

**MINUTES OF ACTION
OF THE
BOARD OF DIRECTORS
GRANBY SANITATION DISTRICT
Acting by and through its Wastewater Activity Enterprise
October 9, 2019**

The regular meeting of the Board of Directors of the Granby Sanitation District was duly called to order at the Granby Sanitation District Treatment Plant on Wednesday, October 9, 2019, at 7:13 p.m. by President, Wayne Kerber. Present were Board members Wayne Kerber, Debra Brynoff and Kelly Griesch. The absences of Nancy Stuart and Casey Farrell were approved by the Board. Also in attendance were District Administrator, Tammy Granger; Operations Superintendent, Andrew “Hopper” Becker; the District’s attorney Rod McGowan; John Enochs of Diamondback Engineering and Surveying and Nick Westfall of Atwell Group/Sun Communities. John Marte appeared later in the meeting.

The first item for discussion was a request from Sun Communities for authorization for the issuance of a partial building permit for footing, foundation and underground utilities for the River Run Water Treatment Plant. Nick Westfall advised the Board that they would like authorization to proceed with construction of the footings, foundations and underground utilities for the water treatment plant. Due to water issues the treatment plant needs to be completed by April 1, 2020 and they are hoping to start with this work on October 28, 2019. When asked by the Board, Nick responded that they expect to have all of the permanent connections completed by November 12, 2019 and would not proceed with vertical construction of the water treatment plant until the Permanent Connection is completed.

Rod McGowan stated that if the Board approves a variation, a formal resolution would need to be drafted and approved. Rod referred to Section 2.3 of the First Amendment which states that “If the Permanent Connection is not complete, accepted and in operation by the Completion Deadline, Sun shall be deemed in default under the Assumption Agreement and no further sewer connections shall be made until such default is cured and the Permanent Connection is completed...”

Debra Brynoff moved to enter into Executive Session for a conference with the District’s Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding Sun Communities’ projects with Rod McGowan, John Enochs, Hopper Becker and Tammy Granger in attendance. The motion was seconded by Kelly Griesch and unanimously approved. Nick Westfall left the meeting during the executive session.

Debra Brynoff moved to exit Executive Session, Kelly Griesch seconded and the motion was unanimously approved.

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Attorney's Opinion Required by Colorado Revised Statute, Section 24-6-402(2)(d.5)(II)(B).

As the attorney representing the Granby Sanitation District, and who was in attendance at the above-referenced Executive Session, I am of the opinion that the entire Executive Session, which was not recorded, constituted a privileged attorney-client communication.


Rod McGowan, Legal Counsel

The Board voiced concern that the estimated completion date of November 12, 2019 may not be for the entirety of the Permanent Connection but rather just the section of sewer main from the connection to the District's manhole south of the railroad and north of US 40 to the Borda property connecting manhole. The Board expects Permanent Connection to include the permanent Anue system and the completion of all punch list items which will also include items related to the lift station and gravity and force mains. Rod stated that the existing Letter of Credit required by the First Amendment expires December 31, 2019. Since installation of the permanent Anue system as required by approved plans may extend beyond December 31, 2019, an extension of the Letter of Credit to March 31, 2020 is recommended. The Board reiterated that a resolution similar to past resolutions will need to be drafted.

Debra Brynoff moved to approve a waiver to allow the construction of footings, foundations and underground utilities for the River Run Water Treatment Plant and that no vertical construction permit or connection to the sewer system is authorized until Permanent Connection is completed and accepted and the existing Letter of Credit is extended until March 31, 2020. It is further moved that the appropriate District' officials are authorized to execute a resolution that captures the Board's intent upon it being executed by Sun Communities. Kelly Griesch seconded and the motion was unanimously approved. Nick Westfall and John Enochs left the meeting at this time.

John Marte appeared to discuss his delinquent accounts with the Board. After discussion Debra Brynoff moved to adopt Resolutions 2019-10-01 and 2019-10-02 which will be delivered to the Grand County Treasurer's Office on October 31, 2019 unless payment with good funds in the amount of the certification is made no later than October 30, 2019. The motion was seconded by Kelly Griesch and the resolutions were adopted unanimously.

The Board denied adoption of Resolution 2019-10-03 due to lack of service and staff was directed to proceed with disconnect proceedings on account 31100.1.

The minutes from the regular meeting held on September 11, 2019 were considered. Kelly Griesch moved to approve the minutes as amended. The motion was seconded by Debra Brynoff and unanimously approved.

Next, the bills listing and financial reports were reviewed and discussed. Kelly Griesch moved to pay

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the bills and approve the financial reports. Debra Brynoff seconded and the motion was unanimously approved.

Hopper Becker presented the Operations report and discussed the following matters:

- The plant is running well, influent flows are leveling out and effluent temperatures are dropping.
- The DMR QA study has been completed and successfully passed.
- James Tyler Sullivan was hired as a laborer in August.
- Staff is still working through electrical issues resulting from a power outage. The VFD for the aeration blowers is causing the tripping of a major breaker. Power to the People continues troubleshoot the issues as necessary.
- In regards to the Sun Communities project, the bore under the railroad has been completed. The casing is in place and the contractor is working on placing the sewer main in the casing and excavating the open cut and installing the sewer main across Hwy 40. At the time Sun will be making connection the District's live sewer main, Hopper will be closely supervising the process. This connection will be made at night when flows are low.
- The Ford F350 and bed/crane have been ordered.
- CDPHE may be working on Fraser River Basin discharge permit renewals.
- In order to assist staff with vehicle maintenance Hopper asked for approval to purchase a tire changer and balancer for approximately \$5,000.00. After considerable discussion the Board authorized the purchase.

Tammy Granger gave the Administrative Report as written. Tammy advised that she has just received renewal rates for dental insurance from Companion Life. Debra Brynoff moved to authorize the renewal of the District's dental insurance with Companion Life. Kelly Griesch seconded and the motion was unanimously approved.

Tammy Granger, as budget officer, presented a proposed budget for fiscal year 2020 to the Board. She stated that some revisions may occur as additional revenue and expenditure impacts are recognized. A public notice of the budget and hearing will be published in the October 17, 2019 edition of the Middle Park Times.


In the Attorney's report Rod McGowan advised of the following budget deadlines:

- October 15, submit proposed budget to the Board. A budget hearing must be held prior to the budget's adoption and notice of the hearing published, which Tammy has already addressed.
- December 15, deadline to adopt the budget if a mill levy is assessed.
- December 31, deadline to adopt the budget if no mill levy is assessed.
- January 31, adopted budget must be filed with the Division of Local Governments.

There being no further business to come before the Board it was duly moved by Debra Brynoff,

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seconded by Kelly Griesch and unanimously adopted that the meeting stand adjourned at 8:45 p.m.



Casey Farrell, Secretary