

UPPER THOMPSON SANITATION DISTRICT
REGULAR MEETING OF THE BOARD OF DIRECTORS
DISTRICT ADMINISTRATIVE OFFICE CONFERENCE ROOM

Pursuant to C.R.S., §32-1-903, notice is hereby given to the members of the Upper Thompson Sanitation District Board of Directors and to the general public that the Board will hold its regular meeting, which is open to the public, at 4:00 p.m. on Tuesday, March 19, 2019 at the Upper Thompson Sanitation District Administrative Office, 2196 Mall Road, Estes Park, CO, 80517.

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call, Absences Excused.
4. Next Meeting Date – April 16, 2019.
5. Agenda: Correction and Approval.
6. Disclosure of Potential Conflicts of Interest.
7. Public Forum: An opportunity for presentation by the public to provide information to the Board of Directors on any non-agenda item. Note: The Board cannot take any action on non-agenda items but may direct staff to include the item on a future agenda.
8. Election of Officers.
9. Minutes: Correction and Approval: Regular Board Meeting, February 19, 2019.
10. Reports of Officers, Committees, and Staff: Questions, Comments, Correction and Approval.
 - a. Treasurer’s Report.
 - b. Plant Report.
 - c. System Development Fee Allocation and Connection Report.
 - d. Collection System Report.
 - e. District Manager’s Report.
11. New Business and Special Orders:
 - a. Project Update and *Request for Approval*: River Crossing Repair – L4 Construction, LLC, Application for Payment No. 1, Dated March 7, 2019 and Proposed Contract Modification No. 1, Dated March 11, 2019 – presented by Mr. Bieker and Mr. Ravel, P.E., Mott MacDonald.
 - b. Project Update – Fish Creek Lift Station Parallel Force Main – presented by Mr. Ravel, P.E., Mott MacDonald.
 - c. Project Update – Collection Building Construction - presented by Mr. Bieker.
 - d. Resignation of Director Eshelman Effective May 21, 2019.
12. Adjournment.

Upper Thompson Sanitation District (UTSD) prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, creed, national origin, age, disability, sex, gender identity or gender expression, religion, political beliefs, marital status, familial or parental status, or sexual orientation in employment or in any program or activity conducted by the District. The District will make reasonable accommodations for qualified individuals with known disabilities. If any person has a disability and requires a reasonable accommodation to fully participate in this event, please contact District Manager, Mr. Chris Bieker, three days before the event via email at christ@utsd.org, or telephone at 970.586.4544, or dial 711 to connect with Relay Colorado.

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF

UPPER THOMPSON SANITATION DISTRICT

Held: March 19, 2019, at 4:00 p.m., at the
District Office, 2196 Mall Road, Estes Park, Colorado

Call to Order

A regular meeting of the Board of Directors of the Upper Thompson Sanitation District, Estes Park, Colorado, was called to order at 4:01 p.m. and held as shown above and in accordance with the applicable statutes of the State of Colorado with the following Directors present and acting:

Pledge of Allegiance

The Pledge of Allegiance was recited.

Attendance

Board of Directors:
Jack Reed, Chairman
Ron Duell, Secretary
Chris Eshelman, Treasurer
Michael W. Morton, Vice-Chairman/Secretary/Treasurer

Absent:
Kent Bosch, Vice-Chairman/Assistant Secretary/Treasurer

It was MOVED by Mr. Eshelman and seconded by Mr. Morton to excuse the absence of Director Bosch. Motion carried unanimously.

Staff:
Chris Bieker, District Manager
Suzanne Jurgens, Financial Officer
Todd Krula, Collection System Superintendent
Matt Allen, Collection System Foreman
Henry Newhouse, Interim Plant Superintendent

Steve Ravel, P.E., Mott MacDonald
Sarah Vander Meulen, Project Engineer, Mott MacDonald

Next Meeting

The next regular meeting of the Board of Directors will be held on April 16, 2019.

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Approval of Agenda	It was MOVED by Mr. Eshelman and seconded by Mr. Morton to approve the Agenda as presented. Motion carried unanimously.
Disclosure of Potential Conflicts of Interest	Disclosure of potential conflicts of interest is a topic of discussion at every Board meeting to address potential conflicts of interest that may arise as new agenda items are introduced. District Directors who have disclosed potential conflicts of interest can vote as issues arise.
Public Forum	Mr. Reed opened the meeting for public comment. No members of the public were present.
Election of Officers	<p>Mr. Reed explained that Mr. Eshelman wished to step down as Treasurer of the Board; therefore, the reappointment of the office of the Treasurer should be considered by the Board.</p> <p>The Board considered the office of the Treasurer.</p> <p>It was MOVED by Mr. Reed and seconded by Mr. Eshelman to nominate Mr. Morton as Treasurer. Motion carried unanimously</p>
Approve Minutes from Prior Meeting	<p>The Board reviewed and discussed the Minutes of the February 19, 2019 Regular Board Meeting.</p> <p>It was MOVED by Mr. Eshelman and seconded by Mr. Morton to approve the Minutes of the February 19, 2019 Regular Board Meeting as presented. Motion carried unanimously.</p>
Reports of Officers, Committees, Professional Consultants, & Staff	<p>The Board considered the Reports of Officers, Committees, Professional Consultants, and Staff.</p> <p>UTSD staff answered questions and received comments from the Board regarding the monthly departmental reports.</p> <p>As an update to the Board's investment discussion during the February 19, 2019 Regular Board Meeting, Ms. Jurgens reported the following information:</p> <ul style="list-style-type: none">• A new account titled Recapitalization was established in ColoTrust+ to retain funds earmarked for recapitalization objectives.• Cash and cash equivalents in LPL Financial investment accounts are automatically deposited into correlating LPL Financial money market, interest bearing accounts.• Effective March 2019, at the end of each month, cash and cash equivalents accrued in the LPL Financial System Development Account and Recapitalization Account will automatically be transferred into the reciprocal ColoTrust+ System Development and Recapitalization Accounts.

