

MINUTES OF DECEMBER 14, 2022

GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT

817 Colorado Avenue, Suite 201

Glenwood Springs, Colorado

1. Call to Order at 9:03 a.m.

- 2. Roll called by Administrative Assistant:** Director Gregg Rippy, Present
Director Mike Samson, Present
Director Steve Rippy, Present
Andrew Gorgey, General Counsel
Stefanie Davis, Administrative Assistant
Sheana Fedirko, Balanced Books & Accounting (Zoom)
- Quorum established.
Also in attendance:

3. Additions or Changes to Agenda.

None.

4. Consent Calendar.

- a. Approval of Minutes: November 9, 2022
MOTION to approve by Director S. Rippy, second by President Rippy, PASSED vote of 2-0.

5. Comments from Public on Items Not Scheduled on the Agenda.

None.

6. Staff Reports.

- a. Financial Reports
- i. Financial Overview
 - ii. Bank Activity
 - iii. Current Expenses
 - iv. Requests for Payment
 1. 2021 Grantee of the Year; Garfield County Emergency Communications Authority; 911 Center Security Upgrades; \$10,000.00
 2. 20-FT-11; Battlement Mesa Metropolitan District; Water Treatment Back-Up System; \$200,000.00
 3. 20-FT-02; Town of New Castle; Biosolid Drying Facility; \$100,000.00
 4. 21-FM-02; Town of New Castle; Community Center Kitchen; \$23,007.33
 - v. Request to Authorize President to Transfer Funds; Total Requested Payments \$333,100.00 with \$1,992.67 to Forfeited Grants.

General Discussion of Balance Sheet and P&L Report; expenses are as expected; reconciliation of bank accounts approved.

President Rippy suggested that the Board consolidate the transfer of \$419,000 from FMLD's Project Account to FMLD's Administrative Account into the Request to Authorize President to Transfer Funds, such that the total transferred would be \$750,000.

MOTION by Director Samson to approve Requests for Payment, items 6. (iv.)(1.), 6. (iv.)(3.) and 6. (iv.)(4.), and to authorize the President to Transfer Funds of \$750,000 to FMLD's Administrative Account. Second by Director S. Rippy, PASSED vote of 3-0. MOTION by Director Samson, second by President Rippy, to approve Request for Payment for item 6. (iv.)(2.) 20-FT-11 for Battlement Mesa Metropolitan District; Water Treatment Back-Up System for \$200,000. PASSED vote of 2-0, with Director S. Rippy abstaining.

vi. Budget to Actual

vii. Other

MOTION to accept Financial Reports by Director S. Rippy, second by Director Samson, PASSED vote of 3-0.

b. Correspondence

Ms. Davis reported that the board of FMLD received a handwritten thank you note from Mayor of New Castle Art Riddile for receiving 2 grants in the 2022 Fall Cycle.

An email was received from the public, Mr. Bill Anschuetz, inquiring as to how a person can be appointed to serve on the Board of FMLD. Staff will respond to him regarding the process of being appointed, i.e., these positions are appointed by the Garfield County Commissioners, and the terms of service information.

c. Administrative Assistant to the Board

Ms. Davis reported on the details of the 2023 Annual Awards Luncheon to be held at Grand River Health on Friday, January 27, 2023. The menu will be Flank steak and baked potatoes, with asparagus and tossed salad. Drinks and dessert will be provided also.

The Hospital has plates, silverware and linens; Ms. Davis will provide flower centerpieces in addition to the FMLD logo centerpieces. Plaques for the grantees to be presented at the luncheon have been ordered from Microplastics. Save the Date cards will be sent out December 15, and invitations will be sent out the first week of January 2023.

d. General Counsel

Mr. Gorgey reported that we had our regular team meetings on November 17, and December 8, 2022. He thanked President Rippy for the Colotrust transfer; and thanked Mike Samson for helping coordinate the Garfield County Resolution 2022-40 re-appointing Gregg Rippy to another term on the FMLD Board in a timely manner. This takes effect January 15, 2023.

Mr. Gorgey seminar attended a Continuing Education legal class on November 29 and met with a new group called Rising Municipal Attorneys in Denver on November 10.

7. Items Removed from Consent Calendar.

None.

8. Unfinished Business.

- a. Public Hearings (consolidated) for 2022 Proposed Amended Budget; 2023 Proposed Budget
- President Rippy opened the consolidated Public Hearings for the 2022 Proposed Amended Budget and the 2023 Proposed Budget. The board of Directors considered and reviewed Exhibit A, the budget numbers, comprising the 2022 Proposed Amended Budget and the 2023 Proposed Budget, along with the corresponding Public Resolutions 2022-02 and 2022-03.

General Counsel led the Board through the numbers; \$25,000 is being put into the administrative account, in anticipation of changes or consultants that will be required to conform to HB 21-1110, a CO state mandate on website accessibility.

President Rippy praised General Counsel Gorgey on his presentation of the budget, which over the past few years has included a budget message and a brief history of the District.

The Board and General Counsel, along with Ms. Fedirko, discussed aspects of the 2022 Amended budget for 2022, as well as 2023 budget projections.

MOTION by Director Samson to approve Public Resolutions 22-02 and 22-03, with the updated Exhibit A attached to each, second by Director S. Rippy; PASSED 3-0.

The Public Hearing was closed by President Rippy.

9. New Business.

a. Grant Issues and Updates

i. 22-FT-06; City of Rifle; Gateway Roundabout Project; \$600,000

FMLD received a letter on December 5, 2022 from the Civil Engineer of the City of Rifle, explaining that the scope of work for 22-FT-06 has changed considerably, and will not be configured as a roundabout. After a brief discussion, the Board felt that they need more information to see if the grant is still acceptable in scope and the amount granted.

The Board made a decision to send a letter to the Mayor and City Manager, with a copy to the Civil Engineer, asking that they present the augmented project at the February 8, 2023 meeting. General Counsel Gorgey will follow up with the City of Rifle about this grant, and the Board's decision.

b. Annual Insurance Renewals

There were modest increases in the annual insurance quotes from Mountain West for liability insurance and for workers comp. The proposal requires the President's signature, as well as payment. MOTION by Director S. Rippy to authorize the payments and for the President to sign the proposal, second by Director Samson; PASSED vote of 3-0.

c. District Counsel | Administrative Manager Offer Letter

This position has been changed to add the title of Administrative Manager to General Counsel. Per FMLD's By-Laws, notice had to be posted of this new position no less than 14 days prior to the monthly meeting. This was done; notice of the position was posted on November 28, 2022. In addition, the title of General Counsel is now District Counsel. MOTION by Director S. Rippy to approve engagement of services letter with the posted changes, and to authorize the President to sign it, second by Director Samson. PASSED by vote of 3-0.

10. Other Business.

11. Executive Session.

None

12. Next Meeting.

Friday, January 27, 2023, 9:00 a.m. at Grand River Health, 501 Airport Rd, Rifle, CO,
followed by the Annual Awards Luncheon

13. Adjourn.

Adjourned at 10:30 a.m.



Steve Rippy, Secretary

1-27-23

Date

