

# ROUND MOUNTAIN WATER AND SANITATION

## BOARD OF DIRECTOR'S REGULAR MEETING

THURSDAY, June 20, 2024

*2:00 p.m. – 3<sup>rd</sup> Street Gallery Building Conference Room*

Call to order at 2:04 p.m.

Roll Call: Charles Bogle, Steve Lasswell, Randy Wilhelm, and Mark Dembosky – Board Members

Dave Schneider, Peggy Quint, Steven Koch, Carlan Cardenas – RMWSD Staff

Caleb Patterson, Town of Westcliffe – Guest

Absent: Connie Thompson

Pledge of Allegiance led by Randy Wilhelm

There was no public input at this meeting.

Additions to the July 18, 2024, Board of Director's Meeting

1. Audit Presentation
2. DOLA June 26, 2024, meeting update on presentation
3. Resolution 2024-9 Approval with revisions
4. Resolution 2024-10 Authorizing the attendance of at the 2024 SDA Conference

Administrative Reports

1. Business Office Manager – Peggy Quint – Report included in Board Packet. 2023 Annual Audit dates have been changed to June 21, 2024, and June 24, 2024.
2. Field Operation Manager – Steven Koch – Report included in Board Packet. Randy asked about Shadow Ridge sewer lines. When installed, the line settled or there was poor line installation. Field techs will most likely have to repair the lines connected to the manholes. Randy also asked about repaving the bulk water drive with asphalt. Due to budget issues, this project will wait until 2025 and perhaps add the raw water station at the same time.
3. General Manager – Dave Schneider
  - Well/Meter – all is working fine. Water testing is continuing. The first microscopic particulate analysis revealed a zero percent connection from creek to water source. Closing of the DOLA grant is nearing completion with the payment of two invoices.
  - Solar array is still working, other than two panels that are off about 50% of the time. This is probably an optimizer problem. Solar company should be onsite to check this out.
  - Reservoir – Dave met with Dan McGuire on the property. Mr. McGuire has verbally agreed to sell us a 900 x 100-foot portion of his property along the south fence line for \$20K. The existing 16 ft strip has been deeded back to Mr. McGuire by Silver Cliff. Surveyors are working on a legal description that has been sent to our attorney and a

quit claim will be drawn up. Talking to Geroux about an easement across their property to the creek. A survey will need to be done first. We need a discharge pipe from the reservoir to the creek. Dave presented a new draft map with changes. A zoom meeting is scheduled with Upper Ark and our engineer to review the reply from the State. Before redesign, everyone will understand the changes before being sent in for approval. We are  $\frac{3}{4}$  financed. We are between \$550 to \$1 million short. Total cost is about \$3.5 million. We have the funds to begin the project.

- WWTP – Kickoff meeting with GMS. Engineers have all the documentation to look over and will draft a demonstration report application for the State. Epic and GMS have met regarding the initial grant of \$75k for the engineering. A contract will be between the two entities. The first invoices will go straight to EPIC to pay.
- Water Case Objections - There are two water right cases regarding our property to the creek. Our water attorney concluded that it is spring water, and it isn't directly connected to our water. Upper Ark and Geroux water right cases will be handled by their attorneys.
- Dola Grant - Dave will be presenting a grant request on June 26 in Montrose before the DOLA Board. Charles Bogle has agreed to attend as well. Dave will report on the presentation on July 18<sup>th</sup> at the Regular Board Meeting.
- Augmentation – We were full at the end of May on our DeWeese Account. We are drizzling  $\frac{1}{2}$  cubic foot per second just to keep up with evaporative loss. The board agreed not to get into a long-term agreement with Upper Ark.

#### Consent Agenda

1. Approval of the Minutes of the May 16, 2024, Regular Board Meeting
2. Financial Reports and Approval of Checks for May 2024  
Motion was made by Randy Wilhelm to approve Consent Agenda. Seconded by Mark Dembosky. Motion carried with a unanimous vote.

