

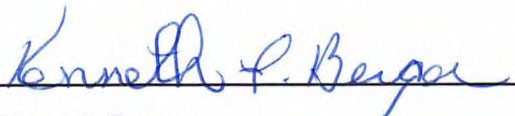
Leadville Sanitation Special Board Meeting Minutes for January 25, 2024

The Leadville Sanitation District (LSD) held a board meeting at the district's office located at 911 S. Highway 24, Leadville at 3:15 pm on 1/25/2024. Board members present: Chair Ken Berger, Directors, Bob Vigil, Mike Smith and Jane Gowing with Director Sterling Mudge absent; Staff present: Angelina Salazar, Office Manager, John Volk Operator Responsible Charge (ORC), district Attorneys, Joe Fattor and Allison Ulmer; JVA engineers, Janet Hausman, Chelsea Fagan, Josh McDivitt (via Zoom).

- A. **Executive Session** - At 3:18 pm Chair Berger called the meeting to order. At 3:19 pm, Chair Berger moved the board into Executive Session to conduct an executive session pursuant to Section 24-6-402(4)(B), C.R.S. for the purpose of a conference with the district's legal counsel regarding specific legal questions pertaining to Mountain Pines Subdivision. The motion was seconded by Director Smith, all voted in favor. With no formal board action taken, at 4:01 pm Chair Berger moved the board back into the public meeting, seconded by Director Vigil, all voted in favor. Back in the public meeting the board agreed that Attorney Ulmer will contact Martin/Martin with additional questions and draft a response to the Molleur's attorney, Daniel Mizner. The district's attorneys will continue to provide the board with information and periodic status updates when received.
- B. **Executive Session** – At 4:03 pm Chair Berger moved the board into the second Executive Session, seconded by Director Gowing, all voted in favor pursuant to Section 24-6-401(4)(b) and (f), C.R.S. for the purpose of conference with the district's legal counsel regarding specific legal questions pertaining to wage, hour laws and use of district facilities. At 4:24 pm, Chair Berger moved the board back into the public meeting, seconded by Director Vigil, all voted in favor. The board agreed that employees must get permission to work overtime. In addition, the board accepted Operator Robert Pacheco's resignation. The district will post for an "A" operator.
- C. **Designation of Personnel Committee** – The board discussed creating a personnel committee to handle personnel issues in a more efficient manner. Chair Berger moved to appoint board Secretary Gowing and himself to serve the board in this capacity, seconded by Director Vigil, all voted in favor.
- D. **LSD and Water Quality Control Professionals (WQCP), LLC, Operator Responsible Charge (ORC) Contract.** After a few clarifications to the board by Mr. Volk, Director Gowing moved to authorize Chair Berger to sign the WQCP, LLC contract for a one-year term, seconded by Director Vigil, all voted in favor.
- E. **District By-Laws** – Ms. Salazar provided written copies of the By-Laws to board members. Secretary Gowing asked that the board review the By-Laws before the February 8, 2024, meeting and be prepared to provide comments and vote on them at that board meeting.

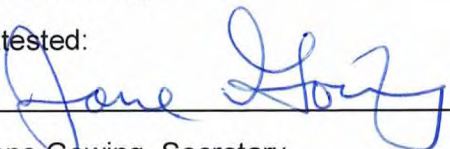
- F. Joe Fattor – Poplar Easement. JVA has requested that Attorney Fattor draft an easement for those property owners south of the alley for their signature(s) so the district contractor has room to reroute and dig the East 8th and Poplar streets sewer main. After board discussion it was also suggested to reach out to Lake County Manager, Tim Bergman, to see if the County would agree to grant the easement rather than asking the property owners. Director Gowing volunteered to forward Mr. Bergman’s contact information to Chelsea Fagan (JVA) and Ms. Fagan can provide detailed information to Mr. Bergman about the project. This project is bundled with other collection system work and would take place at the end of the summer 2024.
- G. JVA
- a. Lake County Request – Lake County has approached JVA about working with the county on its work force housing project(s). JVA does all of LSD engineering projects and has for many years. Josh McDivitt, with JVA asked the district if LSD had any issues with JVA working for both entities on these community housing projects and if so, JVA would decline the project(s). Mr. McDivitt said they have addressed any conflicts of interests with other such projects by having two separate teams working with each entity. LSD would continue to work with their team of Cooper Best, Janet Hausmann and Chelsea Fagan and Lake County would work with a different JVA engineering team. Attorney Fattor suggested that should a conflict occur; Lake County would hire a 3rd party engineering firm to resolve the issue. JVA and the board thought that to be a reasonable approach and support the shared engineering and cost savings for the community housing project(s).
- b. West 6th Street Properties – Ms. Fagan had questions for LSD about providing JVA’s most recent site reviews and sewer line information to prospective buyers of Mr. Narduzzi’s property. Ms. Fagan will forward the latest JVA letter to Attorney Fattor for review and he will address the matter at the next board meeting. In addition, it was suggested that Attorney Fattor keep the county building department appraised of the property’s sanitary sewer status via written correspondence with Land Use Director, Anne Schneider.

At 5:42 pm, Director Vigil moved to adjourn, seconded by Director Smith, all voted in favor.



Kenneth Berger

Attested:



Jane Gowing, Secretary