RECORD OF PROCEEDINGS

MEETING OF THE BOARD OF DIRECTORS

EVERGREEN METROPOLITAN DISTRICT

SEPTEMBER 25, 2024

ADMINISTRATIVE MEETING

1.0 **CALL TO ORDER**

1.1 The regular monthly meeting of the Board of Directors of Evergreen Metropolitan District, concerning administrative, operational, and other District business convened at 8:37 a.m. on Wednesday, September 25, 2024. The Board met at the Evergreen Metropolitan District Administration Building, 30920 Stagecoach Blvd., Evergreen, Colorado, following statutory notice. The meeting was recorded to aid in preparation of the minutes.

2.0 In attendance were Chairman Mark Davidson, Secretary Jim Viellenave (via Zoom), Treasurer Jack Wolfe, Director John Ellis, and Director Brian Stephens-Hotopp. Also present were General Manager Jason Stawski, Administrative & Financial Analyst Shelley Koch, and Attorney Paul Cockrel. Mr. Jack Buchanan and Attorney Art Griffin (via Zoom) attended a portion of the meeting to present information regarding the Observatory property.

3.0 **MINUTES OF PREVIOUS MEETING**

3.1 The Board reviewed the minutes of the August 2024 Administrative Board Meeting. Director Ellis motioned to approve the minutes as presented. Director Stephens-Hotopp seconded the motion, followed by Board approval.

4.0 **TREASURER'S REPORT**

4.1 Treasurer Wolfe presented the Statement of Cash and Investments for the period ending August 31, 2024. Attached hereto and incorporated herein is the referenced report.

5.0 PRESENTATION OF BILLS

5.1 The Board reviewed payroll and bills for payment. After full discussion of the bills for payment, outstanding bills in the General Fund and Developers' Fund were presented for payment as set forth in the Treasurer's Report. Attached hereto and incorporated herein are the referenced reports.

5.2 Director Ellis motioned to approve the Treasurer's Report; all accounts presented for payment by the District and directed that the General and Special Fund of the District be drawn upon in satisfaction thereof. Director Stephens-Hotopp seconded the motion, followed by Board approval.

6.0 EL RANCHO/OBSERVATORY PROPERTY PRESENTATION

6.1 Mr. Jack Buchanan and Attorney Art Griffin (via Zoom) attended this portion of the meeting to provide a presentation to the Board on the Observatory property development and the possibility of moving the El Rancho restaurant across the street to the Observatory property. Mr. Buchanan noted that they would need to move the El Rancho Restaurant along with obtaining approval for the transfer of the water and wastewater taps currently assigned to the building due to the high cost of relocating the building. QuikTrip, who purchased the El Rancho Restaurant and 1st Bank sites, will be using the water/wastewater taps from the 1st Bank property. Mr. Buchanan also noted that the Observatory property development is interested in using gray water recycling and forming a Metro District.

The Observatory property requires approval from EMD to use gray water recycling on the Observatory property, according to Jefferson County, as well as approval of the tap transfer. Attorney Cockrel noted that the District requires documentation on ownership groups in order to permit any tap transfer. Consumption analyses for Quik Trip and the Observatory property are also needed in order to make a decision on the possibility of a tap transfer.

7.0 EXECUTIVE SESSION

Director Ellis moved that the regular meeting of the Board be temporarily adjourned and that the Board convene in Executive Session for the purpose of receiving advice from legal counsel regarding tap transfers in accordance with Section 24-6-402(4)(b), C.R.S. The motion was seconded by Treasurer Wolfe and unanimously carried. The Board temporarily adjourned the regular meeting at 10:07 a.m. and convened in Executive Session. The Executive Session was adjourned and the Board reconvened in regular session at 11:24 a.m.

8.0 REPORT OF THE GENERAL MANAGER

8.1 Documents for Signature

- Minutes of July 2024 Administrative Board Meeting and Executive Session
- IGA with Jefferson County for Lewis Ridge and Larkspur projects
- Resolution Authorizing Integrated Project Delivery for Design, Construction, Alteration and Improvement of Water Treatment Plant and Related Facilities

8.2 Administrative Request Agenda

- A request was made to approval McGarva Tree's proposal for removal of beetle infested pine trees at the Administration building location for a total cost of $9,750 with EMD's cost share totaling $8,404.50.

