

## **RECORD OF PROCEEDINGS**

### **MINUTES OF A VIRTUAL REGULAR MEETING OF THE BOARD OF DIRECTORS OF**

#### **UPPER THOMPSON SANITATION DISTRICT**

Held: May 18, 2021, at 4:00 p.m., at the  
District Office, 2196 Mall Road, Estes Park, Colorado

**Call to Order** A virtual regular meeting of the Board of Directors of the Upper Thompson Sanitation District, Estes Park, Colorado, was called to order at 4:04 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:

#### **Attendance**

Board of Directors:  
Jack Reed, Chairman  
Susan Doylen, Secretary  
Kent Bosch, Vice-Chairman/Assistant Secretary/Treasurer  
Ronald I. Duell, Vice-Chairman/Assistant Secretary/Treasurer

Staff:  
Chris Bieker, District Manager  
Suzanne Jurgens, Assistant District Manager  
Gina Moore, Financial Officer  
Sheryl Ponzer, Customer Accounts Manager  
Naomi McCracken, Secretary\*  
Henry Newhouse, Plant Superintendent  
Matt Allen, Collection Superintendent  
Nathanael Romig, Collection Foreman

Steve Ravel, P.E., Mott MacDonald\*

\*Joined via web conference call

Absent:

It was MOVED by Ms. Doylen and seconded by Mr. Duell to excuse the absence of Director Cenac. Motion carried unanimously.

#### **Pledge of Allegiance**

The Pledge of Allegiance was recited.

#### **Next Meeting**

The next regular meeting of the Board of Directors will be held on June 15, 2021.

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### **Approval of Agenda**

The Board considered the REVISED Agenda.

It was MOVED by Ms. Doylen and seconded by Mr. Bosch to approve the REVISED 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.

Mr. Reed explained the Public Forum is an opportunity for presentation by the public to provide information to the Board of Directors on any non-agenda item. He further explained the Board cannot take action on non-agenda items but may direct staff to include the item on a future agenda.

One member of the public joined the meeting via web conference call.

In attendance was Mr. Stew Squires, of 618 Park River Place, Estes Park. Mr. Squires indicated he was attending the meeting for general interest and did not offer comment on a non-agenda item.

Regarding public comment on Agenda Items, Mr. Reed provided the following statement:

Public comments will be heard by the Board at the conclusion of the presentation of the agenda item. Persons addressing the Board shall first be recognized by the District Manager or Board Chairman and may speak only one time per agenda item. Speakers shall state their name and address for the official minutes, address comments to the Board as a Body, and shall be allotted three (3) minutes for public comment.

At 4:07 p.m., Ms. Jurgens introduced Ms. Traci Jones, owner of Studio Six Branding, to the Board. Ms. Jurgens commended Ms. Jones for her exceptional efforts on the District's 2020 public relations campaign to communicate the District's plans to build a new wastewater treatment facility and the eleven percent rate increase in 2021. The Board stated their appreciation to Ms. Jones for the effective campaign. Ms. Jones stated her company is honored to be working with the District.

At 4:47 p.m., Ms. Jones excused herself from the remainder of the meeting.

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### Approve Minutes from Prior Meeting

The Board reviewed and discussed the Minutes of the April 20, 2021, Regular Board Meeting.

It was MOVED by Ms. Doylen and seconded by Mr. Bosch to approve the Minutes of the April 20, 2021, Regular Board Meeting as presented. Motion carried unanimously.

### New Business and Special Orders

#### **Project Update: Phase I New Wastewater Treatment Facility and System Improvements – presented by Mr. Ravel, P.E. Mott MacDonald:**

Regarding the Phase I New Wastewater Treatment Facility and System Improvement Project (Project), Mr. Ravel provided the following list of Project accomplishments that occurred following the April 20, 2021, Regular Board Meeting:

- Continued weekly review meetings with the project team.
- Continued Thompson River Interceptor (TRI) and the Fish Creek Interceptor (FCI) discussions. The (TM), technical memorandum, was updated and a draft TM was submitted to the District on May 10, 2021.
- Continued liquid process and solids process discussions. The process selection TM will be updated, and a draft submitted to the District during the week of May 17, 2021.
- Prepared a process selection summary presentation for the May 18, 2021, Regular Board Meeting.
- Updated the draft preliminary engineering report (PER) and site location application forms. The draft PER and site application forms are anticipated to be submitted to the District by the end of May 2021, and are pending final interceptor alignment and process TM review.

