

MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF  
GREEN MOUNTAIN WATER AND SANITATION DISTRICT

January 9, 2023

A Regular Meeting of the Board of Directors (the “Board”) of the Green Mountain Water and Sanitation District, (the “District”) was held at 6:00 p.m. on Tuesday, January 9, 2023.

The audio recording of this meeting is available on the District’s website.

<p><b>Attendance:</b></p>	<p>A Regular Meeting of the District was scheduled in compliance with the laws of the State of Colorado, with the following Directors in attendance:</p> <p>Karen Morgan, President David Garner, Vice President Todd Hooks, Treasurer Dave Wiechman, Secretary Roger Wendell, Director</p> <p>Not present, and unexcused:</p> <p>Also present were: Dylan Woods, Title 32 Attorney Sam McKay, GMWSD Josh Stanley, GMWSD Doug Pavlich, GMWSD</p> <p>Peter Lerner, President – Brookfield Residential Anastasia Urban and Neil Arney, Solterra LLC David, Homeowner Randy Little Unknown name Heidi Barthel Ludmila Glasson Deborah Romero Terry – Fossil Ridge Kevin Wright Jim Otton Mr. Lebeue</p>
---------------------------	--

<p><b>Call to Order / Declaration of Quorum (0:09)</b></p>	<p>Director Morgan, noting the presence of a quorum of all Directors, called to order the regular Meeting of the Board of the Green Mountain Water and Sanitation District at 6:00 p.m.</p>
<p><b>Directors &amp; Disclosure Matters (0:32)</b></p>	<p>Director Wendell acknowledged receiving and reading resident emails and thanked them for their comments.</p>
<p><b>Approval of/Additions to /Deletions from the Agenda (0:58)</b></p>	<p>Director Wiechman <b>MOVED</b> to remove Consideration of Solterra Offer Letter from the agenda. Director Garner seconded and withdrew the second. Director Morgan seconded, following discussion and upon vote, the motion <b>FAILED</b> with Director Wiechman voting in favor.</p>
<p><b>Public Comment (6:09)</b></p>	<p>David provided comment about plans to build an ADU on his property and has withdrawn his plan due to the \$33,000 cost for the water tap from Green Mountain Water. David does not feel that the cost is equitable and everyone should be charged equally. He believes that the cost will cause homeowners to build additions instead of ADUs to save costs. He hopes that the Board can be accommodating of affordable housing and potentially revise the cost. David is appreciative of the Board's work. (6:41)</p> <p>Peter Larner, President of Brookfield is seeking sewer permits and is requesting that the sewer permits be issued. The infrastructure is completed and costs have been paid to the District. Home prices are rising due to the delay. Over \$4M of infrastructure has been paid for. Brookfield is willing to pay the new rates. Plans have been reviewed and approved by the GMWSD engineer. (10:30)</p> <p>Randy Little runs a news service website. He is wondering why GMWSD is dealing with</p>

Solterra when the property is not within the District. Hearsay is that the Board is accepting money and lunches from the developers. Randy took a tour of the Federal Center and the land is some of the most polluted land in Colorado. He does not want Green Mountain to be on the hook for contamination issues. Would like to know who is going to pay for the bridge across the ditch. Randy would like the Board to do what is right by the District residents. (13:56)

[No Name] Comment regarding the City of Lakewood has their own sewage treatment plant. (17:39)

Heidi Barthel previously sat on the Lakewood Advisory Commission and has been in the Green Mountain area for 50 years. Suggested that the Board needs a study done regarding capacity and the state of the water system before proceeding with development. Would like the Board to not set precedents on new construction. Raised concerns about the Federal Center contaminated property that should not be built on. Would like further studies. Thinks that ADUs should be allowed. (18:04)

Ludmila Glasson asked whether the Solterra offer would be shared with the community. Would like transparency before negotiations are completed and allow voting or approval by the community before proceeding with extraterritorial services. Please make the meeting short. (21:12)

Deborah Romero would like to echo Ludmila's comments. Doesn't believe that Brookfield is entitled to sewer service from the District and would like the builder to explore other servicer options. (25:11)

