

Leadville Sanitation Meeting Minutes for June 1, 2022

The monthly Leadville Sanitation District (LSD) board meeting was held at the District's office located at 911 S. Highway 24, Leadville at 5:00 pm on 6/1/2022. Board members present: Chair Ken Berger, Directors Robert Vigil, Joe Hren, Dan Osborn and Jane Gowing; Staff present: Joe Passalacqua, plant operator and John Volk, ORC plant operator; Angelina Salazar, Office Manager; Joe Fattor, Attorney; Janet Hausmann, JVA Consulting; and Cooper Best, via Zoom from JVA Consultants.

- A. The meeting was called to order at 5:00 pm by board Chair, Ken Berger. At 5:01 board member Osborn moved for the board to go into Executive Session for 1) a conference with the District's legal counsel regarding specific legal questions pertaining to the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division's proposed civil penalty for a notice of violation for the District's discharge permit and;
- B. Discussion of personnel matters pursuant to Section 24-6-402 (4)(f), C.R.S. Director Osborn's Executive Session motion was seconded by Director Hren, all voted in favor. At the conclusion of the two discussion items, Director Hren moved to close the Executive Session and resume the Public portion of the meeting, seconded by Director Vigil, all voted in favor. The Public Portion of the meeting resumed at 5:43 pm.
- C. Public Comment was first on the Public portion of the agenda. No public comment was presented.
- D. The next item on the agenda was a presentation by Lake County Commissioner Mudge about the County Partner Wildfire Fuels Mitigation with COSWAP grant application/program. Commissioner Mudge explained the program and partnership between Lake County, Arkansas River Watershed Collaborative (ARWC), Colorado Mountain College (CMC) and Newmont Mining. The Department of Corrections will conduct the 25-week work project on forest fuel mitigation in Lake County. The land scheduled for mitigation is owned by Lake County, Newmont Mining and CMC. The land is deemed to be Wildland Urban Interface which means high risk areas adjacent to high density development, residential, important infrastructure and other valuable assets. Commissioner Mudge asked the board if the District wanted to participate in the project due to the close proximity to the other partners' land. The cost for the District's portion of the mitigation work is quoted to be \$2000. The board wanted to have some time to further review and discuss participation in the mitigation project before making a commitment.
- E. Next on the agenda were numerous updates from Cooper Best and Janet Hausmann with JVA.
 - a. The Rules and Regulations update was presented by Janet Hausmann. JVA has completed their in-house review of the draft District Rules and Regulations document. Highlights of the changes are provided with the June 1, 2022 Board Packet. Included in the document are revised minimum design criteria that reflects current design standards, addition of grinder pumps and pressurized line

standards and a requirement for JVA personnel and District staff to inspect sewer line installations. Ms. Hausmann will forward the document for board review and comments next week.

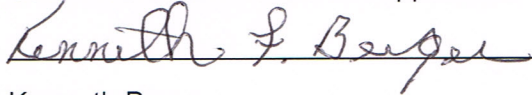
- b. Sanitary Sewer Model update was provided by Cooper Best. JVA is recommending that the District update its Collection System model due to the age of the current Collection System model (2012) and the increased growth within the District's service area. The District needs to have a better estimate on new growth's impact on the collection system in order to keep up with system updates, expansion and development fees. Given that the proposal/agreement letter to authorize the expenditure for the modeling was just provided to the board at the meeting, approval of the agreement is tabled until next month's meeting to allow board members time to review the document as well as the 2022 budget subsequent to JVA and Ms. Salazar's mid-June budget update meeting.
 - c. RV Receiving Station/Traffic Study update was given by Cooper Best. Mr. Best confirmed that the Traffic Study is good for 2 years-specifically the design must be completed and approved within 2 years, **not** the construction. The bid estimate submitted by Fox/Tuttle is \$6000 for the study. Director Osborn moved to approve moving ahead with having Fox/Tuttle conduct the Traffic Study this summer, seconded by Director Vigil, all voted in favor.
 - d. Plant Headworks Improvement Letter Agreement was the next JVA project update. The Project Needs Assessment (PNA) is still in review with CDPHE. However, the PNA review should be finalized by next week and the District notified. Mr. Best emphasized that a portion of the Headworks project would qualify as "in kind" replacement which will streamline the design, permitting and construction work. Such "in-kind" items include new doors, grating replacements, grit classifiers/pumps and electrical work. The major mechanical items within the Headworks are slated for a different construction phase. The most significant change with this agreement is the project will be delivered using Construction Manager at Risk (CMAR) method. JVA has been using this management method successfully with most of its municipal projects. Director Osborn asked if these improvements were 2022 budget items and if not, would the District need to make a budget amendment. Office Manager Salazar stated that she and Mr. Best were meeting in mid-June to see where the District was at with its 2022 budget and expenditures. She will provide an update at the July meeting. Director Osborn moved to accept the Headworks Project letter/agreement for engineering services from JVA for \$129,000, Director Vigil seconded, all voted in favor.
 - e. Development Reviews
 - i. Jeremy Paddock/ 601 E. 8th Street-Mr. Best has not finalized his review of the plans or the approval letter to date.
 - ii. Terry Hollingsworth/Toledo Avenue-Mr. Best has not finalized his review of the plans or the approval letter to date.
- F. Leanne Benton/850 Alpine Cirque was next on the agenda. Ms. Benton and her husband, Don, purchased a lot in 2017 with sewer service already stubbed in. Recently the Bentons discovered that their sewer line (which had been installed by a private contractor before they purchased the lot) was broken in the street prior to connecting to the District's sewer main. The Bentons did not realize that their sewer line is their responsibility to repair.

