District on April 2nd. Mr. Orsatti reported that the pre-bid meeting was attended by 13 contractors and that one complete bid was received from CGRS on April 14th. Mr. Orsatti reviewed the bid package with the Board. Following review and discussion, upon motion duly made by Director Brown, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the CMAR Preconstruction Contract Recommendation of Award in an amount not to exceed \$32,000. After completion of the Preconstruction Contract, a Guaranteed Maximum Price contract for the construction work will be presented to the Board for consideration and approval.

DISTRICT
MANAGER ITEMS

ORC Report: The Board reviewed the written ORC Report. Mr. Oeland Reported that Mr. Creazzo has been very helpful in completing a variety of tasks through out the District since the last Board meeting.

Operations Report: The Board reviewed the written Operations Report. Mr. Oeland reported that the main line on Little Creek Road is frozen and is expected to thaw as temperatures increase. Mr. Oeland stated that he has worked with staff from Idaho Springs to clean the District's clarifier. Mr. Nikkel commended Mr. Oeland for establishing a great working relationship with the staff from Idaho Springs.

Manager's Report: Mr. Nikkel reported that the May regular Board Meeting is scheduled on Memorial Day. It was the consensus of the Board to reschedule the May meeting to Tuesday, May 26th at 6:00 p.m.

Mr. Nikkel reported that addendums to services from Pinnacle Consulting Group Inc. and Orsatti Water Consultants will be presented at the May meeting to encompass an increase in scope due to potential grant funding for capital wastewater projects.

FINANCIAL
ITEMS

Review and Consideration of Payables: Ms. Janzen reviewed with the Board the claims for the period ended April 17, 2020, totaling

\$267,207.83. Ms. Janzen noted that these claims were an accumulation of multiple months. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the EFT payments and the claims for the period ended April 17, 2020, totaling \$267,207.83.

Review and Consideration of Financial Statements: Ms. Janzen reviewed with the Board the unaudited financial statements for the period ended December 31, 2019.

Review and Consideration of Resolution Establishing ColoTrust Account: Ms. Janzen reported that Availability of Service (AOS) Fees can only be applied towards repayment of the District's debt. Ms. Janzen recommended that the District open a ColoTrust investment account to earn interest on funds until debt payments are due. Following review and discussion about the security and legality of this type of investment account, upon motion duly made by Director Hohne, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the Resolution Establishing ColoTrust Account and directed Ms. Janzen to complete the necessary paperwork.

Update Authorized Bank Signors: Ms. Janzen reported that Director Hohne is currently the only authorized bank signer on the District's account. Following review and discussion, upon motion duly made by Director Brown, seconded by Director Clark and, upon vote, unanimously carried, the Board approved authorizing Directors Yoho, Clark and Brown to be added to the District account as authorized signers.

Consider Approval of Resolution regarding Declaration of Local Disaster Emergency related to COVID-19 Pandemic: Mr. Nikkel reviewed the Resolution Regarding Declaration of Local Disaster Emergency Related to COVID-19 Pandemic. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the Resolution Regarding Declaration of Local Disaster Emergency Related to COVID-19 Pandemic.

LEGAL ITEMS

Consider Approval of 2020 Service Agreement with ORC Water, LLC: Mr. Mielke reviewed the 2020 Service Agreement with ORC Water, LLC noting that there were minimal changes. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the 2020 Service Agreement with ORC Water, LLC.

Discussion Regarding Lot Combination Request for Winterland Subdivision Unit 1, Lots 57 and 58: Mr. Mielke reported that a letter was received from Clear Creek County regarding the District's rejection to Ms. Galbraith's lot combination request. Ms. Galbraith has submitted a new request to combine

a number of lots without the District vacating the easements. Following review and discussion, upon motion duly made by Director Hohne, seconded by Director Clark and, upon vote, unanimously carried, the Board directed Mr. Mielke to respond to the County and request a meeting with the County planner.

Update Regarding Proposed Easement from Property Owner Adjacent to Well #1: Mr. Mielke reported to the Board Mr. Karoli's attorney will inspect the staked easement on Thursday, April 30th. Mr. Orsatti stated that he will meet Mr. Karoli's attorney to answer any questions.

Update regarding Notice of Violation for 29 and 31 Eva Road: Mr. Mielke reported that additional research has been completed regarding the circumstances surrounding 29 and 31 Eva Road matter. Mr. Mielke stated that he will prepare a letter to the property owner to notify him of the Districts' position on the matter.

Update regarding Correspondence from Ms. Gangelhoff regarding Extension of Service to Winterland Subdivision Unit 4, Lots 42 and 43: Mr. Mielke reviewed with the Board the request from Ms. Gangelhoff to extend the water and sewer main lines to Winterland Subdivision Unit 4, Lots 42 and 43. The Board discussed the various options for extending the main lines, and the property owner's cost responsibility of each option. Mr. Mielke confirmed he would draft a letter regarding main line extension options and distribute it to board members for comment before delivering it to Ms. Gangelhoff.

Update regarding Claims by Mr. Grech regarding Interruption of Service to 401 Lake Road: Mr. Mielke reviewed with the Board the claims by Mr. Grech regarding interruption of service to 401 Lake Road. The District determined to have the District's consultants review the matter further and draft a response to Mr. Grech based on that review.

DIRECTORS
ITEMS

Discussion regarding Woods Court Infrastructure Proposal: Director Brown reported that Mr. Tom Meyers has submitted a proposal to the District regarding infrastructure improvements from the intersection of Beaver Road and Lower Forest Road through the end of Woods Court. The Board directed Mr. Orsatti to meet with Mr. Meyers to review the project and engineering specifications to be provided by Mr. Meyers, in preparation for the drafting of an agreement between the District and Mr. Meyers for the Board to consider at a future meeting.

OTHER ITEMS

There were no Other Items brought before the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 8:35 p.m.

DocuSigned by:
Jason Yoho
By: DEC70EDDCE7046C
Secretary for the Meeting