Director Ellis motioned to approve the above expenditure. Treasurer Wolfe seconded, followed by Board approval.

8.3 Administrative Items

Staff is working on the 2025 draft budget, which will be provided to the Board by October 15, 2025.

General Manager Stawski noted that Administrative & Human Resources Manager Dominique Devaney is no longer with the District.

9.0 EXECUTIVE SESSION

Treasurer Wolfe moved that the regular meeting of the Board be temporarily adjourned and that the Board convene in Executive Session for the purpose of discussing personnel matters in accordance with Section 24-6-402(4)(f), C.R.S. The motion was seconded by Director Ellis and unanimously carried. The Board temporarily adjourned the regular meeting at 11:29 a.m. and convened in Executive Session. The Executive Session was adjourned and the Board reconvened in regular session at 11:38 a.m.

10.0 REPORT OF THE ATTORNEY

10.1 Hiwan Agreement Amendment

General Manager Stawski noted that the Hiwan Agreement Amendment will be completed upon Attorney Ela's return. Hiwan is interested in contracting with the District to do their water rights accounting. Attorney Cockrel will draft a service agreement utilizing a flat Tier 2 rate plus price adjustments equaling the District's future Tier 2 rate increases.

10.2 IGA with Jefferson County

After discussion, Director Stephens-Hotopp motioned to approve the Intergovernmental Funding Agreement with Jefferson County for the culvert replacement project on Lewis Ridge and Larkspur. Director Ellis seconded the motion, followed by Board approval.

10.3 Resolution Authorizing Integrated Project Delivery for Design, Construction, Alteration and Improvement of Water Treatment Plant and Related Facilities

Attorney Cockrel presented the IPD Resolution. Director Ellis motioned to adopt the Resolution. Director Stephens-Hotopp seconded the motion, followed by Board approval.

11.0 ANNOUNCEMENTS

The next regular meeting of the Directors of the Board is scheduled for Wednesday, October 23, 2024, at 8:30 a.m. in the Administration Building Boardroom.

12.0 ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 11:50 a.m.

Respectfully Submitted,

Secretary

MINUTES OF THE EXECUTIVE SESSION
OF
EVERGREEN METROPOLITAN DISTRICT

HELD

September 25, 2024

An Executive Session of the Board of Directors ("Board") of the Evergreen Metropolitan District ("District") was held on Wednesday, September 25, 2024, at the Administration building at 11:29 a.m. and was adjourned at 11:38 a.m. at the Evergreen Metropolitan District Administrative Building, 30920 Stagecoach Boulevard, Evergreen, Colorado.

ATTENDANCE AT THE 11:29 A.M. EXECUTIVE SESSION

Directors in attendance:

Chairman Mark Davidson
Treasurer Jack Wolfe
Secretary Jim Viellenave
Director John Ellis
Director Brian Stephens-Hotopp

Also in attendance:

Jason Stawski, General Manager
Shelley Koch, Administrative & Financial Analyst
Paul Cockrel, Attorney

EXECUTIVE SESSION

The Executive Session of the Board was convened at 11:29 a.m. for the purpose of discussing personnel matters in accordance with Section 24-6-402(4)(f), C.R.S.

The Board did not engage in substantive discussion of any matter not enumerated in Section 24-6-402(4)(b), C.R.S., nor did it adopt any proposed legislative policy, position, resolution, rule, regulation or similar action. Treasurer Wolfe motioned to adjourn and reconvene in regular session, seconded by Director Ellis, followed by Board approval. The Executive Session was adjourned at 11:38 a.m.

Pursuant to Section 24-6-402(2) (d.5)(II)(A), C.R.S., I hereby attest that I chaired the Executive Session meeting of the Board convened on September 25, 2024, and that the above Minutes of such meeting substantially reflect the substance of the discussions during the Executive Session.

