

MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF  
GREEN MOUNTAIN WATER AND SANITATION DISTRICT

May 10, 2022

A Regular Meeting of the Board of Directors (the “Board”) of the Green Mountain Water and Sanitation District, (the “District”) was held at 6:00 p.m. on Tuesday, May 10, 2022.

The audio recording of this meeting is available on the District’s website.

<p>Attendance:</p>	<p>A regular meeting of the District was scheduled in compliance with the laws of the State of Colorado, with the following directors in attendance:</p> <p>Jeff A. Baker, President Karen Morgan, Vice President Dave Wiechman, Secretary Todd Hooks, Treasurer Roger Wendell, Director</p> <p>Also present were:</p> <p>Jeff Tyus, District Manager Sam R. McKay, District Information Technology Jesse Davenport, District Information Technology Dylan Woods, Coaty Marchant Woods P.C. Terry Kenyon, Merrick Engineering Alex Plotkin Dave Garner Ludmila Sue Blair Nathan Davis kmck Angie Baker KJO</p>
<p>Call to Order / Declaration of Quorum:</p>	<p>Director Baker, noting the presence of a quorum of all Directors, called to order the Regular Meeting of the Board of the Green Mountain Water and Sanitation District at 6:02 p.m.</p>
<p>Directors &amp; Disclosure Matters:</p>	<p>Director Wiechman noted that he has had previous dealings with prior District Board members and Legal representatives, but he does not have any current dealings</p>

	<p>with any previous individuals. Mr. Woods noted that there are no current conflicts of interest for Director Wiechman.</p>
<p>Approval of/Deletions from the Agenda:</p>	<p>The Board discussed amendments to the Agenda. Director Morgan <b>MOVED</b> to have election discussion with Sue Blair to item 5 moved to be Director Hooks seconded, and upon vote, the motion <b>PASSED</b> unanimously.</p> <p>Director Morgan <b>MOVED</b> to have the election of officers to item 6. Director Hooks seconded, and upon vote, the motion <b>PASSED</b> unanimously.</p> <p>Director Morgan <b>MOVED</b> to add an executive session under item 13. Director Hooks seconded, and upon vote, the motion <b>PASSED</b> unanimously.</p>
<p>Public Comment</p>	<p>Dave Garner congratulated the new members to the Board. He requested that the District ask the Jeff Co election officials as to what happened to the missing election ballots via letter.</p> <p>Alex Plotkin noted that the previous Board grew the reserve fund and that the District carries no debt. The rates were capped at some of the lowest for the area. Two system development increases were instituted to ensure that the fees are commensurate with inflation. The Board requested that meetings were recorded. The public were given an opportunity to be more involved with District matters. He thanked all those on the Board and the consultants for their work and help with the District. As an outgoing Director, Mr. Plotkin thanks the constituents and for the opportunity to serve on the Board.</p> <p>Ludmila spoke to the District's and Board's better performance. She congratulated the current Board members.</p>
<p>Election</p>	<p>Sue Blair presented to the Board that the election will be certified and the last day to certify the election is next Tuesday. There were 27,649 ballots mailed, and 4,319 ballots received. There were 957 ballots undeliverable. The District does have to pay for returned mail. There were 15.6% of ballots returned.</p> <p>Regarding voter registration lists, after initial lists were received, the ballots were sent out on April 11, 2022.</p>

	<p>She was informed by an elector that their ballot was not received, and that initial voter registration lists were not updated, but Mrs. Blair did receive supplemental voter registration lists with updated information, and they were able to get out ballots sent out quickly after receiving the updated lists to ensure that an additional 4,170 ballots were sent out to eligible voters.</p>
<p>Election of District Offices</p>	<p>Director Wiechman <b>MOVED</b> to appoint the Directors to the offices of the Board as noted below. Director Hooks <b>Seconded</b>, and upon vote, the motion <b>PASSED</b> unanimously.</p> <p style="padding-left: 40px;">President: Jeff Baker  Vice President: Karen Morgan  Treasurer: Todd Hooks  Secretary: Dave Wiechman  Director: Roger Wendell</p>
<p>Approval of the Minutes</p> <p style="padding-left: 40px;">a. April 12, 2022, Regular Meeting Minutes</p>	<p>Mr. Woods explained the purpose of the Minutes as the official written record of the Board to the new Board members.</p> <p>Director Baker <b>MOVED</b> to approve the April 12, 2022, meeting minutes with edits made by Director Morgan. Director Wiechman seconded and upon vote the motion <b>PASSED</b> with Director Wendell Abstaining from the vote.</p>
<p>District Manager Report</p> <p style="padding-left: 40px;">a. Full Employee, Operations and Maintenance report</p> <p style="padding-left: 80px;">i. Welcome New Board Members</p> <p style="padding-left: 80px;">ii. Introduction to GMWSD</p> <p style="padding-left: 80px;">iii. Mission Vision Values and Goals</p>	<p>Mr. Tyus and the staff recognized the Board for their hard work.</p> <p>Mr. Tyus provided a summary of the District’s operations and layout to those in attendance. The District has twenty-two employees, over 250 million in assets and zero debt, water is received through Denver water, 11 storage tanks, 8 pump stations, and provides water to over 10 thousand meters with over 45 thousand customers.</p> <p>Mr. Tyus provided the District’s vision, values, and goals. The vision is to build trust in a positive relationship with the</p>