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- LPL Financial investments maturing in 2019 will be automatically transfer to respective UTSD ColoTrust+ accounts at the end of the maturity month.
- The District's investment policy states the Board of Directors may elect to appoint an Investment Committee to monitor the District's investment program.

Mr. Reed noted that matters of the District's long-term investments will be discussed during board meetings.

Mr. Reed thanked Ms. Jurgens for the information provided regarding the District's investments.

Adding to the monthly District Manager's Report, Mr. Bieker explained he is working with District legal counsel, Ms. Linda Glesne, of Collins Cockrel & Cole to develop intergovernmental agreements (IGA's) between UTSD and other local government entities, such as the Town of Estes Park, Estes Park Sanitation District, Estes Valley Recreation and Park District, and Estes Park School District, to establish guidelines pertaining to the exchange of information, equipment, and services. He noted the IGA's will establish a basis for sharing data, services, and equipment, and a system of reciprocity between the parties while maintaining accountability for financial, asset, and resource management.

Mr. Bieker also noted he will be investigating the feasibility of implementing metered billing for the District's residential customers. He will work with District Engineer, Mr. Steve Ravel, of Mott MacDonald, and Raftelis Financial Consultants, Inc. to evaluate metered billing methodology and rate details for residential customers. Mr. Bieker noted that, in the past, residential customers have expressed interest in metered billing for sanitary sewer service.

Mr. Bieker stated the District has finalized the escrow agreement for the Fish Creek Lift Station Force Main Project. He reported the document is Exhibit D of the Intergovernmental Agreement between the District and the Town of Estes Park (Town) to facilitate reimbursement of the Town's project costs to UTSD. Mr. Bieker noted the District will establish the account at the Bank of Colorado.

Finally, Mr. Bieker noted he is working with Mr. Ravel on preliminary planning tasks for the new wastewater treatment facility. Mr. Bieker stated an account has been established with the State Revolving Fund, which may be a financing resource for the project. Mr. Ravel then explained three-dimensional project modeling, called BIM (Building Information Modeling) which may be utilized to assist in planning the wastewater treatment facility.

The Board did not have corrections to the departmental reports.

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Mr. Reed thanked UTSD staff for preparing the reports.

It was MOVED by Mr. Eshelman and seconded by Mr. Morton to accept the Treasurer's Report, Plant Report, System Development Fee Allocation and Connection Report, Collection System Report, and District Manager's Report as presented. Motion carried unanimously.

New Business and Special Orders

Project Update and Request for Approval: River Crossing Repair – L4 Construction, LLC, Application for Payment No. 1, Dated March 7, 2019 and Proposed Contract Modification No. 1, Dated March 11, 2019 - presented by Mr. Bieker and Mr. Ravel, P.E., Mott MacDonald:

Regarding the River Crossing Repair Project (Project) Mr. Ravel reported a progress meeting was held on March 19, 2019, with staff from the District, Mott MacDonald, and L4 Construction, LLC (L4). He stated L4 has mobilized at the Scott Ponds site, provided material submittals, and delivered materials to the site.

Mr. Ravel noted the Project schedule has been accelerated and construction will take place concurrently at multiple sites. He stated construction at the Scott Pond site is scheduled to begin, followed by construction at the Estes Park Visitor Center site.

Mr. Bieker reported the District has published press releases and articles about the Project in the Estes Park Trail Gazette and the Estes Park News. The same information has been posted on the District's website and Facebook page. He also stated that business cards with his contact information have been distributed to facilitate communication about the Project to the public.

Mr. Bieker requested approval from the Board for Proposed Contract Modification (PCM) No. 1, dated March 11, 2019. He explained the proposed contract modification deducts 59 days from the Project schedule and adds \$159,144.00 to the total Project cost.

Mr. Bieker further explained the contract modification is a result of the District's request to L4 to shorten the Project schedule from 150 days to 91 days with substantial completion on May 31, 2019. The District requested the accelerated schedule from L4 to minimize the risks associated with higher river flow and the impacts to businesses near the project sites. He further explained the Project start date was intended to be in the Fall of 2018 with construction to be complete in early Spring 2019. Mr. Bieker continued, by stating that as a result of the delayed receipt of construction permits, the Project start shifted to March 2019. The new start date then moved Project completion into the Summer of 2019. Mr. Bieker noted the expedited schedule will require that construction be completed during Spring snowmelt and runoff producing high river flows. He stated that L4 has indicated the high-water flows will be managed to facilitate

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construction. Additionally, Mr. Bieker stated the accelerated schedule will lessen the impact of construction to businesses neighboring the project sites by performing the work outside of the summer tourist season.