Mark Davidson, Chairman

MINUTES OF THE EXECUTIVE SESSION
OF
EVERGREEN METROPOLITAN DISTRICT

HELD

September 25, 2024

An Executive Session of the Board of Directors ("Board") of the Evergreen Metropolitan District ("District") was held on Wednesday, September 25, 2024, at the Administration building at 10:07 a.m. and was adjourned at 11:24 a.m. at the Evergreen Metropolitan District Administrative Building, 30920 Stagecoach Boulevard, Evergreen, Colorado.

ATTENDANCE AT THE 10:07 A.M. EXECUTIVE SESSION

Directors in attendance:

Chairman Mark Davidson
Treasurer Jack Wolfe
Secretary Jim Viellenave (via Zoom)
Director John Ellis
Director Brian Stephens-Hotopp

Also in attendance:

Jason Stawski, General Manager
Shelley Koch, Administrative & Financial Analyst
Paul Cockrel, Attorney

EXECUTIVE SESSION

The Executive Session of the Board was convened at 10:07 a.m. for the purpose of receiving advice from legal counsel regarding tap transfers in accordance with Section 24-6-402(4)(b), C.R.S.

The Board did not engage in substantive discussion of any matter not enumerated in Section 24-6-402(4)(b), C.R.S., nor did it adopt any proposed legislative policy, position, resolution, rule, regulation or similar action. Director Ellis motioned to adjourn and reconvene in regular session, seconded by Treasurer Wolfe, followed by Board approval. The Executive Session was adjourned at 11:24 p.m.

Pursuant to Section 24-6-402(2) (d.5)(II)(A), C.R.S., I hereby attest that I chaired the Executive Session meeting of the Board convened on September 25, 2024, and that the above Minutes of such meeting substantially reflect the substance of the discussions during the Executive Session.

Mark Davidson, Chairman

MEETING OF THE BOARD OF DIRECTORS

EVERGREEN METROPOLITAN DISTRICT

SEPTEMBER 25, 2024

OPERATIONAL MEETING

1.0 CALL TO ORDER

1.1 The regular monthly meeting of the Board of Directors of Evergreen Metropolitan District, concerning administrative, operational, and other District business, convened at 11:50 a.m. on Wednesday, September 25, 2024. The Board met at the Evergreen Metropolitan District Administration Building, 30920 Stagecoach Boulevard, Evergreen, Colorado, following statutory notice.

2.0 In attendance were Chairman Mark Davidson, Secretary Jim Viellenave (via Zoom), Treasurer Jack Wolfe, Director John Ellis and Director Brian Stephens-Hotopp. Also present were General Manager Jason Stawski, Financial Analyst Shelley Koch, and Attorney Paul Cockrel.

3.0 MINUTES OF PREVIOUS MEETING

3.1 The Board reviewed the minutes of the August 2024 Operational Board Meeting. Director Ellis motioned to approve the minutes as presented. Treasurer Wolfe seconded the motion, followed by Board approval.

4.0 OPERATIONAL REQUEST AGENDA

4.1 Purchase Requests

1. Installation of insertion valves at the Douglas Park Tank site to abandon two water mains associated with the abandoned tank and lift station at a cost of $15,950.

2. Replacement of telemetry radios at tank sites at a cost of $24,000.

3. Repair of the Water Plant HSPS Pump #3 at a cost of $18,000.

4. Meter purchases for the cellular meter project at a cost of $8,000. Clarification will be obtained on whether this purchase was previously made.

5. Replace current fluorescent lighting with LED lights at the water flocculation-sedimentation building at a cost not to exceed $10,000.

4.2 Operations Request Agenda Approval

Director Ellis motioned to approve the above items as presented, with clarification on the cellular meter purchase. Director Stephens-Hotopp seconded the motion, followed by Board approval.

5.0 REPORT OF THE GENERAL MANAGER

5.1 Documents for Signature

- Minutes of July 2024 Operational Board Meeting
- Evergreen National Bank forms for new bank account

5.2 Check Fraud

General Manager Stawski noted that recently it was discovered that one of EMD's checks to a vendor was altered on the Payee line and cashed. Evergreen National Bank also cashed two more fraudulent checks. At the recommendation of the bank, the District is closing the account and reopening a new account. Evergreen National Bank is investigating the fraud.