#### New Business

1. Resolution 2024-8 Approving change (Appendix A) to the District By-Laws Organizational Management Structure motion was made by Randy Wilhelm and seconded by Mark Dembosky. Motion was approved with a 4-0 vote.
2. Excuse Steve Lasswell from May 16, 2024, Board Meeting. A motion was made by Mark Dembosky and seconded by Randy Wilhelm. Motion carried with a 3-0 vote. Steve Lasswell did not vote, and Connie Thompson was not present.
3. Jennifer Constantine sewer collections jetting issue – Dave reported that there was probably a buildup in the sewer line and once it was jetted, it sent raw sewage into the property. Mrs. Constantine sent a letter to RMWSD and included costs to replace two bathmats and three hours of her time to clean up the damage. Dave recommended \$200 to compensate customer. After a short discussion, Mark Dembosky made a motion to award the Constantines \$500 for their clean up and replacement. Motion was seconded by Steve Lasswell. Motion carried with a 4-0 vote. When jetting is resumed next year, there will be a change in the protocol. Customers will be notified of the schedule of the jetting that will be done and how it could affect them.

4. Jackson Malcolm's performance evaluation – Steven stated that Jackson has been with RMWSD for eight years. In the past two years, Jackson has really stepped up and has taken ownership of some specific tasks. Steven has given him some goals for the year and is confident that Jackson will achieve those goals. He is a good example of leadership to Gage Ruth, our summer help and has taken over as Lead Operator in the field. Steve requested that Jackson be awarded a \$2.49/hour increase to \$37.00/hour effective immediately. A motion was made to increase Jackson's wage to \$37.00/hour effective immediately by Mark Dembosky and seconded by Randy Wilhelm. Motion carried with a 4-0 vote.
5. Customer responsibility for landscaping affecting district property – Randy stated that in 2017 a drainage system had large roots that damaged our lines. He is wondering what is happening to the rest of the system and who is responsible for the damage when a customer's trees, landscaping, or even astroturf damage our property. There are lines in the district that have been covered and he is concerned what will happen if there is damage. Dave will do some research on having clearer rules and understanding regarding this issue.
6. Discussion regarding attorney's letter to bulk water customer. Due to the sensitivity of this topic, and to discuss the letters written by the district attorney, Mark Dembosky made a motion to move into Executive Session §24-6-402 (4)(b) at 3:40 p.m. Steve Lasswell seconded the motion. Motion carried with a 4-0 vote.

Regular Session resumed at 3:58 p.m.

#### New Business (cont'd)

1. Discussion and decision on attorney's letter to bulk water customer. Motion to send attorney's letter to Mr. Gomez with amended verbiage was made by Mark Dembosky and seconded by Steve Lasswell. Changes to the letter with stipulations are to sign the legal document by August 1st, drop the claim in writing and put in writing that he will conduct respectfully with staff, and a written apology. Motion carried with a 4-0 vote. Dave will amend the letter, send the changes to the attorney, and distribute the amended letter to the board prior to the attorney sending it to the customer.

#### Old Business

1. Resolution 2024-9 approving amendment to Personnel Manual (5.9) addressing evaluations – this resolution approval was tabled so that Dave could make some revisions. This will be on the agenda for July 18, 2024.
2. Resolution approving new evaluation forms – the new evaluation forms were added to the Resolution 2024-9 and will therefore not need an additional resolution.
3. Continued discussion regarding Town of Westcliffe grant matching fund request – Caleb Patterson reviewed what was presented last month. Town of Westcliffe is requesting \$45K of RMWSD to be included in matching funds for a grant he would like to pursue for workforce housing for Westcliffe. After discussion, the board has asked Dave to speak with Jeff Parker, district attorney, regarding setting precedence for future development. This request is out of the norm for a typical development. Current District Rules and Regulation state how developments are handled. Once Dave has feedback from the attorney, he will update the board.

4. Dave Schneider, Peggy Quint, Steven Koch and Connie Thompson will be attending SDA Conference 2024 in September.
5. RMWEA has asked RMWSD to present at their conference in August in Keystone. This will be the demonstration project. Scott Powell, Dave Schneider and Mark Morton are putting together a presentation. If chosen, the project could be awarded \$5K to go towards the project and the presentation will also be presented at the National Convention.

Adjourn at 4:25 p.m.