<p>iv. Recognition</p>	<p>Board and the community. The values are safety, integrity, reliability, and accountability. The goals are to help customers conserve water, to continue investing in the District's infrastructure, and to retain employees.</p> <p>Mr. Tyus reported that the District has never had a tier 1 or 2 violation and commended the great safety record of the District. He noted the great network security implemented by the IT staff. Director Baker suggested that Mr. Tyus should provide a luncheon or another reward for the staff due to their successes and good performance.</p> <p>Mr. Tyus recognized the great staff of the District for their dedication throughout the past years and throughout the pandemic for their attendance and performance. He noted exemplary performance for the many different facets of the teams.</p>
<p>v. Performance Dashboards</p>	<p>Mr. Tyus explained the dashboards to the Board in relation to response times, Denver Water's delivery, assets care program, and summary documentation dashboards.</p>
<p>vi. Operations Status</p>	<p>Director Baker noted that these dashboards were created in the last three months as of when Mr. Tyus started working with the District. Director Baker thanked Mr. Tyus and his staff for their hard work to put these dashboards together.</p>
<p>Capital and Construction Projects</p> <p>a. Ravines Open Space Crossing</p>	<p>Mr. Tyus informed the Board that the operational status of services is rather normal. The lining has been replaced in the Red Zone tank. They had a kickoff meeting with the new development group. The sewer lining project is planned to start in the fall.</p> <p>Mr. Tyus reported that there is a utility engineer job posted for the District.</p> <p>Mr. Tyus explained the history of the Ravines open space by the middle school and the crossings. The erosion around the crossings could put pressure on the pipes leading to breakages. He is working with structural engineers to reinforce the crossings. When the presentation for grant funds and structural engineering plans are finalized, he will present it to the Board.</p>

<p>b. Collection Sewer Pipe Lining and Replacement</p> <p>i. Areas of Priority based on inspections and modeling</p> <p>1. CDM Smith Report</p>	<p>Director Morgan inquired to the status of the installation of barricades. Mr. Tyus informed that signs have been installed, but barricades have not been installed at this time.</p> <p>Mr. Kenyon explained that they looked at barricade costs, but he was not aware that he had been given permission to design barricades with the District and Lakewood. Mr. Kenyon had completed preliminary costs for barricades, and initials cost estimates are over \$20,000 for barricading on crossing structure.</p> <p>Mr. Kenyon explained that there are five crossings, and two of which are designed to be pedestrian crossings while the other three are not, and one of the pipe crossings is not structurally sound as the other two.</p> <p>Following the Board discussion of barricades and construction types, Director Morgan <b>MOVED</b> to approve pursuing bids and design of the barricades for the three crossings not designed for pedestrians within the scope of \$60,000. Director Baker seconded and upon vote the motion <b>PASSED</b>.</p> <p>Mr. Tyus presented that the project has been approved. The lining and replacement project is a million-dollar project. He reported that Mr. Kenyon is working very diligently on the project.</p> <p>Mr. Tyus that CDM Smith is a reporting company, and that several of the scenarios are based on the report generated by CDM Smith in relation to inspections for flow capacity. Director Baker requested that the report be sent to the rest of the Directors.</p> <p>Director Morgan inquired into if 12-inch pipes were part of the report. Mr. Kenyon informed the Board that pipes down to 8 inches were included into the report.</p>
<p>Financial Matters</p> <p>a. April 2022/May 2022 Daily/Monthly Operation Expenses &amp; Capital Expenditures</p>	<p>Director Hooks <b>MOVED</b> to approve the April 2022/May 2022 Daily/Monthly Operation Expenses &amp; Capital Expenditures as presented. Director Baker seconded and upon vote the motion <b>PASSED</b> unanimously.</p>