6.0 WATER RESOURCES DIVISION

6.1 Development

Nob Hill (WJCMD): Chlorine/Bac-T tests on the water main have been performed.

6.2 Environmental

As of September 16, 2024, the Bear Creek stream flow at BCREVRCO was at 14.7 cfs and was 13.2 cfs at BCRMORCO. As of August 20, 2024, 22.9" of precipitation has been received.

6.3 Water Rights

The water storage status report was reviewed.

7.0 COLLECTIONS & DISTRIBUTION DIVISION

7.1 Distribution

The crew is performing OCV maintenance in the Blue to Red Zone.

7.2 Collection System

Insituform has completed installation of CIPP lines and top hats in the El Pinal area.

The Vactor truck is being repaired for the fourth time.

7.3 Capital Projects

Larkspur Water Main: JVA provided the 30% design OPC at $342,295, which will replace 645 feet of 1.5″ water main with 8″ water main.

Wacker Neuson: The Wacker Neuson engine has been replaced and is running well.

8.0 WATER DIVISION

8.1 Water Treatment Plant Report

There were no State Health Department violations this period.

Month of August — Water Processed

WTP INFLUENT		
	Average	Highest
Turbidity, NTU	1.8	4.01
Manganese, mg/L	0.03	0.047
TOC, mg/L	3.2	3.4
Temperature, C	19.5	21.7

WTP EFFLUENT			
	Average	Lowest	Limit

Free Chlorine, mg/L	1.61	0.89	≥0.3
	Average	95^{th} Percentile/ Limit	Highest/Limit
Turbidity, NTU	0.025	0.038/0.1	0.054/≤0.5

The Water Treatment Plant processed 45 million gallons of water.

8.2 Transmission and Water Quality

Backflow Assemblies: 65% have been tested with three current failures.

8.3 Meters and Customer Service

Metered Water: 39.99 million gallons with water loss of 11.4%.

8.4 Projects

Meter Replacement Project: 93% of the District is on the new metering system. Radio meters to be replaced total 147.

9.0 WASTEWATER DIVISION

9.1 Wastewater Treatment Plant Report

There were no violations of the Evergreen Discharge Permit for the current period. The data below shows monthly averages of process control/lab test results/permit levels.

Month of August:

	Evergreen	Permit Level	West Jeff	Permit Level	Kittredge	Permit Level
Avg. Flow-MGD	0.3981	.99	0.3790	0.70	0.0385	0.125
Max. Flow-MGD	0.4483	---	0.4687	---	0.0548	---
Avg. Turb-NTU	1.78	---	1.93	---	4.87	---
Avg. BOD-Mg/L	1.11	30	2.35	30	7.18	30
Avg. TSS-Mg/L	2.5	30	1.9	30	4.6	30
E. Coliform-CL/100ml	1.0	378/756	1.0	187/374	3.0	1075/2150
Ammonia-Mg/L	0.087	7.7 mg/L	1.307	3.5 mg/L	3.523	5.3 mg/L
T.I.N. Max	9.395	22.9 mg/L	12.87	22.9 mg/L	12.516	22.9 mg/L
Phosphorus-Mg/L	0.555	1.0 mg/L	0.125	1.0 mg/L	0.19	1.0 mg/L

9.2 Biosolids

Denali Water Solutions hauled 126,000 gallons of biosolids in 21 loads. The current year-month average is 144,000 gallons.

9.3 Maintenance

Installation of the backwash system pneumatic valves is complete.

9.4 Lift Stations

A radar level monitoring system at the Tanoa lift station will be installed to replace the bubbler level monitoring system.

9.5 Capital Projects

Centrifugal Blower Replacement Project: The two Aerzen centrifugal blowers have been installed.

10.0 REPORT OF THE ATTORNEY

None

11.0 ANNOUNCEMENTS

The next regular meeting of the Directors of the Board is scheduled for Wednesday, October 23, 2024, at 8:30 a.m. in the Administration Building Boardroom.

12.0 ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:41 p.m.

Respectfully Submitted,

Secretary