Office Manager Salazar showed the Bentons the District's Rules and Regulations that state what responsibilities fall with the District and what responsibilities fall with the home owner. The Bentons are not disputing their responsibility for the broken sewer line, but suggested that the District provide more clarity to their Rules and Regulations and reach out to contactors, real estate agents and developers to make sure everyone is informed about each party's responsibilities.

- G. Approval of the monthly minutes of 5/4/2022 was next on the agenda. With no edits, Director Vigil moved to approve, seconded by Director Hren, all board members voting in favor.
- H. The Check List Approval for May 4, 2022 was the next agenda item. With no questions or changes, Director Vigil moved to approve, seconded by Director Hren, all voted in favor.
- I. Attorney Fattor was next on the agenda.
 - a. Eric Scott and Mountain Laundromat V. LSD – Attorney Fattor provided a brief update on the mediation process.
 - b. 902/904 W. 6th Street and Washington Street/Resolution No. 2 Series 2022 was the next agenda item. Attorney Fattor received a construction completion date from the applicant of 10/1/2022 for the project and Attorney Fattor included it in the Construction Agreement. Director Osborn moved to approve the Resolution No. 2 Series 2022, Director Vigil seconded, all voted in favor. Attorney Fattor will have the documents recorded at the county courthouse.
 - c. Union Milling/Arkansas Slag Project – Attorney Fattor stated that he is waiting for JVA and Operator Joe Passalaqua to inspect the area where the District's sewer main is located to determine how wide the easement must be to insure adequate access should work need to be done on the District's sewer main in the future.
- J. Daily Plant Report – Operator Passalaqua reported that the Collections System Project has started. Wild Bill's and the Circle K manhole is cleaned out every other week due to rags (wipes, paper towel etc.). The manhole is an old brick manhole that was supposed to be re-lined, but due to poor manhole conditions, Operator Passalaqua ordered a replacement manhole. A question was raised about Circle K who has been using Port-o-lets for quite awhile now instead of their restrooms-how long are they allowed to use these temporary devices? Does the District have a policy to address this?
- K. The Office Report was the last agenda item. Office Manager Salazar provided an update on Moe's Barbeque inspection and her discussion with the property owner. Ms. Salazar explained to the owner that the restaurant needs to purchase additional EQRs to come into compliance with the District's fee schedule. The owner said he would be in next week to pay the additional fees. Ms. Salazar is waiting to hear back from the real estate company about conducting an inspection at the Happy Hippy House, so no update was available. Director Osborn would like to get both of these issues settled at the July board meeting.

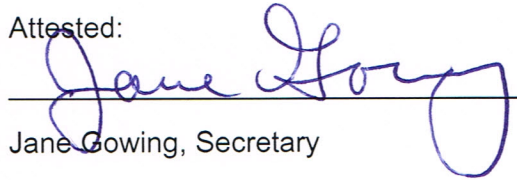
At 7:13 pm Director Vigil moved to adjourn, Director Osborn seconded, all were in favor.

Said minutes were read and approved:

_____

Kenneth Berger

Attested:

_____

Jane Gowing, Secretary