

**MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MT. CRESTED BUTTE WATER AND SANITATION DISTRICT  
November 14, 2023**

Regular Meeting of the Mt. Crested Butte Water and Sanitation District (District) Board of Directors was held at 5:00 pm on Tuesday, **November 14, 2023**, via <https://zoom.us/my/mcbwsdboardmeeting>.

Members of the Board of Directors in attendance at the Regular Board Meeting were as follows:

Brian Brown - Board Member, Jonathan Ferrell - Treasurer, Nancy Grindlay - Vice Chair and Jenn O'Brien - Board Member

Nancy Woolf - Chair had an excused absence

Also present were:

Mike Fabbre - District Manager, Bryan Burks - Wastewater Supervisor, Tracy Davenport - Accounts Payable Coordinator, Kent Fulton - Finance Manager/Secretary, Kyle Koelliker - Water Supervisor, Marcus Lock - District's Attorney, Kim Wrisley - Recorder

Members of the public were also present

### **Board Meeting Agenda**

#### **1. Call to Order**

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

#### **2. Citizen Comment Period**

- No citizens presented comments.

#### **3. Approve Meeting Minutes**

- October 10, 2023.

**MOTION** by Brown and seconded by Grindlay to approve the October 10, 2023 regular meeting minutes as submitted. Ferrell abstained from voting since he was not present at the meeting. Motion voted in favor.

#### **4. District Manager Report**

- Fabbre reviewed items seen on the report included in the agenda packet.
- Fabbre noted winter operations are underway for the Meridian Lake Park Reservoir.
- Fabbre reviewed three emergency main line repairs.

#### **5. October 2023 Financial Report**

- Fulton reported there were no major issues during the month and several projects are wrapping up.
- The cost of the 30 Whetstone capital improvement project came in for more than anticipated and has been paid.

**MOTION** by Ferrell and seconded by O'Brien to approve the October 2023 Financial Report. Motion voted in favor.

#### **6. Draft 2024 Budget**

- Fulton reported that some capital improvement changes have been made to the draft since the October meeting. There was discussion regarding further possible changes.
- Fulton explained the failure of Proposition HH in the recent election does not mean the District will be receiving more property tax revenue because the allowable amount is limited by the Taxpayer's Bill of Rights (TABOR).

#### **7. Legals**

- Lock reported that a fully executed and recorded agreement with the Pristine Point Property Owners Association conveying real property to the District has been completed.

#### **8. New/Old Business Before the Board**

- Fabbre reminded the board that there will be a holiday party held on Friday, December 8, 2023.

**9. Executive Session**

- Consideration of an executive session to be held pursuant to C.R.S. § 24-6-402(4)(b) and (e)(I), which concern respectively, conferences with the District's general counsel for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators in order to discuss the ATAD IGA with the Town of Crested Butte, the potential imposition of an unauthorized connection fee on the owner of 725 Prospect Drive, and the District's wastewater trunk line.

**MOTION** by Brown and seconded by Grindlay to move into Executive Session at 5:30 pm with Fulton and Burks joining the session. Motion voted in favor.

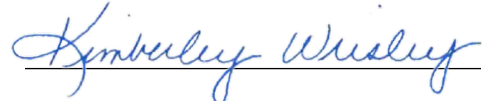
**MOTION** by Brown and seconded by O'Brien to exit Executive Session at 7:29 pm. Motion voted in favor.

**10. Potential Action Regarding 725 Prospect Drive Unauthorized Connection**

- Ferrell was excused during the Executive Session and a quorum was still present.
- There was discussion regarding a penalty to the property owner for an unauthorized connection to the District infrastructure. It was decided that no penalty should be incurred.
- The Board advised Fabbre and Lock prepare a proposed revision to Rule Section 3.1.0 (unauthorized connection) to be approved then distributed with a corresponding notice to contractors and developers within the District informing them of the District's intent to enforce this rule in the future.

**11. Adjourn**

**MOTION** by Brown and seconded by Grindlay to adjourn the regular board meeting at 7:39 pm. Motion voted in favor.



Drafted by: Kimberley Wisley



Submitted by: Kent Fulton