

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

May 9, 2023

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 9, 2023.

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>Karen Morgan, Vice President Dave Wiechman, Secretary Todd Hooks, Treasurer Roger J. Wendell, Director</p> <p>Also present were: Jeff Tyus – District Manager Dylan Woods – Attorney Sam McKay Jeff Baker David Garner Mike Yost Kathy Zawistowski Imara Ludmila John Henderson</p>
<p>Call to Order / Declaration of Quorum:</p>	<p>Director Morgan, 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 6:00 p.m.</p>
<p>Directors & Disclosure Matters:</p>	<p>There were no disclosure matters.</p>
<p>Approval of/Additions to /Deletions from the Agenda</p>	<p>Director Morgan noted there was an addition to the agenda, adding Super Majority Vote to item 10b.</p> <p>Director Morgan MOVED to separate Election Results and Curing the Board</p>

	<p>Vacancy. Director Hooks seconded, following discussion and upon vote, the motion was PASSED unanimously.</p> <p>Director Morgan MOVED to add a Legislative update to item 10c. Director Wendell seconded, following discussion and upon vote, the motion was PASSED unanimously.</p>
<p>Public Comment:</p>	<p>Director Morgan opened Public Comment:</p> <p>Mike Yost – is a retired Civil Engineer, was thinking about running for a seat on the Board in 2025, however, now that the process is speeding up due to a vacancy, he would like to run for the available seat on the Board. He has a history of working as a Civil Engineer, mostly wastewater specifically for local governments, cities, counties and municipalities. He still has all of his professional licenses even though he is retired. He also is interested in helping the District obtain grant money from Federal and local agencies.</p> <p>Charles – has submitted his resume and interest in becoming a Board member.</p> <p>Kathy Zawistowski – homeowner who is here to continue to support her community in hopes the Board will find a solution to closing the Ravines bridge.</p> <p>Jeff Baker – stated that the community efforts to keep the Ravines bridges open would be better focused on the City of Lakewood, Adam Paul the Mayor and City Council. He would like to see them leave the water and sanitation district alone. Mr. Baker suggested the Board post the Super Majority Resolution on the website for the public.</p> <p>Imara – Thanked Jeff Baker for all he’s done for the District. She also congratulated Director Hooks and Director Morgan for</p>

	<p>being re-elected. Ms. Imara’s comment was directed towards the vacant seat on the Board. She is urging the Board to consider Randy Little, who had the courage to run in the regular election, receiving 1,209 votes (38%). She suggested that rather than three (3) people tonight selecting one (1) person, the Board should listen to the 1,209 constituents that voted for Mr. Little in the regular election.</p> <p>Ludmila – would like to nominate Dave Gardener for the vacant Board seat.</p> <p>John Henderson – wanted to share some highlights of his blog regarding extra territorial service which appear to have been written at a time when the Board was heavily influenced by the Developer and perhaps had a stronger interest in those passions at an earlier time. Given the change in 2018 and going forward it might be an opportunity to return to the roots of the District and the service plan as opposed to the characterization of the district’s purpose and mission in what he would consider outdated rules and regulations.</p> <p>There being no further comments from the public Director Morgan closed public comment.</p>
<p>Election Results</p>	<p>Mr. Woods presented – CRS, the election DEO, will certify the results after their May 11th meeting. CRS or Mr. Woods will then circulate and administer the Oath’s of Office to those who were re-elected, which must be done in 30 days after the election. Those oaths will be filed with the District Court and DOLA.</p>
<p>Curing Board Vacancy: Appointing New Director</p>	<p>Mr. Woods presented the requirements for appointing a new director to the Board.</p>

