

**MINUTES OF ACTION  
OF THE  
BOARD OF DIRECTORS  
GRANBY SANITATION DISTRICT  
Acting by and through its Wastewater Activity Enterprise  
June 12, 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, June 12, 2019, at 7:03 p.m. by President, Wayne Kerber. Present were Board members Wayne Kerber, Debra Brynoff, Casey Farrell, Kelly Griesch and Nancy Stuart. Also in attendance were District Administrator, Tammy Granger; Operations Superintendent, Andrew "Hopper" Becker; the District's attorney Rod McGowan; Nick Westfall of Atwell Group, Cameron Grant of Lyons Gaddis and Jackie Maguire and John McClaren representing Sun Communities.

The first item on the agenda was discussion and possible adoption of Resolution 2019-06-01 A Resolution Approving a Waiver and Deferral of Tap Fee Payments for 36 Villa Units at the Sun River Run Ranch Project, Subject to Certain Conditions. John McClaren expressed his appreciation to the Board for their on-going support and flexibility regarding their project. He appeared tonight to seek approval of the proposed resolution to allow Sun Communities to set the Villas at Sun River Run Ranch prior to connection of temporary connection infrastructure. He feels like this is the last item needed to allow them to begin operation soon.

Wayne Kerber asked about the status of the temporary connection. Nick Westfall expects the temporary connection to be completed by the end of June, 2019. Casey Farrell asked if plant investment fees are due when they connect to the temporary connection. Cameron Grant indicated that he expects plant investment fee payment as soon as the temporary connection infrastructure is approved for use by Granby Sanitation District. Nick stated that once fees are paid the villas will be connected to the stub-outs.

Rod stated that there is some concern about the ramifications of flow exceeding the temporary connection limit of 50,000 gpd. Jackie Maguire responded that Sun will monitor and adjust operations if needed to stay within the flow limit. Hopper Becker explained that a plug will be installed at the connection of the private infrastructure to the public sewer main and that the plug will not be removed until the infrastructure has been inspected and approved for use and all plant investment fees due to the District have been paid. Wayne Kerber added that Certificates of Occupancy cannot be issued until these conditions have been met. After discussion it was agreed by the parties that the villas can be connected to the stub-out when they are initially set due to there being a plug in the sewer main to prohibit discharge to the public infrastructure. The plug will not be removed until the temporary connection infrastructure is completed and accepted by the District and plant investment fees due at temporary connection are paid.

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Tammy Granger asked when the remaining RV sites and glamping units are expected to be put into service. Pursuant to development plans provided to the District there are approximately 213 additional RV sites (133 in the current phase and 80 in a future phase), 46-75 glamping units, a maintenance building and a boat and cart barn still expected to be constructed. Jackie Maguire stated that 105 RV sites are expected to be finished in August and 35 glamping units and an additional 28 RV sites to be completed by Labor Day. There are 12 rustic camping sites which will not be assessed SFE. Additional RV sites are expected to be constructed in 2020, however, the exact number is uncertain at this time. Sun was asked to keep District staff updated so that plant investment fee collection can be coordinated. They were also asked to provide specific lot numbers with the payment of corresponding plant investment fees.

Casey Farrell moved to adopt Resolution 2019-06-01 A Resolution Approving a Waiver and Deferral of Tap Fee Payments for 36 Villa Units at the Sun River Run Ranch Project, Subject to Certain Conditions with an amendment requiring payment of plant investment fees in the amount of \$357,000.00 for 42 single-family equivalents (105 RV sites, 35, glamping sites and 28 additional RV sites) at the time of permanent connection. The motion was seconded by Debra Brynoff and Resolution 2019-06-01 was unanimously adopted. Sun Communities representatives left the meeting at this time.

Hopper advised the Board that inspection and acceptance checklists are being prepared. General discussion was held regarding the status of construction.

