

Leadville Sanitation Meeting Minutes of April 3, 2019

The monthly Leadville Sanitation District (District) board meeting was held in the District's office located at 911 S. Highway 24, Leadville at 5:00 pm on 4/3/2019. The meeting was called to order by board chair, Ken Berger. Board members present: Ken Berger, Les Parlin, Bob Vigil, Joe Hren and Jane Gowing. Staff present: Scott Marcella, Superintendent, Administrative Assistance Angelina Salazar and Legal Council, Joe Fattor.

1. The meeting opened with public comment. No public comments provided.
2. The first item on the agenda was review of the March minutes. Chair Berger had one correction on the March meeting minutes. On item #3 the last sentence should read "The matter was tabled until the **April** meeting", not the March meeting. Director Vigil moved to approve the March minutes with the noted correction, Director Parlin seconded, all in favor.
3. The next item on the agenda was the Check List Approval (bills and payroll). Hearing no questions or objections, Director Parlin moved to approve, seconded by Director Vigil, all in favor.
4. Attorney Fattor presented next on the agenda regarding Kyle Welch from GW Leadville, LLC, (GW) and his development off of Evergreen Dr. and Lake County Road 4. Mr. Welch and his attorney, Christina Floyd, discussed the development's sewer collection engineering plan submittal and how to proceed forward with a construction agreement. Mr. Fattor explained that once the plans are submitted, reviewed and approved by the District's engineer (Cooper Best), the plans are then incorporated into a sewer line construction agreement drafted by the District. GW's development plans show 3 phases of construction and GW is requesting to get approval for the entire development, acknowledging the phasing of the development. Superintendent Marcella explained that the District would not typically draft a construction agreement for all 3 phases up front, as this obligates the District for a number of years if the later phase(s) of development do not occur in a timely fashion. In addition to the construction agreement, GW will be required to post a bond ensuring the satisfactory installation and completion of the sewer collection lines. Mr. Fattor explained that the bond will be based upon projected construction costs of the sewer line installations and these costs must be provided by GW to the District so an appropriate bond can be determined. Finally, Superintendent Marcella asked if there were any easements for the lines from anyone other than Lake County or if GW would be granting any easements. If so, all easements must be noted with legal descriptions. Paul Clarkson from Lake County is requiring approval from the District and Parkville Water before issuing a permit.
5. Next on the agenda was the appointment to the Leadville Urban Renewal Authority (LURA). Mr. Fattor contacted Bart Miller from Collins, Cockrel & Cole for legal assistance with two questions. First, Mr. Fattor questioned the ability of Director Gowing to represent the District and Special Districts on LURA because she sits on City Council which is already a part of the LURA board. The second question was how to find another person to represent the Special Districts on LURA if Director Gowing cannot represent the District and the Special Districts. Mr. Fattor has not received a response from Mr. Miller, therefore

Chair Berger tabled the appointment until the May board meeting. Additional discussion occurred about Brooklyn Heights' participation in the Leadville Urban Renewal Authority versus the Leadville Urban Renewal Plan. Mr. Fattor will reach out to Mr. Miller for an explanation of the terminology and clarification about Brooklyn Heights' status with the LURA. Mr. Fattor will also request a legal opinion from Mr. Miller on the impact participating in LURA will have on the ability for the District to fund a future plant expansion. Finally, Mr. Fattor will also ask Mr. Miller if the District could have a different rate structure schedule for those properties located within the LURA. Once a written response is received, Mr. Fattor will relay the information to the board.

6. Next on the agenda was the Superintendent's Report – Superintendent Marcela provided the following information:

Line Report – On 3/10/19 the District used the RotoRooter to clean out roots from a sewer line on Mt. Traver. In addition, the District called in SnowBridge to cut out the roots and give the line a good flush. With the flusher truck down, District staff had a number of frozen lines and had to work for 2 days (3/22,23/19) to get lines back open and in service.

Maintenance – Digester #1 needed a new blower and electrical parts after a power outage. The flusher truck transmission was rebuilt, the drive lines replaced and rear differential redone. Given the truck's age and ongoing necessary maintenance, Superintendent Marcella discussed testing out a new flusher truck with the possibility of purchasing a new truck in 2020.

Other – Superintendent Marcella provided an update on the mercury issue. The consultants working on the project are trying to remove the mercury but due to the stringent limit, none of the consultants have been successful to date. Cooper Best has suggested having an attorney review the District's permit, data and overall situation to determine if the District might have a case to bring to CDPHE's Permitting Division to get a less stringent mercury limit or permit variance.

7. Office – Ms. Salazar discussed a situation that has arisen with District rate payers wanting to build a house using an out of town bank for financing. With out of town financing, you cannot get a construction loan without a building permit, but currently the District's policy will not allow a building permit to be issued from Lake County unless you have paid the sanitation tap fee. In order to fairly address the situation, Ms. Salazar and Superintendent Marcella created a plan to set up an account for each building site and assess standby fees. Once the tap is made and/or the tap fee is paid, a Certificate of Occupancy can be issued by the Lake County Building Department and the account will go into the bi-monthly billing cycle. Mr. Fattor will draft a Resolution allowing this new practice for the May board meeting. The District's computer server keeps running out of memory every 30-45 days. Therefore, Ms. Salazar has been backing up files on the Cloud which is working more smoothly and efficiently.

Adjournment – Director Vigil moved to adjourn and Director Parlin seconded, all in favor. The meeting adjourned at 5:50 pm.

Said minutes were read and approved:

Kenneth F. Berger

Kenneth Berger

Attested:

Jane Gowing

Jane Gowing, Secretary