



RECORD OF PROCEEDINGS

REGULAR MEETING OF THE BOARD OF DIRECTORS THREE LAKES WATER AND SANITATION DISTRICT MONDAY, MAY 10, 2021 6:30 PM

1. **CALL TO ORDER**

A regular meeting of the Board of Directors was called to order by Chairwoman Farmer, at 6:30 p.m. The meeting was held remotely.

Directors Present: Pat Farmer – Chairwoman
Matt Reed – Vice Chairman
Scott Huff – Secretary/Treasurer
Judy Acierno – Director
Mike Golden – Director

Staff Present: Katie Nicholls – District Manager
Mike Gibboni – Superintendent
Tara Knutson – District Bookkeeper

2. **COMMENTS BY THE CHAIRWOMAN**

None.

3. **INTRODUCTIONS OF PUBLIC PRESENT**

Alan Hassler, attorney for David and Sarah Clayton

4. **ACCEPTANCE OF MINUTES**

By **MOTION**, second, and unanimous vote the April 12, 2021 Meeting Minutes were approved as presented.

5. **MATTERS BEFORE THE BOARD**

- a. **Special Request: Resolution 2021-5-1; a resolution approving vacation of a portion of an easement on lots 62 and 63, Block 6, Columbine Lake Subdivision**
Manager Nicholls presented the special request. David and Sarah Clayton are requesting the District to vacate a portion of an easement located between their lots at 62 and 63, Block 6, Columbine Lake Subdivision. The Clayton's had a home that was built over the lot lines, which was lost in the East Troublesome Fire. Grand County has changed their requirements for building over the lot line and needs the District to vacate the portion of the easement between their lots in order to approve their rebuild. Alan Hassler, attorney for the Claytons, further noted that the request does not include the 10-foot-wide front lot line portion parallel to the road. A discussion ensued regarding wording of the easement and utilities included,

if the District would ever need the easement, and previous home location. By **MOTION**, second, and unanimous vote the Board approved Resolution 2021-5-1; a resolution approving vacation of a portion of an easement located on lots 62 and 63, Block 6, Columbine Lake Subdivision.

b. **Consideration of temporary suspension of user fees related to property loss from the East Troublesome Fire at 399 GCR 4920**

Discussion and motion of this item was combined with item 5c on the agenda.

c. **Consideration of temporary suspension of user fees related to property loss from the East Troublesome Fire at 398 Kinnikinnick**

District Manager Nicholls stated that the resolution previously passed regarding temporary suspension of user fees for property lost in the East Troublesome Fire only allowed administrative approval through January 31, 2021. Property owners of both 399 GCR 4920 and 398 Kinnikinnick have made their requests outside that timeline. Losses of both properties has been confirmed. By **MOTION**, second, and unanimous vote the Board approved the temporary suspensions of user fees for 399 GCR 4920 and 398 Kinnikinnick for a period of 4 quarters due to property lost in the East Troublesome Fire.

A discussion ensued regarding giving further authority to District Manager Nicholls to administratively approve future temporary suspension of user fees related to the fire. By **Motion**, second, and unanimous vote the Board authorized the District Manager to temporarily suspend user fees for fire related property loss up to one year from the event, October 21, 2021.

d. **Consideration of increase to Kennedy Jenks Construction Engineering Contract for the Copper Removal Project to \$231,794, an increase of \$14,722**

District Manager Nicholls stated that Kennedy Jenks, construction engineer for the Copper Removal project, is seeking an increase in contract amount of \$14,722. She stated that project delays due to fire and COVID pandemic caused the project to go 7 months beyond the initial construction contract timeline. Additionally, submittals and resubmittals were double the estimated amount. She also noted that Kennedy Jenks gave a credit in the amount of \$5,247 for work pertaining to the doors and actuators. A lengthy discussion ensued regarding the door and actuator issues, reasons for the 7-month delay, responsibilities of the construction engineer, regular work performed by them, and why the submittals were underestimated so much. The Board stated they wanted more information relating to the submittals and tabled the issue with the option to vote via email, with ratification at the next meeting, if sufficient explanation is provided as to not delay payment.

6. **PUBLIC COMMENT**

None.

7. **FINANCIAL REPORTS**

By **MOTION**, second, and unanimous vote the checklist for the month of April was approved. The financial documents for April were reviewed, and accepted as presented.

8. **MATTERS OF DISCUSSION AS BROUGHT FORTH BY BOARD MEMBERS**

None.

9. **SUPERINTENDENT REPORT**

Superintendent Gibboni presented the Superintendent report.

10. **DISTRICT MANAGER REPORT**

Manager Nicholls presented the District Manager report. A discussion ensued regarding the performance incentive. The Board requested a plan to switch from the one-time payment to a payment increase be drafted and presented to the Board before budgeting.

With no further business before the Board, the meeting was adjourned at 7:35 p.m.


Katie Nicholls, Reporting Secretary


Scott Huff, Secretary/Treasurer