In addition to the Project update, Mr. Ravel provided a Power Point presentation reviewing liquid treatment process alternatives and recommendations for the District's new wastewater treatment facility. Specifically, Mr. Ravel presented diagrams, key features, and potential considerations for four alternatives: Modified Ludzack-Ettinger (MLE), Bardenpho (4-stage and 5 stage), Membrane Bioreactor (MBR) and a Biofilm System including an Integrated Fixed-Film Activated Sludge (IFAS) and Moving Bed Bioreactor (MBBR). Mr. Ravel detailed each treatment process's ability to achieve required treatment and design criteria, balance operation and maintenance costs, allowance for facility expansion and layout flexibility, and consideration of plant operator familiarity with each technology. In addition, Mr. Ravel explained each of these processes were evaluated and assigned a specific weighting factor to determine which

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treatment alternative scored the highest amongst all four options. Conclusively, the MBR achieved the highest score and is the recommended alternative.

Mr. Ravel described how the MBR option does not require chemical addition for phosphorus removal due to the reliance on the ultrafiltration capabilities of the membrane filters. Mr. Ravel added the membranes would require scheduled cleaning and maintenance by plant staff. Mr. Bieker elaborated this MBR treatment process is operator intensive; however, he is confident plant staff are capable and competent to learn and successfully operate this type of liquid treatment process. Mr. Ravel explained the MBR method would require membrane replacement on an average of every seven to ten years. Additionally, slight increases in equipment and operation and maintenance costs are anticipated. Mr. Ravel described this is due to the fine screening and grit removal required to protect the membranes, as well as the additional pumping process necessary to convey flow through the membranes. Mr. Ravel suggested these higher incremental costs would not have a significant impact on both the long-term capital and operation and maintenance costs. Mr. Ravel summarized advantages of the MBR alternative including the ability to condense the layout of the membranes, less chemical usage, ability to meet metals treatment limits, and ability to expand treatment capabilities.

Mr. Newhouse expressed his support of selecting the MBR alternative for the liquid treatment process at the new wastewater treatment facility.

Mr. Ravel and Mr. Bieker answered questions of the Board and Mr. Squires regarding the power costs, technology training, flood plain requirements, the “art” of operations, and site layout required of the MBR alternative in comparison to the other presented treatment alternatives.

The Board, Mr. Bieker, Mr. Newhouse, and Mr. Allen discussed the MBR alternative and agreed this method is the best option for the District’s new wastewater treatment facility.

The Board thanked Mr. Ravel for the project update and Power Point presentation.

### **Discussion regarding return to in person Board Meetings per recent Public Health Order issued by The Larimer County Department of Health & Environment:**

Mr. Bieker commented the recent Public Health Order issued by The Larimer County Department of Health & Environment has lifted the social distancing and face covering mandate initiated for the Covid-19 pandemic; therefore, in person board meetings can now be resumed. Mr. Bieker asked the Board if they would like to proceed with in person meetings.

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The Board discussed and decided to meet in person moving forward as per current federal, state and county guidelines. It was also determined to continue facilitation of virtual attendance of monthly Board meetings.

At 6:40 p.m. the Board took a seventeen-minute recess.

At 6:57 p.m. the Board resumed the meeting.

### **Reports of Officers, Committees, Professional Consultants, & Staff**

The Board considered the Reports of Officers, Committees, Professional Consultants, and Staff.

Adding to the District Manager's Report, Mr. Bieker recapped the Resolution No. 2020-03-02 – *Continuation of Declaration of Local Disaster Emergency*, which was put in place to enable the District to effectively respond to the imminent threat of the Covid-19 pandemic and its effects on the operation and business of the District. Mr. Bieker stated since March 2020, using the guidelines of the UTSD Emergency Declaration and Resolution, and guidance from Federal and State Health Departments, the District has implemented many safety and operational protocols to protect the staff, customers, and infrastructure from the effects of the pandemic ensuring uninterrupted sanitary sewer service to the Estes Valley. Mr. Bieker reported due to expiring State Executive Orders, and new State and County Public Health Orders, Upper Thompson Sanitation District has made the following changes to the District's response to the ongoing COVID-19 Public Health Emergency:

#### Expiration of Governor Polis' Executive Order D 2020 270 – Providing Relief to Public Utility Customers Affected by Covid-19:

- UTSD will assess typical administrative and interest fees to customer accounts with delinquent balances of sewer service fees billed on the next quarterly billing cycle, July 1, 2021, and after that date, per current UTSD Rules and Regulations.
- Effective the next quarterly billing cycle, July 1, 2021, reinstate disconnection of sewer service for non-payment of sewer service fees billed July 1, 2021, and after that date, per current UTSD Rules and Regulations.
- Communicate to customers the reinstatement of delinquent account fees and disconnection policy on third quarter 2021 bill cards and invoices.