	<p>Anastasia Urban provided clarification regarding the prior case with Fossil Ridge Metro District and Green Mountain Water in regard to the service plan. Over 1,200 units have been previously approved and built for the District and the remaining 87 units are being requested for service. (28:54)</p>
<p><b>Approval of Minutes (30:55)</b></p>	<p>Director Garner <b>MOVED</b> to approve the December 5, 2023 Special Meeting Minutes as presented and December 12, 2023 Regular Meeting Minutes as amended. Director Hooks seconded, following discussion and upon vote, the motion <b>PASSED</b> unanimously.</p>
<p><b>Financial Matters (32:10)</b></p>	<p>The Board reviewed the December/January 2023/2024 Daily/Monthly Operating Expenses &amp; Capital Expenditures. Director Hooks <b>MOVED</b> to approve the expenditures. Director Garner seconded, following discussion and upon vote, the motion <b>PASSED</b> unanimously.</p> <p>The Board reviewed the 2023 Audit Engagement Letter. Director Hooks <b>MOVED</b> To accept the 2023 Audit Engagement Letter. Director Wendell seconded, following discussion and upon vote, the motion <b>PASSED</b> unanimously.</p> <p>The Board reviewed the December 2023 Unaudited Financial &amp; Investment Report. Director Hooks <b>MOVED</b> to accept the November 2023 Unaudited Financial &amp; Investment Report. Director Garner seconded, following discussion and upon vote, the motion <b>PASSED</b> unanimously.</p> <p>Director Morgan inquired as to whether it is feasible for the District to invest in long-term instruments. Director Hooks commented on financial constraints with District funds and the need for liquidity. Mr. Pavlich recommended that the Board review rates for</p>

	<p>PDPA Certificates of Deposit at a future meeting.</p>
<p><b>District Reports (40:17)</b></p>	<p>Mr. Stanley provided the Maintenance Report. There were four mainline breaks in December and 22 for the year. Siding work at the office due to the insurance claim is in progress and should be finished by the end of the week. (40:17)</p> <p>Mr. Stanley provided the District Engineering Report. The RFQs for the Federal Center engineering consultant have been reviewed. Four firms were selected for interviews with Director Morgan and Director Hooks. 2024 infrastructure replacement project surveying is completed with bids to follow. Existing pipes will be replaced over abandoning and moving the pipe. Development reviews include a car wash on Alameda Pkwy. Fletcher Miller School planning has started. The old school will be demolished once the new school is up and running. The District needs to hire an engineer to do an environmental study for GMWSD. (43:36)</p>
<p><b>Director’s Matters (52:36)</b></p>	<p>None.</p>
<p><b>Legal Matters (52:44)</b></p>	<p>Mr. Woods presented the 2024 Annual Resolution. Director Hooks <b>MOVED</b> to approve the 2024 Annual Resolution. Director Wendell seconded the motion, following discussion and upon vote the motion <b>PASSED</b> unanimously. (52:44)</p> <p>Mr. Woods presented the Solterra Offer Letter. The letter requests that the District approve the release of the 87 taps. Mr. Woods advised that the letter has no bearing on the litigation except that the proposal involves dismissing the appeal and any alternative litigation in exchange for approving the taps. In response to public comment, Director Garner clarified that he has not spoken with Brookfield or negotiated with them. (53:50)</p>

<p><b>New Business (57:34)</b></p>	<p>Director Hooks requested that consideration of long-term investments is added to the next meeting agenda. (57:34)</p> <p>Director Wiechman requested a meeting to determine the outcome of the District Manager interviews. Mr. Woods advised that the finalist names need to be published publicly at least 14 days before a decision is made. Director Wiechman recommended checking references. Mr. Woods advised that a background and credit check would be appropriate in consideration of the position. Director Wendell <b>MOVED</b> to conduct a background and credit check for the selected finalist, to be considered on a case-by-case basis. Director Wiechman seconded the motion, following discussion and upon vote, the motion <b>PASSED</b> unanimously. The Board scheduled a Special Meeting for January 30, 2024 to discuss District Manager candidates. (57:50)</p>
<p><b>Adjourn (1:09:41)</b></p>	<p>Director Garner <b>MOVED</b> to adjourn the meeting. Director Hooks seconded the motion, following discussion and upon vote the motion <b>PASSED</b> by unanimous consent, and the meeting was adjourned at 7:10 p.m.</p>

---

David Wiechman, Secretary