	Director Hooks MOVED to appoint Dave Garner to the Board. Director Morgan seconded, following discussion and upon vote the motion PASSED unanimously.
Election of Officers	No action was taken at this time. It will be on the agenda for the June meeting
District Manager Report a. Full Report i. Recognition ii. Dashboards iii. Maintenance Report iv. Project Management v. Operations	This information was provided in the meeting packet, there were no questions or concerns from the Board.
Capital and Construction Projects Project Construction Report Spreadsheet i. Sewer Pipe Lining Bear Creek Golf Course ii. Collection Sewer Pipe Kipling iii. RFI Ravines Structure, award bid iv. RFI Replacement Water Line Pipe Atlantic review and manage, award bid	<p>Scheduled to be done by the end of the month and moving quickly.</p> <p>In full force and moving quickly. Could be done in the next couple of weeks.</p> <p>Director Wendell MOVED to award JVA the bid on replacing the water line pipe on Atlantic Ave and award RESPEC the bid for design of support structure for wastewater pipe over Ravines. Director Hooks seconded, following discussion and upon vote the motion did NOT PASS with a two (2)(Wendell, Hooks) –two (2)(Morgan, Wiechman) vote.</p> <p>Director Wendell MOVED to award the bid for the Ravines structure to RESPEC, Director Morgan seconded, following discussion and upon vote the motion PASSED unanimously.</p> <p>Director Morgan MOVED to award the bid for the Atlantic water line pipe to RG. Director Hooks seconded, following</p>

	<p>discussion and upon vote the motion PASSED unanimously.</p> <p>Director Hooks MOVED to use JVA to do the flow study and design work for the Fed Center project. Director Wendell seconded, following discussion and upon vote the motion PASSED unanimously.</p>
<p>Financial Matters</p> <p>a. April 2023/May 2023 Daily/Monthly Operation Expenses & Capital Expenditures</p> <p>b. April 2023 Unaudited Financial & Investment Report</p>	<p>Director Hooks MOVED to approve the April 2023/May 2023 Daily/Monthly Operation Expenses & Capital Expenditures and the April 2023 Unaudited Financial & Investment Report. Director Wiechman seconded, following discussion and upon vote, the motion was PASSED unanimously.</p>
<p>Directors Matters</p> <p>a. Initiate Fee Study Based off 10-year Capital Improvement Plan</p> <p>b. Super Majority for Extra Territorial Services</p> <p>c. Legislative Update</p>	<p>Director Morgan would like to get Raftelis to start a reserve study for Capital Projects before the next budget hearing. There were no objections from the other Board members.</p> <p>Director Hooks MOVED to approve the following language be added to the bylaws; “any action of the board which shall have the effect of establishing, increasing or expanding its territorial service shall require a minimum of four (4) directors that vote affirmatively. Director Wendell seconded, following discussion and upon vote the motion PASSED unanimously.</p> <p>State legislation has closed and the only thing the District had pending was opposition to Bill 213.</p>
<p>Legal Matters (Dylan Woods, Title 32 Attorney for the District)</p>	<p>Mr. Woods stated he already gave his update on the election and will work with Dave Garner to get his Oath of Office filed.</p>

	<p>Mr. Woods will work with Mr. Tyus to get contracts for RG and RESPEC to get those projects moving forward.</p> <p>General litigation update:</p> <ul style="list-style-type: none"> • Big Sky – No action occurring at this time. Director Morgan would like to hold a Special meeting with the new council to hear their initial thoughts on the case. Mr. Woods will reach out and get the next meeting scheduled. • Red Zone Tank – Mr. Woods is drafting the complaint and pursuing the bond. • Former law firm – malpractice for drafting and execution and advice regarding the Big Sky IGA. Because Big Sky remains unresolved, this case is on hold. • Federal Employment Discrimination case – Green Mountain is no longer a part of this case; however, the case is still active.
<p>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 advice regarding:</p> <ul style="list-style-type: none"> a. Solterra Litigation b. Big Sky 	<p>Director Hooks MOVED to enter Executive session. Mr. Woods stated he did not have any more updates to the Board. Director Hooks withdrew his motion.</p>
<p>New Business – Notifications for Next Board Meeting</p>	<p>Director Morgan requested that Board packets be available online. Mr. Tyus stated that the Board packet is uploaded every Friday with the agenda and taken down at a later date.</p> <p>Mr. McKay would like to meet with the Board in Executive session for the yearly update for IT and cyber security related topics.</p>

Adjourn	Director Hooks MOVED to adjourn the meeting. Director Wendell seconded the motion, following discussion and upon vote motion PASSED by unanimous consent, and the meeting was adjourned at 8:37 p.m.



David Wiechman, Secretary