

**MINUTES OF ACTION  
OF THE  
BOARD OF DIRECTORS  
GRANBY SANITATION DISTRICT  
Acting by and through its Wastewater Activity Enterprise  
February 12<sup>th</sup>, 2025**

The regular meeting of the Board of Directors of the Granby Sanitation District was duly called to order at the Granby Sanitation District Treatment Plant on Wednesday, February 12th, 2025, at 7:01 p.m. by Vice President Chuck Crossan. Present in person were Board members Chuck Crossan, Casey Farrell, Chaz Fox and Kelly Griesch; Also in attendance were District Operations Superintendent Hopper Becker, District Administrator Tom Swift, District Legal counsel Kent Whitmer of Whitmer Law Firm. Anthony Herzog, representing Sun Communities, was also in attendance. Present via Zoom was Board member Debra Brynoff & District Engineer Lauren Benton of Miller & Associates.

Mr. Anthony Herzog from Sun Communities introduced himself and noted that he was in attendance for observation purposes only. Mr. Herzog was notified that discussions regarding Sun Communities were not on the agenda of this Board meeting, however he would be welcome to address the Board regarding the long-term site use at Sun Communities. Mr. Herzog declined to address the Board and left the meeting at 7:13pm.

Lauren Benton reviewed recent activity on the metals removal bench testing. The District recently signed a contract for bench testing the BluePro metals removal system in the amount of \$14,000. Lauren noted that bench testing for the CoMag and BluePro system is underway and results should be received soon. Lauren reviewed possible design & construction feasibilities of each system and noted that there is a strong possibility that current facilities may be able to be repurposed with the CoMag system. Lauren reviewed the next steps in the design & construction process for the facility and noted that the pre-design phase of the engineering agreement is nearly complete.

Lauren Benton presented Amendment #1 of the Agreement for the Provision of Limited Professional Services to the Board for Review, which is a quote for further engineering services relating to tasks 1-4 for the design of the metals removal facility. This lump sum quote of \$583,000.00 covers services for processing a design report & site application agreement, design of tertiary treatment improvements, and the bidding / CMAR selection process. It was noted that this quote includes all subcontractors necessary for design including electrical & structural engineers, in addition, this quote includes the design of a new roof for the existing treatment facility to occur in conjunction with the metals removal installation.

Casey Farrell moved to approve Amendment #1 to the Agreement for the Provision of Limited Professional Services with Miller & Associates to design the Metal Removal Facility for a cost of \$583,000.00. Kelly Griesch seconded and the motion was unanimously approved.

Hopper Becker & Lauren Benton reviewed a warranty letter that was sent to Hensel Phelps to address some warranty concerns at the Solids Handling facility. It was noted that the HVAC system has recently faulted, icing on the HVAC air intake is occurring, drainage on the upper deck needs to be addressed & overhead door issues persist. Hensel Phelps & subcontractors have responded and will be onsite to address these issues soon.

The minutes from the regular meeting held on January 8, 2025 were considered. Kelly Griesch moved to approve the minutes as presented. The motion was seconded by Chaz Fox and unanimously approved.

Next, the January 2025 bills listing and financial reports were reviewed. Casey Farrell moved to pay the bills and approve the financial reports. The motion was seconded by Chuck Crossan and unanimously approved.

The delinquency report was reviewed, no account holders were in attendance. Debra Baranoff moved to authorize staff to proceed with collection and disconnection proceedings on accounts 1480.4, 20930.4, 25190.3, 11850.3 & 13700.4. Chaz Fox seconded and the motion was unanimously approved.

Hopper Becker presented the operations report and noted he had nothing additional to report.

In the Administrators report, Tom Swift presented plans for the new Grand County Animal Shelter and presented a request from Grand County Pet Pals to waive Plant Investment Fees, Facility Fees & Sewer Services Fees for the new animal shelter. The Board reviewed the Fourth Addendum to the 2006 Agreement for Expansion Lands, that included Kaibab Park parcel A and the precedent set to waive facility fees for facilities devoted to public use on this parcel.

It was moved by Casey Farrell to waive facility fees of \$1,000 per SFE for the construction of the new Grand County Animal Shelter, no additional fees will be waived in connection with construction of this facility. Chaz Fox seconded and the motion was unanimously approved.

Tom Swift presented a notification of a refund that will be received from the CSD pool workers Compensation Insurance audit. Additionally, the Board was presented with a signed agreement for GIS mapping with Miller & Associates, it was noted that this was a budgeted item in 2025. The Board reviewed a quote from Holly Wood Computing to install a new firewall at the District.

Tom Swift presented and reviewed Resolution No. 2025-02-01 & No 2025-02-02, establishing the parameters for the 2025 District Election of Officers & appointing Thomas G Swift as the Designated Election Official for the regular election to be held May 6, 2025 for Granby Sanitation District.

Casey Farrell moved to adopt Resolution No. 2025-02-01 & Resolution No. 2025-02-02. Chaz Fox seconded and the resolutions were unanimously adopted.

Casey Farrell moved to approve Estimate #2300 from Holly Wood Computing Services. Kelly Griesch

seconded and the motion was unanimously approved.

In the Attorney's report Kent Whitmer stated he had nothing to report.

Casey Farrell moved to enter into executive session pursuant to C.R.S. 24-6-402(4)(b) for a conference with the District's attorney regarding legal advice on specific legal questions pertaining to collection of unpaid and delinquent fees and enforcement of the District's rights under agreements with the Town of Granby. Tom Swift, Hopper Becker and Kent Whitmer were asked to be in attendance. The motion was seconded by Chaz Fox and unanimously approved.

Casey Farrel moved to exit the executive session. The motion was seconded by Chaz Fox and unanimously approved.

Attorney's opinion Required by Colorado Revised Statute, § 24-6-402-(2)(d.5)(II)(B). As the attorney representing the Granby Sanitation District, and who was in attendance at the above-referenced Executive Session, I am of the opinion that the entire Executive Session, which was not recorded, constituted a privileged attorney-client communication.

/s/ \_\_\_\_\_ SIGNED \_\_\_\_\_

Kent H. Whitmer, Legal Counsel

The Board directed Tom Swift to increase the SFE rating at 28 RV sites in Phase 1C of Sun Communities Rocky Mountains to 1 SFE per site and backdate sewer service fees to December 2024, when the concern of long term site usage was brought to the attention of Sun Communities. The Board directed Tom Swift to send a disconnection hearing notice and an invoice for inclusion fees, plant investment fees, back sewer service fees and attorney's fees that were incurred due to the change in use at Sun Communities Phase 1C. This notice should be mailed via certified mail, return receipt requested, to the current addresses on file with Sun Communities and to the address of the new payment processing company Renodis.

There being no further business to come before the Board, it was duly moved by Casey Farrell, seconded by Kelly Griesch and unanimously adopted that the meeting stand adjourned at 8:45 p.m.

APPROVED

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Casey Farrell, Secretary