

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

August 8, 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, August 8, 2023.

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

Attendance:	<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, President David Garner, Vice President Todd Hooks, Treasurer Dave Wiechman, Secretary Roger Wendell, Director</p> <p>Not present, and unexcused:</p> <p>Also present were: Dylan Woods – Title 32 Attorney Mike Yost – District Engineer Sam McKay, GMWSD Stephanie Johnson, Centennial Consulting Group</p> <p>Imara Doug Pavlich, GMWSD Josh Stanley, GMWSD</p>
Call to Order / Declaration of Quorum:	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.
Directors & Disclosure Matters:	None.
Approval of/Additions to /Deletions from the Agenda	Director Morgan MOVED to remove the Executive Session from the agenda. Director

	<p>Garner seconded, and upon vote the motion PASSED unanimously.</p>
<p>Public Comment:</p>	<p>Imara – Imara inquired about the ravine bridge and the action the District has taken in relation to the bridge and potential liabilities.</p> <p>Ludmila – Ludmila also inquired about the ravine bridge vote. There was an inquiry about the sewer improvement and payroll costs. Ludmila wondered what the solar garden was about. Are decommissioned fire hydrants being sold? Note about Federal Center contamination.</p>
<p>Meeting Minutes</p>	<p>The Board and Ms. Johnson discussed the outstanding minutes to be approved. May 9, June 13, 20, and 28 minutes have been received and will be added to the next regular meeting agenda for approval.</p>
<p>Financial Matters</p>	<p>Director Hooks presented the July/August 2023 Daily/Monthly Operating Expenses & Capital Expenditures.</p> <p>Director Hooks presented the July 2023 Unaudited Financial & Investment Report was presented. Director Hooks MOVED to approve the July 2023 Unaudited Financial & Investment Report. Director Wiechman seconded, following discussion and upon vote, the motion PASSED unanimously.</p>
<p>District Engineer Report</p>	<p>Mr. Yost presented the District Engineers Report PowerPoint including:</p> <ul style="list-style-type: none"> – Maintenance & Operation Report – Proposed Development Review – Engineering Projects – Capital Improvement Projects <p>One sanitary sewer pipe break near W. Yale and S. Gladiola Way was discovered during routine maintenance, likely caused by Xcel Energy and to be repaired.</p>

	<p>Three (3) development reviews have been submitted. These are still in the preliminary stages.</p> <p>A proposal from JVA is needed for Capacity Modeling. Capacity is limited. There has been a lack of responsiveness from JVA. Director Garner MOVED to request the District Engineer pass along the Board's disappointment and to request better service moving forward. Director Morgan seconded, and upon vote, the motion PASSED unanimously. Mr. Yost will put together an RFQ and seek other providers for review at a future meeting.</p> <p>A Contaminated Soil Mitigation Plan has been requested from the Developer.</p> <p>A pipe at Bear Creek is being replaced with a plastic pipe.</p> <p>The water line replacement project is still underway, to replace corroding cast iron piping. Mr. Yost presented a proposal from RG & Associates to provide a preliminary engineering report for the seven (7) sites in question. Director Hooks MOVED to accept the proposal from RG & Associates to provide a preliminary engineering report. Director Windell seconded, following discussion and upon vote, the motion PASSED unanimously.</p> <p>The Board directed the District Engineer to provide a more detailed map of priorities and specifics.</p>
<p>Director's Matters</p>	<p>Director Wendell provided an update on the District Manager search. The Board directed that the job position be posted in additional places. Director Garner will reach out to Crown Hunter for a recruitment proposal.</p> <p>The Board discussed amending the Bylaws to include a new item that any future</p>

modification of the super majority requirement for new extra territorial service must have a super majority vote. Director Wiechman made a MOTION to add language to Bylaws Section 8 Conduct of Business – Vote Requirement stating “*Any action of the Board which shall have the effect of establishing, increasing or expanding extra territorial service shall require a permanent vote of no less than two-thirds (2/3) of the directors then comprised of the Board. Any action to terminate, amend or in any manner emasculate the foregoing requirements with regard to the provision of extra territorial service shall require a vote of not less than two-thirds (2/3) of the members compromised of the Board.*” Director Morgan seconded. No vote taken. Following discussion, Director Garner **MOVED** to table the discussion to the next meeting. Director Hooks seconded and upon vote, the table motion **PASSED** unanimously.

Director Wendell **MOVED** to rescind the supermajority voting clause in the Bylaws. No second was received, motion **FAILED**.

Mr. Woods provided an update on the ravine bridge. Director Morgan **MOVED** to engage Jim Beckworth to do research on the ravine bridge including easements and insurance advice. Director Garner seconded, following discussion and upon vote, the motion **PASSED** (4-1) with Director Hooks in opposition. The Board directed Mr. Woods to draft the ravine bridge agreement with the City of Lakewood. Director Hooks **MOVED** to approve the agreement to design the trestle structure. Director Wendell seconded, and upon vote, the motion **PASSED** (4-1) with Director Morgan in opposition.

The Board requested an engineering report regarding increased ADU and elimination of Single-Family Residential zoning.

<p>Legal Matters</p>	<p>Mr. Woods presented a proposal regarding 1078 S. Alkire. Mr. Woods recommended against approving the proposal as the amount was lower than the prior proposal and did not include a flow study.</p> <p>A case management conference on Big Sky is set for August 9th.</p> <p>A response on the Fossil Ridge litigation was submitted. The District's insurer has been notified and will provide coverage for some legal costs.</p> <p>The Red Zone settlement agreement has been executed and the District received funds pursuant to the agreement.</p> <p>The Camp George remediation project continues.</p>
<p>New Business</p>	<p>No new business was brought before the Board.</p>
<p>Adjourn</p>	<p>Director Morgan MOVED to adjourn the meeting. Director Hooks seconded the motion, following discussion and upon vote motion PASSED by unanimous consent, and the meeting was adjourned at 9:13 p.m.</p>


 David Wiechman, Secretary