

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT
January 11, 2022**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (MCBWS) Board of Directors was held at 5:00 pm on Tuesday, **January 11, 2022**, via <https://zoom.us/my/mcbwsdboardmeeting>.

Members of the Board of Directors in attendance at the public hearings and the meeting were as follows:

Brian Brown Nancy Woolf Nicholas Kempin Jonathan Ferrell

Also present were:

Mike Fabbre, District Manager	Kim Wrisley, Utility AR Coordinator/Admin Assistant
Perry Solheim, Finance Manager	Tracy Davenport, Utility AP Coordinator/Admin Assistant
Kyle Koelliker, Water Supervisor	Marcus Lock, District's Attorney
Bryan Burks, Wastewater Supervisor	Kathy Hooge, District Customer

1. Call to Order

- The regular meeting of the Board of Directors was called to order by Brown at 5:00 pm and a quorum was present.

2. Citizen Comment Period

- No citizens presented comments.

3. Approve Meeting Minutes

- December 9, 2021 – a discussion took place and the minutes were amended.
- December 14, 2021

MOTION by Kempin and seconded by Brown to approve the December 9, 2021 MLPC meeting minutes as amended. Ferrell abstained as he was not at the meeting. Motion voted in favor.

MOTION by Woolf and seconded by Kempin to approve the December 14, 2021 regular meeting minutes. Motion voted in favor.

4. Reorganization of the Board

- There was a consensus that reorganizing the Board will be tabled until after the May 2022 election or cancellation of the election so that potential new Board members can be included in any new role assignments. Until the reorganization occurs, active members will continue in their current roles and those will be posted in the 2022 Transparency Notice.

5. Designation of Meeting Location and Notice Posting Location

- There was discussion regarding the current meeting notification posting locations. District staff recommends eliminating the Mt. CB Town Hall and the Mt. CB Transit Center locations but keeping the statutory posting locations on the District website and at 100 Gothic Road (the District Office).

MOTION by Brown and seconded by Kempin to approve designating MCBWS.com and 100 Gothic Road as the official meeting notification posting locations for meetings to be held on the second Tuesday of the month at 5:00 pm on Zoom and at 100 Gothic Road. Motion voted in favor.

6. Designate Election Official

MOTION by Kempin and seconded by Woolf to designate Perry Solheim as the District's Designated Election Official with authority to cancel the election if there are fewer than three (3) candidates with valid self-nominations. Motion voted in favor.

7. Discussion of a Polling Place Election vs Mail in Ballot Election

- It was discussed that due to the COVID 19 pandemic and lower costs, a mail-in ballot election will be used for the May, 2022 election.

MOTION by Brown and seconded by Ferrell to approve a mail-in ballot election. Motion voted in favor.

8. Discussion of 2022 Election Openings and Deadlines

- Solheim reviewed page 8 of the Board Packet which summarizes key election dates and deadlines as well as page 9 which outlines the Board of Directors term structure and seat vacancies/term limits.
- There will be an ad published beginning January 20 in the Crested Butte News with a call for nominations.
- The District has been advertising for a Board member to appoint for several weeks. It recently received an application for that appointed position however Solheim suggested the Board table the appointment to see if an election will take place. If there is not an election, the Board will have the option to fill a term seat instead of appointing one. Waiting to make the appointment would reduce administrative work required to fill vacancies.

9. Update Transparency Notice

- There was a review of the information required for inclusion in the transparency notice.
- Solheim reported an error to the mill levy in Resolution 2021-3 which was approved at the December 14, 2022 meeting. The calculation for the approved 7.688 mills was off slightly, it should be 7.734 mills. The Resolution will be amended at the February meeting but since the transparency notice deadline is January 15, 2022, he included the correction in the notice that will be approved at current meeting. It is a difference of \$7000 in collected taxes overall. Gunnison County and Colorado DOLA have been notified of the correction.

MOTION by Kempin and seconded by Woolf to approve the Transparency Notice included in the Board Packet. Motion voted in favor.

10. WTP Expansion Project Update

- Updates and progress can be seen in the monthly memo from JVA and on the District Manager Report.
- Final tie-ins are taking place and the plant will soon be online.

11. WWTP Discharge Permit Update

- Many of the updates can be found in the District Manager Report.
- The end of year deadlines for compliance schedules have been met and public comment submittals for proposed changes in permit modification #6 have also been completed.
- Pursuant to the June 23, 2021 settlement agreement with the Water Quality Control Division, the District will be submitting its official letter indicating that installation of streamflow equipment on Woods Creek and Washington Gulch is unachievable.
- The next steps are still up to the state. The District has requested a one year extension to the 2022 copper compliance schedule only, not to the overall schedule. Permit modification #7 is anticipated and once received, there will be an executive session including Steve Bushong to discuss a legal strategy for the April trial.

12. MLP Water Color Issues

- The 12-month pilot program is underway. The equipment and chemicals are online. Once the new MCB WTP is online, some of its equipment will be repurposed at the MLP plant. Testing and sampling will continue as planned.
- No further color complaints from customers have been received.

13. District Manager Report

- Fabbre stated that all updates can be seen in the report.
- Five District employees have tested positive for COVID in the past week and fortunately none of the cases have been severe. The District continues to comply with CDC guidelines for safety and all staff have been vaccinated.
- The District has not been doing routine COVID testing. Test kit shortages and testing cancelations by the hospital have been an issue so only symptomatic testing has been done.
- The daily temperature/symptom check, wearing masks indoors and only one driver per vehicle safety protocols have been reinstated for the time being.

14. December 2021 Financial Report

- The financial year will not be closed until early 2022 due to typical 2021 final expense delays. There will be a 2021 period 13 for this carryover.
- The financials are trending well with revenue exceeding budget expectations. Revenues are at 107% and Expenditures are at 92%.
- Usage dollar revenue is similar to November's however usage is more than double. This occurred because the November billing cycle was done prior to the Thanksgiving holiday so it did not totally account for increased usage by Thanksgiving tourists. In addition, many customers were well below the minimum 4K gallon limit for the November cycle but then were just barely below the minimum 4K limit in December.
- Salaries were tracking well at 98%.

MOTION by Kempin and seconded by Woolf to approve the December 2021 Financial Report. Motion voted in favor.

15. Legals

- There were no legal issues discussed. Lock is still working on the agreement for MLPC.

16. New/Old Business Before the Board

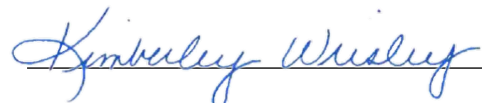
- There was a reminder that there will be a Water Rights Workshop on Wednesday, January 19, 2022 at 3:00 pm. The invites have been sent out and an agenda will be forthcoming.

17. Executive Session

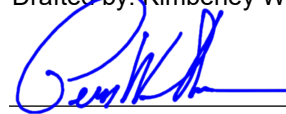
- Executive session was tabled until a future meeting.

18. Adjourn

MOTION by Brown and seconded by Kempin to adjourn the regular board meeting at 6:42 pm. Motion voted in favor.



Drafted by: Kimberley Wisley



Submitted by: Perry Solheim