

**MINUTES OF ACTION  
OF THE  
BOARD OF DIRECTORS  
GRANBY SANITATION DISTRICT  
Acting by and through its Wastewater Activity Enterprise  
February 13, 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, February 13, 2019, at 7:07 p.m. by Vice-President, Debra Brynoff. Present were Board members Debra Brynoff, Kelly Griesch and Nancy Stuart. The Board excused the absence of Wayne Kerber and Casey Farrell. Also in attendance were District Administrator, Tammy Granger; Operations Superintendent, Andrew "Hopper" Becker; the District's attorney Rod McGowan and the District's engineer John Enochs of Diamondback Engineering. The following individuals were in attendance to represent Sun Communities: Mark Van Nostrand of Wright Water Engineers, Rick Weed and Nick Westfall of Atwell Group and Brock Southwick of ESCO Construction.

Deb Brynoff stated that the Executive Session listed as Agenda item number 9. may be moved up to item number 3.

Mark Van Nostrand of Wright Water Engineers went through the February 5, 2019 list of project/agenda items Sun Communities wanted to discuss with the Board of Directors (attached to the Minutes). The District's responses are noted as follows.

1. Alternate force main and gravity sewer alignment. Granby Sanitation District is in agreement with the benefits of this alignment and notes that Colorado Department of Transportation (CDOT), Union Pacific Railroad (UPRR), Meadow Road LLC and The Shaughnessy Family Trust easements must be obtained and approved prior to construction.
2. Estimated peak hour flow rates for Town of Granby service area. The District agrees with these flow estimates. John Enochs and Hopper Becker agree with the proposed gravity main sizing of 18" to Highway 40 and a 21" gravity main under Highway 40 and the railroad tracks until connection to the manhole A-4. GSD will have two interconnections north of Highway 40 where the majority of flow will flow through the 18" main and the existing 12" would act as an overflow.
3. RRR oversizing of gravity sewer pipes. GSD agrees and acknowledges.
4. Adding oxygenation equipment at lift station. GSD requests the ANUE oxygenation system be added for odor control measures. Mark stated he is getting ready to send revised plans to CDPHE that include the ANUE system. Nick Westfall inquired if there was another odor control option due to the

expense. GSD expressed their preference for an oxygenation system due to its efficiency and ease of operation. The developer will investigate installing one oxygenation system that could serve both the 4" and 8" force mains rather a separate system for each force main. The developer stated that once CDPHE receives complete submittals for the lift station site application and design review they expect approval to be issued within 2-4 weeks. The submittal will name the ANUE system or an approved equal. Brock Southwick of ESCO stated that the lift station is still in design and there are some long-lead items that may take 2-3 months for delivery. Hopper reminded the Sun representatives that the lift station must be operation to staff's satisfaction before it can be put into operation, this includes PLC/SCADA interface.

5. District signoff and approval of design drawings. Kelly Griesch moves to authorize staff to approve final design plans upon their satisfaction. Nancy Stuart seconded and the motion was unanimously approved. Final design plans must be approved before construction can commence.
6. Assistance and update for easements and construction access. In regards to the Nordloh/Snider easement the contractor feels that they can complete their construction within the existing easement. The connection site will be accessed through the UPRR right-of-way along the railroad tracks. Nick Westfall indicated that he had made contact with Gary Nordloh who authorized work within the existing easement only. The contractor believes they can work within the UPRR right-of-way and will utilize staking and shoring to ensure they do not extend beyond the Nordloh/Snider easement. The developer continues to pursue 30' easements from Meadow Road LLC and The Shaughnessy Family Trust. Sun Communities' attorney will coordinate with Rod McGowan on easement language, legal descriptions, exhibits and title work.
7. Contingency start up plans for RRR wastewater. Option a. proposed by the developer is not acceptable to the District. Sun Communities plans a limited opening of River Run Ranch RV by May 24, 2019. This date assumes that the lift station is operational and the possibility that the CDOT and UPRR bores and associated main construction may not be completed. If the new Highway 40 CDOT/UPRR bore is not completed the developer proposes completing the off-site 4" force main and gravity main and connecting it to the District's existing infrastructure prior to its crossing under Highway 40 and the UPRR. Due to the limited opening, consisting of 90 RV sites and 30 park model/villas, flow would be minimal, estimated to be 45,000 gpd. Sun hopes to begin construction of the Meadow Road section as soon as possible. The District voiced concern that staff will need to monitor the quantity and timing of these additional flows through the District's existing infrastructure so that the system does not become overloaded. Sun Communities plans to construct one continuous bore under Highway 40 and the UPRR. CDOT will not allow construction to begin until after April 15, 2019 and the UPRR permit needs to

be approved and executed by the District.