<p>b. April 2022 Unaudited Financial &amp; Investment Report</p>	<p>Director Hooks <b>MOVED</b> to approve the April 2022 Unaudited Financial &amp; Investment Report as presented. Director Baker seconded and upon vote the motion <b>PASSED</b> unanimously.</p>
<p>Director's Matters</p> <p>a. Election</p> <p>b. Engineer Job Posting</p> <p>c. Committee Report Denver Water</p>	<p>Mr. Woods explained that he received the oaths and the bond and filed those in the District court clerk and recorder division. He will coordinate with Mr. Tyus to have these sent to the Department of Local Affairs, Division of Local Governments.</p> <p>Director Baker requested that Mr. Woods investigate as to why the District received an inadequate list of voters from the County.</p> <p>Mr. Tyus reported that the job has been posted on the Special District Association, the Rocky Mountain Water and Environment Association, Indeed, Rocky Mountain American Water Association, and LinkedIn websites. The turnout has been great, and they are interviewing candidates even for a parttime candidate since there are not a great deal of projects at the time.</p> <p>Director Wendell inquired into the Board's role for hiring District staff. Director Baker informed him that the Board does not typically get involved for hiring staff, but that this was a new position and Board involvement was important for this instance.</p> <p>Mr. Tyus explained that a staff engineer would work with the District engineer to ensure that the quality control and quality assurance with the project manager to make sure that timing, bids, and design were adequate for the District.</p> <p>Director Morgan provided a report regarding the goals of the committee. She expressed that she wished to nominate Nathan Davis and Rick Ward to the Committee. Director Morgan <b>MOVED</b> to appoint Nathan Davis and Rick Ward to the Committee. Director Baker seconded and upon vote the motion <b>PASSED</b> unanimously.</p>

<p>d. Legislation Update</p>	<p>Director Morgan provided summaries on the legislation updates with the SDA to the Board for review.</p>
<p>Legal Matters</p> <p>a. Litigation Update</p> <p>b. Red Zone Tank</p> <p>c. 10700 West Exposition Ave</p>	<p>Mr. Woods introduced himself and his role with the District to the new members of the Board and those in attendance. Mr. Woods explained how interactions between legal and Board members should be conducted in relation to public information, executive sessions, and regular communications.</p> <p>Mr. Woods informed that the Icenogel litigation is currently stayed, and he provides updates to the litigation every 90 days with a status report that continues to stay the litigation. He provided a history of the litigation for the new members.</p> <p>Mr. Woods provided a history of the Big Sky litigation to the new members.</p> <p>Mr. Woods explained that Mr. Tyus and District staff put together the total costs of dealing with the lining failure. Mr. Woods is putting together a letter for gathering reimbursement of District funds related to the project. He informed that he received the expenses on the 20<sup>th</sup> of April and still needs to send the letter out. Mr. Woods has informed the Board that the failed lining has been removed and returned for service.</p> <p>Mr. Tyus informed the new members of the Board on the history of the tank and the maintenance that had occurred.</p> <p>Mr. Woods provided a history on the 10700 West Exposition Ave.</p> <p>Director Morgan met with the developers and requested that the Board go into executive session to discuss the negotiations.</p>
<p>Executive Session</p> <p>a. Executive Session pursuant to §24-6-402(4)(b) and/or §24-6-402(4)(e), C.R.S. for the purpose of receiving legal</p>	<p>Director Morgan MOVED to enter into executive session at 9:14 pm pursuant to §24-6-402(4)(e) for the purposes of receiving legal advice regarding the 10700 West Exposition negotiations. Director Baker seconded and upon vote the motion PASSED unanimously.</p>

advice regarding negotiations	The executive session was concluded at 9:55 pm.  Director Morgan <b>MOVED</b> to continue negotiations using a 50% for a basis and using David Garner to lead the negotiations. Director Baker seconded and the motion <b>PASSED</b> with four in favor and Director Wiechman against.
New Business – Notifications for Next Board Meeting	None.
Adjourn:	Director Baker <b>MOVED</b> to adjourn the meeting. Director Wiechman seconded the motion. The motion <b>PASSED</b> by unanimous consent, and the meeting was adjourned at 10:01 p.m.



\_\_\_\_\_, Secretary