The minutes from the regular meeting held on May 8, 2019 were considered. Casey Farrell 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. Kelly Griesch moved to pay the bills and approve the financial reports. Nancy Stuart seconded and the motion was unanimously approved. The Board directed staff to bill Dakota Land, LLC for engineering consulting fees in the amount of \$375.00 incurred for discussion regarding the sizing of the sewer service line for the project at 106 E. Jasper Ave.

The delinquent account list was reviewed. Staff advised that disconnect door hangers were hung on June 6, 2019. Casey Farrell moved to authorize staff to proceed with collection and disconnection proceedings on accounts 29344.2 and 46500.2. The motion was seconded by Debra Brynoff and unanimously approved.

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

- Plant is operating well.
- The transfer switch project has been completed

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- The dump bed has been installed on the Ford F550. The Board authorized Hopper to sell the 1977 Ford dump truck.
- Still in the process of hiring a laborer.
- Staff has begun the video inspection and root control program in the collection system.


Tammy Granger had Administrative Report to present.

In the Attorney's report Rod has the First Amendment to Assumption Agreement between Granby Sanitation District and Sun River Run Ranch LLC (Temporary Sewer Connection) and Easement Deed – The Shaughnessy Family Trust 02-15-2010 and Jean F. Hunt ready for Board signature.

Rod gave a legislative update on the following bills approved in 2019 that may concern the District:

- HB-1087 Notice of meetings
- SB-138 Public works bonds
- SB-181 Oil and gas
- HB-1025 Limits on job applicant criminal history inquiries
- SB-0185 Equal pay for equal work

There being no further business to come before the Board it was duly moved by Casey Farrell, seconded by Kelly Griesch and unanimously adopted that the meeting stand adjourned at 8:20 p.m.

  
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Casey Farrell, Secretary

1. HB-1087 Notice of meetings.
  - a. Effective 7-1-19, local public body may give the 24-hour notice required by the open meetings law by posting on the public website of the entity, in lieu of or in addition to physical posting. Encourages posting searchable notice and links to any social media accounts.
  - b. If posting on website, local body to provide address for website to Dept of Local Affairs, to post on their site.
  - c. Deletes the requirement for posting meeting notices at 3 public places and at C&R 72 hours in advance. Special meeting may be called by any director by informing other directors and posting website notice.
  
2. SB-138 public works bonds
  - a. Extends performance/payment bond requirements to “public-private projects”, by making statute applicable to any construction contract awarded to a private entity for construction on public property using any public or private money or financing.
  - b. Performance bond required for all contracts > \$50,000; same for payment bond except payment bond for contracts >150,000 for project on public property with private financing?
  
3. SB-181 Oil and gas
  - a. “Prioritizes” public safety, health, welfare and environment in O&G regulations
  - b. Repealing state supremacy and delegating regulations to local authorities. For example, county or municipality may now put a moratorium on exploration/extraction and set minimum setbacks
  - c. Allows local government to use 1041 powers to regulate
  - d. Allows state commission to adopt more stringent environmental standards.
  - e. Changes state commission by deleting all but 1 industry representative and adding wildlife/environment reps.
  - f. Essentially adopts major provisions of voter-rejected measure.
  
4. HB-1025 Limits on job applicant criminal history inquires
  - a. Effective 9-1-19 (employers with >= 11 employees) or 9-1-21 (all others), prohibits employer from excluding persons with criminal history from job applications and from inquiring about criminal history on initial application.
  - b. Employer may obtain “publicly available criminal background report” at any time.
  - c. Excludes state and local governments from law. [Do as I say, not as I do]
  
5. SB-085 – equal pay for equal work.
  - a. Allows civil action by aggrieved persons
  - b. Allows only specific factors for wage discrepancies.
  - c. Prohibits employer from obtaining wage history or relying on prior wage rate
  - d. Requires employer to announce all openings and advancement opportunities and pay ranges.
  - e. Applies to state and political subdivisions.