Mr. Bieker stated the proposed contract modification document provides details of the accelerated schedule and costs. He noted the costs are the result of additional mobilization, equipment, labor, insurance, administrative overhead, and profits for accelerating the schedule. The six Project sites will be constructed concurrently versus construction in a singular series by site.

Mr. Bieker also requested approval from the Board for payment of L4 Construction, LLC's first Application for Payment, dated March 7, 2019, for the project titled River Crossing Repair (*CDBG-DR Project DR3-UTS-02*) in the amount of \$22,368.89. Mr. Bieker stated 5% retention is being held on the total work completed and stored to date. He noted the application for payment has been reviewed and approved by District and Mott MacDonald staff, and is in compliance with contract documents.

The Board considered the first Application for Payment from L4 Construction, LLC for the River Crossing Project.

It was MOVED by Mr. Eshelman and seconded by Mr. Morton to approve payment of L4 Construction, LLC's Application for Payment No. 1, dated March 7, 2019, in the amount of \$22,368.89, and Proposed Contract Modification No. 1, valued at \$159,144, for the project titled River Crossing Repair (*CDBG-DR Project DR3-UTS-02*). Motion carried unanimously.

Project Update – Fish Creek Lift Station Parallel Force Main – presented by Mr. Ravel, P.E., Mott MacDonald:

Regarding the Fish Creek Lift Station Parallel Force Main Project (Project), Mr. Ravel reported that weekly progress meetings are being held with representatives from the District, Mott MacDonald, and T. Lowell Construction.

Mr. Ravel reported that T. Lowell Construction is seeking approval from Mott MacDonald for several material submittals and a bypass pumping plan. He noted that materials will be delivered to the Project site the week of March 25, 2019.

Mr. Ravel stated T. Lowell Construction is acquiring the construction permit from the Colorado Department of Transportation (CDOT) and is planning to begin the physical scope of the work the last week in March.

The Board asked questions of Mr. Ravel about the Project.

Mr. Reed thanked Mr. Ravel for the Project update.

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Project Update – Collection Building Construction – presented by Mr. Bieker:

Mr. Bieker asked Mr. Allen to provide the update on the Collection Building Construction Project (Project).

Mr. Allen provided a summary of the Project for Mr. Morton.

Mr. Allen then reported the asbestos has been removed from the building, a fire wall has been incorporated into the design between the office and garage bay, a sand and oil interceptor was added, and a retaining wall on the north side of the parking lot was integrated into the Project design to accommodate a handicap parking space. Mr. Allen noted the new building will be handicap accessible.

Mr. Allen stated a mandatory pre-bid meeting was held on March 5, 2019 and several contractors attended the meeting to review the Project. He noted the bid opening date is scheduled on April 4, 2019 and the Project has a 180-day construction schedule to achieve substantial completion.

Mr. Allen reported that Project plans are being reviewed by Larimer County and the Estes Valley Fire Protection District.

Mr. Bieker noted the District is working with the Estes Valley Fire Protection District Fire Marshal to determine if required fire flow can be achieved for the new facility. Mr. Bieker also reported the District has requested a fee waiver for the plan review from the Estes Valley Fire Protection District.

The Board asked questions of Mr. Allen regarding the Project.

Mr. Reed thanked Mr. Allen for the Project update.

At 5:17 p.m. the Board took a forty-minute recess.

At 5:57 p.m. the Board reconvened.

Resignation of Director Eshelman Effective May 21, 2019:

Mr. Reed stated that on March 5, 2019, Mr. Eshelman submitted to the District a letter of resignation from the Board of Directors effective at the conclusion of the May 21, 2019 Regular Board Meeting.

Mr. Reed acknowledged Mr. Eshelman's eleven-years of service as a dedicated Director of the Board.

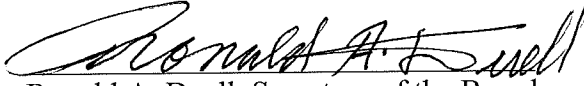
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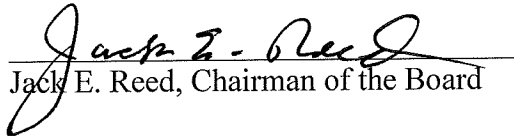
The Directors then discussed aspects of serving on the Board of Directors, and the benefit of diversification of professional backgrounds of those serving the District in that capacity.

It was determined that, at the April 16, 2019 Regular Board Meeting, the Board will consider candidates to fill the upcoming vacancy.

Adjournment

Having no further business, at 6:24 p.m. it was MOVED by Mr. Morton and seconded by Mr. Reed to adjourn the meeting. Motion carried unanimously.


Ronald A. Duell, Secretary of the Board


Jack E. Reed, Chairman of the Board

Date: 4-16-19