

**MINUTES OF ACTION
OF THE
BOARD OF DIRECTORS
GRANBY SANITATION DISTRICT
Acting by and through its Wastewater Activity Enterprise
March 11, 2020**

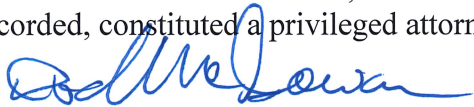
The regular meeting of the Board of Directors of the Granby Sanitation District was duly called to order at the Granby Sanitation District Treatment Plant on Wednesday, March 11, 2020, at 7:00 p.m. by Vice-President, Debra Brynoff. Present were Board members Debra Brynoff, Casey Farrell, Kelly Griesch and Nancy Stuart. The absence of Wayne Kerber was excused by the Board. Also in attendance were District Administrator, Tammy Granger; Operations Superintendent, Andrew “Hopper” Becker and the District’s attorney Rod McGowan.

Nancy Stuart 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, Hopper Becker and Tammy Granger in attendance. The motion was seconded by Casey Farrell and unanimously approved.

Nancy Stuart moved to exit Executive Session, Casey Farrell 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

Rod McGowan summarized that Sun Communities is in default of their agreements with the District. Rod stated that he had received an e-mail request from Sun Communities’ attorney requesting a 50% reduction of the delay compensation that had been billed to Sun for December, 2019 and January, 2020. After discussion, Kelly Griesch moved to adopt Resolution No. 2020-03-01 A Resolution Declaring a Default and Authorizing Enforcement Action as a Consequence of the Nonpayment of Fees and Charges Owed by Sun River Run Ranch RV LLC. The motion was seconded by Nancy Stuart and the resolution was unanimously adopted.

The next item for consideration by the Board was the matter of substantial completion of certain

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wastewater infrastructure constructed to serve the Sun River Run Ranch project. The District's engineer, Diamondback Engineering and Surveying has submitted a Certificate of Substantial Completion along with letters from ESCO Construction, Atwell LLC and Wright Water Engineers, Inc. certifying substantial completion and that construction was performed in general accordance of the approved plans and specifications. Casey Farrell moved to approve Diamondback Engineering and Surveying, Inc. Certification of Substantial Completion dated March 5, 2020 for three sections of wastewater infrastructure which include (1) Onsite 8" gravity and force main sanitary sewer lines (2) Offsite gravity and force main sanitary sewer lines and (3) lift station, and excluding the 8" gravity sanitary sewer mains located within the Smith Creek Crossing development. The motion was seconded by Nancy Stuart and unanimously approved.

The minutes from the regular meeting held on February 12, 2020 were considered. Nancy Stuart moved to approve the minutes as written. The motion was seconded by Casey Farrell and unanimously approved.

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

The delinquency report was reviewed and delinquency hearings were held. The Board was advised that door hangers were posted on March 9, 2020. There were no account holders in attendance. Kelly Griesch moved to authorize staff to proceed with disconnect and collection proceedings on accounts 32000.2, 40100.2 and 40110.2. Casey Farrell seconded and the motion was unanimously approved.

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

- The plant is running well and one train is in operation.
- In regards to COVID-19, the hoarding of supplies is concerning. Rubbing alcohol necessary for use in the lab has been obtained from a lab supply vendor as well as hand sanitizer. CDPHE has issued operational guidelines and staff will be conscious of the increased potential of sewer main and service line blockages caused by the flushing of paper products other than toilet paper. Staff will be working with the Grand County Office of Emergency Management as necessary.
- The first semi-annual WET test passed. It is possible that the District's permit renewal may require quarterly testing.
- Various types of solids handling equipment are being investigated and reviewed.
- Infiltration and inflow issues at the Sun River Run Ranch project are being monitored for necessary repairs to be performed by the developer.
- Hopper brought up the issue of illegal apartment units that have apparently bypassed the building permit process and, therefore, not paid the appropriate plant investment fees and are, subsequently, underpaying sewer service fees for the additional single-family equivalent resulting from the now multi-family units. As a result, these under-assessed units are not

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paying for the increased treatment demand they create and contributing to the District's operating and maintenance costs through payment of sewer service fees nor have they purchased capacity in the plant and contributed to the capital outlay fund for treatment capacity through payment of plant investment fees. Hopper would like to meet with the new Town Manager and Town of Granby code enforcement officer to discuss the matter. The Board authorized said discussions.

Tammy Granger gave the Administrative Report as written.

In the Attorney's report Rod McGowan noted that Oaths of Office for the newly elected directors will be administered at the May 13, 2020 meeting. In regards to the solids handling equipment procurement bid an addendum has been issued to address Colorado contract requirements.

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 8:35 p.m.



Casey Farrell, Secretary