

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF  
LEADVILLE SANITATION DISTRICT

HELD  
December 30, 2024

The Special Meeting of the Board of Directors of the Leadville Sanitation District was held at Leadville Sanitation District Office, 911 Hwy 24, Leadville, CO 80461, and via Zoom and Teleconference on Monday, December 30, 2024, at 3:30 p.m.

ATTENDANCE

Directors in Attendance:

Kenneth Berger, President & Chairperson

Jane Gowing, Secretary

Sterling Mudge, Director

Micheal Smith, Director

Robert Vigil, Director

Also in Attendance:

Allison Ulmer, Esq., Isuri Lawson, Esq.; Collins Cole Winn & Ulmer, PLLC.

Tiffany Skoglund, and Jennifer Ondracek; Pinnacle Consulting Group, Inc. Joshua Miller, District Manager; Dawna Schneiter, Staff; Leadville Sanitation District

Chelsea Fagan and Janet Hausmann; JVA Engineers

ADMINISTRATIVE  
ITEMS

Call to Order: The Special Meeting of the Board of Directors of the Leadville Sanitation District was called to order by Director Berger at 3:34 p.m.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director Berger noted that a quorum was present, with five out of five Directors in attendance. All Board Members confirmed their qualifications to serve on the Board. Director Berger noted there are no potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted.

Approval of Agenda: The Board considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Mudge, seconded by Director Vigil, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as amended to add Engineering Items prior to IV - Executive Session.

Public Comment for Non-Agenda Items: There were no Public Comments received.

# RECORD OF PROCEEDINGS

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DISTRICT  
MANAGEMENT  
/OPERATIONS

Approval of Minutes – November 21, 2024 and December 5, 2024: Ms. Skoglund reviewed the draft minutes with the board and answered questions. Upon a motion duly made by Director Mudge, Seconded by Director Vigil, the November 21, 2024 and December 5, 2024 were unanimously approved, with corrections made.

Discussion and Approval of Updated Employee Handbook and Resolution: The board discussed the changes being made to the Handbook concerning holidays, vacation, sick time accrual and miscellaneous minor changes. Upon a motion made by Director Berger, Seconded by Director Mudge, the Handbook approval will be tabled to the January meeting for approval.

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ENGINEERING ITEMS

Plant Project: Ms. Hausmann recommended the Board move forward with using propane, with the possibility to incorporate/replace with natural gas later using a “Conversion Kit”. Discussion was had concerning the cost of the “Conversion Kit” and it was determined it would be relatively cheap compared to the electricity costs. Ms. Hausmann will update drawings to reflect the use of propane and forward to the engineers.

West 6<sup>th</sup> Street - Porterfield Update: Ms. Fagan reported they have been contacted by Porterfield’s legal counsel with a request for a conditional C/O from the District. Attorney Ulmer recommended Mr. Miller and herself meet later to discuss this matter in further detail. Mr. Porterfield plans to attend the District Board meeting on Thursday, January 9<sup>th</sup>, 2025.

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EXECUTIVE SESSION

Pursuant to pursuant to § 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 *Leadville Sanitation District v. Werderitch Construction LLC*: Attorney Ulmer reported she had no new information for the Board at this time but was available to answer questions in Executive Session if needed. The Executive Session was not necessary and no motion was made.

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LEGAL ITEMS

Discussion and Approval of Resolution Increasing Certain Rates and Fees: Attorney Ulmer presented the Resolution Increasing Certain Rates and Fees. Notice of the meeting to consider the rate increase was included in the District’s Transparency Notice on November 27, 2024, which was at least 30 days in advance, in accordance with State law. Discussion was had concerning the late fees that can charged. Attorney Ulmer stated according to State law the District can assess interest of 1% per month, not including

# RECORD OF PROCEEDINGS

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any late fees/penalties established by the Board. Following discussion upon a motion duly made by Director Berger, Seconded by Director Vigil, the 2025 Fee Schedule as presented was unanimously approved.

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## DIRECTOR ITEMS

There were no Director Comments received.

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## OTHER MATTERS

EQR and Collection System Development Fees Pamphlet: Mr. Miller presented to the Board an EQR and Collection System Development Fees flyer to provide to the public.

Bill.com Discussion: Discussion was had concerning Bill.com vs QuickBooks online. Ms. Skoglund, Ms. Ondracek, Mr. Miller and Ms. Schneider will meet to prepare a comparison of the two financial tools to the Board. This matter was tabled for further discussion to a future Board meeting.

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## ADJOURNMENT

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

  
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Tiffany Skoglund, Recording Secretary for the Meeting