

# RECORD OF PROCEEDINGS

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

HELD  
November 12, 2024

The Special Meeting of the Board of Directors of the Leadville Sanitation District was held at Leadville Sanitation 911 Hwy 24, Leadville, CO 80461, and via Zoom and Teleconference on Tuesday, November 12, 2024, at 3:15 p.m.

### ATTENDANCE

#### Directors in Attendance:

Kenneth Berger, President & Chairperson  
Jane Gowing, Secretary  
Sterling Mudge, Director

#### Directors Absent but Excused

Micheal Smith, Director  
Robert Vigil, Director

#### Also in Attendance:

Tiffany Skoglund, Jennifer Ondracek, and Sarah Bromley; Pinnacle Consulting Group, Inc.  
Joshua Miller; Leadville Sanitation District  
Allison Ulmer; Collins, Cole, Winn & Ulmer

### ADMINISTRATIVE ITEMS

Call to Order: The Regular Meeting of the Board of Directors of the Leadville Sanitation District was called to order by Director Berger at 3:17 p.m.

Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Director Berger noted that a quorum was present, with three 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 Berger, seconded by Director Mudge, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

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

Director Comment: There were no Director Comments received.

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EXECUTIVE SESSION Executive session, 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 Werderitch Construction LLC.

Ms. Ulmer advised the Board that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Board to convene an executive session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to specific legal questions pertaining to Werderitch Construction LLC.

**RESOLVED** to convene an Executive Session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to specific legal questions pertaining to Werderitch Construction LLC.

The Board returned from Executive Session at 5:04 p.m. No decisions or actions were taken in the Executive Session.

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EXECUTIVE SESSION Executive session, 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 delinquent accounts.

Ms. Ulmer advised the Board that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Board to convene an executive session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to specific legal questions pertaining to delinquent accounts.

**RESOLVED** to convene an Executive Session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to specific legal questions pertaining to delinquent accounts.

The Board returned from Executive Session at 5:04 p.m. No decisions or actions were taken in the Executive Session.

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EXECUTIVE SESSION Executive session, 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 tap fees.

Ms. Ulmer advised the Board that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Board to convene an executive session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to specific legal questions pertaining to tap fees.

**RESOLVED** to convene an Executive Session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to specific legal questions pertaining to tap fees.

The Board returned from Executive Session at 5:04 p.m. No decisions or actions were taken in the Executive Session.

LEGAL ITEMS There were no Legal Items.

DIRECTOR  
ITEMS There were no Director Comments received.

OTHER MATTERS There were no Other Matters.

ADJOURNMENT There being no further business to come before the Board, upon motion duly made by Director Berger, seconded by Director Mudge, and upon unanimous vote, the meeting was adjourned at 5:04 p.m.

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