

Leadville Sanitation Meeting Minutes for March 8, 2023

The Leadville Sanitation District (LSD) held its monthly board meeting at the District's office located at 911 S. Highway 24, Leadville at 5:00 pm on 3/8/2023. Board members present: Chair Ken Berger, Directors Robert Vigil, Joe Hren, Dan Osborn and Jane Gowing; Staff present: Angelina Salazar, Office Manager; Cooper Best (via Zoom) JVA Consulting; Allison Ulmer and Josh Marks, Special Legal Counsel. Sanitation District Attorney, Joe Fattor was absent.

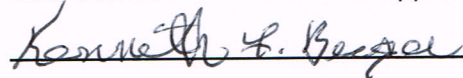
- A. At 5:00 pm Chair Berger called the meeting to order and then motioned to move into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. for the purpose of a conference with the District's legal counsel regarding specific legal questions pertaining to Werderitch Construction LLC and Eric Scott/Mountain Laundry, Inc. v. Leadville Sanitation District.
- B. At 5:35 pm Chair Berger closed the Executive Session and moved the board back into the public meeting to vote on the Consideration of Settlement term sheet regarding Eric Scott and Mountain Laundry, Inc. v. Leadville Sanitation District. Based on unanimous legal recommendation and the board's better understanding of the matters, Director Osborn moved to direct Josh Marks to draft a settlement agreement incorporating the terms presented to the board, and to authorize the board Chair or in his absence, any other board member, to execute and deliver the settlement agreement upon review and approval of Josh Marks, Joe Fattor, and Allison Ulmer. Director Vigil seconded, all voted in favor.
- C. Public Comment was the next item on the agenda. With no public present at the meeting. Chair Berger amended the agenda to include the following items as follows:
- D. The Leadville Race Series/Tamira Jenlink provided information on the Silver Rush races scheduled for July 8 & 9, 2023. Ms. Jenlink asked if the board had any issues with last year's race events. Hearing no negative feedback, Ms. Jenlink will proceed with race details and oversight as she did last year. Ms. Jenlink will forward a copy of the Operations Plan to Ms. Salazar along with proof of the Race Series' Certification of Insurance (COI) for the District's files.
- E. Next on the agenda was Resolution No. 4, Series 2023 – Cancellation of Election and Declaration Deeming Candidates Elected Board of Directors Resolution. Director Osborn moved to approve, seconded by Director Hen, all voted in favor.
- F. Next on the agenda was an update by Cooper Best with JVA. Cooper Best provided information on the Congressional Directed Spending (CDS) funding process. JVA sent the application to Office Manager Salazar and offered to assist with completing the application. JVA staff is recommending that the District apply for a two million dollar loan through the CDS process. JVA staff continues to try and press through with the design work for the Collections System Project and manual. The designs for the Plant Improvement Project work is moving forward too. Finally, Chair Berger just signed the CDOT Access Permit application and Office Manager Salazar will submit the application

along with the District's traffic study to the State. Cooper Best said he thought the State would review and respond to the application within 30-45 days.

- G. Regular monthly meeting minutes from 2/8/2023 was next on the agenda. Chair Berger moved to approve, seconded by Director Vigil, all voted to approve.
- H. Special meeting minutes of 2/22/2023 was the next agenda item. Chair Berger moved to approve, seconded by Director Osborn, all voted in favor.
- I. Up next was the Check List approval. With no edits or corrections, Director Vigil moved to accept the financial records, seconded by Director Hren, all voted in favor.
- J. Attorney Fattor was unable to attend the meeting due to illness. However, Josh Marks and Allison Ulmer provided legal advice in the Executive Session in Joe's absence. There was a letter from CJK in the March packet. Discussion about the letter is tabled until next month when Joe Fattor is available to provide more information.
- K. Director Osborn presented information on the next item, an email request from the Director of Community Development and Planning, Chapin LaChance. The Policy Advisory Team (PAT) is proposing a code amendment to the City of Leadville to increase housing unit density within the City. Mr. LaChance is asking for comments from the utility providers (Parkville, Sanitation, Xcel) about capacity, service and location of their respective infrastructure in relation to the increase in density. The information will be submitted to the City's Planning and Zoning Commissions for their consideration.
- K. Daily/Plant Report was next on the agenda. Staff is working on correcting the CDPHE 3/1/2023 inspection deficiencies. To date, a safety rail has been added to a gap in the clarifier railing, a thermometer has been ordered for the auto sampling fridge, CL2 cylinders have been labeled and secured to the building and #10 buffer has been purchased for 3-point pH calibration.
- L. Office – Ms. Salazar asked about approval of the modified payroll schedule that was discussed last month. Director Vigil moved to modify the payroll schedule so no payment is advanced to staff before hours are worked, seconded by Director Osborn, all voted in favor.

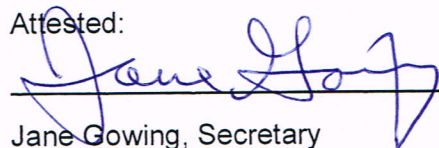
At 6:21 pm Director Vigil moved to adjourn, Director Osborn seconded, all were in favor.

Said minutes were read and approved:



Kenneth Berger

Attested:



Jane Gowing, Secretary