#### Colorado Department of Public Health and Environment – Second Amended Public Health Order 20-38 Limited Covid-19 Restrictions, dated May 14, 2021, and Larimer County Department of Health and Environment's alignment with the statewide Colorado Public Health Order:

- Effective May 18, 2021, termination of UTSD's District Manager Administrative Order Covid-19 Policy and Procedures, issued April 1, 2020.
- The District will adhere to the State of Colorado Workplace Public

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Health Laws for Paid Leave, Whistleblowing, and Protective Equipment effective January 1 ,2021. Covid-19 related time off used by UTSD employees for Covid-19 related issues in 2021 to date, will be accounted for under the guidelines of the Healthy Families & Workplaces Act (HFWA). Future “Covid-Off” time will be administrated by UTSD per the HFWA parameters.

- UTSD employees are no longer required to quarantine after vacation.
- Face coverings and social distancing will not be required in District facilities.
- To maintain a healthy workplace, the District asks staff to be prudent and thoughtful with respect to personal wellness. (Please do not come to work if you are not feeling well).
- District staff are expected to be kind and respectful to customers and the public regarding Covid-19 sensitivities.

The UTSD staff has navigated the District’s efforts to mitigate the ramifications of the pandemic with dedicated focus and professionalism. Mr. Bieker extended his gratitude to the staff for their diligent work through the pandemic. Mr. Bieker said he and the staff remain committed to safety and continued smooth operation of the District infrastructure and facilities. Mr. Bieker informed the Board that legal counsel, Ms. Linda Glesne of Collins, Cockrel and Cole, was consulted regarding the implementation of the updates to the District’s responses to the Covid-19 pandemic. Mr. Bieker reiterated the District will remain safe, agile, and resilient, while being efficient and eliminating risks.

Mr. Bieker answered questions of the Board.

Ms. Jurgens then mentioned to the Board that in addition to applying for a grant from Congressman Joe Neguse’s Community Project Funding Program, she submitted a grant application on May 12, 2021, to Senator Bennet and Senator Hickenlooper’s community project funding programs as well. These application requests are for the purpose of federal funding appropriation to assist with financing of the District’s New Wastewater Treatment Facility, Lift Station, and Interceptor Project.

The Board did not have corrections to the departmental reports.

The Board thanked the District staff for preparing the reports.

It was MOVED by Ms. Doyle and seconded by Mr. Duell to accept the Treasurer’s Report, Plant Report, System Development Fee Allocation and Connection Report, Collection System Report, and District Manager’s Report. Motion carried unanimously.

### **Executive Session**

At 7:34 p.m., it was MOVED by Mr. Reed and seconded by Ms. Doyle to go into Executive Session pursuant to §24-6-402(4)(c), C.R.S. for the purpose of

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discussing matters “required to be kept confidential by Federal or State law or rules or regulations” specific to Section 401(a) and 3121 (v) (1) of the Internal Revenue Code (IRC) and Revenue Ruling 2006-43 regarding employee PERA contributions subject to social security and Medicare taxes and consequent payroll adjustments.

The Executive Session was attended by Directors Reed, Doylen, Duell and Bosch; District Manager, Mr. Bieker; Assistant District Manager, Ms. Jurgens; and Financial Officer, Ms. Moore.

The Board did not engage in substantial discussion of any matter not enumerated in §24-6-402(4)(c) C.R.S., nor did it adopt any proposed legislative policy, position, resolution, rule, regulation, or formal action.

The Executive Session was adjourned at 8:09 p.m.

**Return to  
Regular Session**

At 8:09 p.m., the Board returned to regular session.

**Adjournment**

Having no further business, at 8:09 p.m., it was MOVED by Ms. Doylen and seconded by Mr. Duell to adjourn the meeting. Motion carried unanimously.

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Susan L. Doylen, Secretary

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Jack E. Reed, Chairman of the Board

Date: \_\_\_\_\_