Rod McGowan summarized that the developer is requesting a variance from the Pre-Inclusion Agreement, Assumption Agreement and Resolution No. 2018-09-01, which if approved by the Board will need agreements necessary to confirm the variance, a letter of credit or payment/performance bonds and a firm completion date with penalties for exceeding the completion date. Sun representatives indicated they may need the temporary connection until early fall because they do not foresee the infrastructure being completed before then. The Board expressed concern about the impacts the contingency plan could have on the District's staff due to monitoring the flows as well as making sure all conditions are being met.

8. District start up assistance and operation of lift station and force main beginning in May 2019. The District's Operations Superintendent will need to accept the lift station as operational before it is put into use. Training from equipment vendors for commissioning and start-up will need to be conducted and manufacturer's manuals and SOPs will need to be supplied. District staff will operate the lift station but the developer will be responsible for all maintenance and its cost during the warranty period.
9. Intergovernmental Agreement (IGA) with the Town of Granby for a shared bore. The developer proposed a shared bore (sewer-Granby Sanitation District and water-Town of Granby) under Highway 34. John Enochs explained that he had discussed the matter with Mark Henderson at CDPHE who stated that rules explicitly require a 10' separation between water and sewer and both water and sewer should not be within the same casing. The District will not approve a shared casing due to CDPHE comments and regulations.

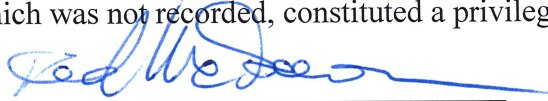
Mark Van Nostrand stated that the UPRR Pipeline Crossing Agreement had been sent to District staff. He was advised that the District will need to review it and obtain Board approval to execute the permit.

Kelly Griesch 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 Nancy Stuart and unanimously approved. The Sun Communities representatives left the meeting at this time.

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

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 stated that they are reluctant to grant additional deviations from existing Agreements with Sun Communities. However, the Board would allow the temporary use of the District's existing Highway 40 and railroad bore until July 1, 2019 upon a supplemental agreement to the Assumption Agreement being signed by the parties allowing Sun to connect to the District's infrastructure without 100% completion of the gravity main and Highway 40 and UPRR bore as originally required. The July 1, 2019 extension/variance would include the following conditions:

- Must be secured by a letter of credit that will require a cost estimate from Wright Water Engineers.
- All necessary easements being procured and approved by the District.
- A limit of 45,000 gpd flow into the District's system during the temporary period of May 24, 2019 to July 1, 2019.
- The District's receipt of signed CDOT, UPRR and 1041 permits.
- Liquidated damages if permanent infrastructure is not completed by July 1, 2019.

This variance is only available if the lift station is completed and accepted by the District for operation. In addition, the new sewer mains will need to meet satisfactory acceptance after video inspection and/or pressure testing before being put into operation.

The minutes from the regular meeting held on January 9, 2019 were considered. Nancy Stuart moved to approve the minutes as presented. The motion was seconded by Kelly Griesch and unanimously approved.

Next, the bills listing and financial reports were reviewed and discussed. Nancy Stuart moved to pay the bills and approve the financial reports. Kelly Griesch seconded and the motion was unanimously approved.

The delinquent account list was reviewed. Kelly Griesch moved to authorize staff to proceed with collection and disconnection proceedings on accounts 30850.2, 29323.2, 16240.1, 40100.2, 40110.2 and 800.3. The motion was seconded by Nancy Stuart and unanimously approved.

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

- Staff is working on completing 2018 Biosolids and Reg. 85 report submittals.
- On the evening of February 7, 2019 the plant experienced a failure of the electrical

switch that senses when utility power is out and transfers the power supply to the genset and visa versa. Staff responded to an alarm and found the plant was silent, the genset was running but not powering equipment and the plant was full of smoke. Mountain Parks Electric and Power 2 the People were called and Mountain Parks Electric confirmed that utility power was on. Power 2 the People found that the transfer switch had exploded and the switch flipped to the middle, thereby, providing neither utility nor genset power to the plant. The headworks experienced some flooding. Power 2 the People was able to manually set the switch to utility power. However, it is uncertain if a temporary fix can be created to allow switching to genset power if needed. Power 2 the People is working with the manufacturer to get a new switch built. Once the switch is built they will send service staff to make the necessary repairs. A portable generator has been made available by the Town of Granby to power an influent pump if needed. Hopper is investigating options for future prevention.


-Jonathan Beach will begin work on February 19, 2019 as an operator trainee. Hopper will proceed with filling a laborer position. Kelly Griesch asked if additional staffing is needed. Hopper felt this level of staffing is sufficient for now.

Tammy Granger gave the Administrative Report as written. The audit field work has been completed.

In the Attorney's report Rod McGowan advised that the DeCicco Enterprises easement has been recorded and provided to Tammy Granger.

In other business Nancy Stuart moved to adopt Resolution 2019-02-01 (Amending Personnel Rules). The motion was seconded by Kelly Griesch and the resolution was unanimously adopted.

There being no further business to come before the Board it was duly moved by Kelly Griesch, seconded by Nancy Stuart and unanimously adopted that the meeting stand adjourned at 9:45 p.m.

  
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Casey Farrell, Secretary