

KREMMLING SANITATION DISTRICT RECORD OF PROCEEDINGS

Regular Meeting Minutes

June 13, 2026

A regular meeting of the Board of Directors (Board) of the Kremmling Sanitation District (District) was held on June 13, 2026, at 6:00 PM at the Kremmling Town Hall, 200 Eagle Avenue, Kremmling, Colorado, online using Google Meet. Links and call-in information were provided.

ATTENDANCE

Directors Present

Noble Underbrink, President
Dave Sammons, Vice President
Alan Hassler, Secretary/Treasurer
Stuart Heller, Assistant Secretary
Rory Menhennett, Assistant Secretary

Staff

Jack Seward, District Manager
Rich Rosene, Project Manager
Scott Weber, Superintendent
Joe Probest, Operator
Joe Norris, Counsel
Thom Yoder, Operator in Responsible Charge

Public

Mike Pearson
Michael Brownlee

1. CALL TO ORDER

After notice was duly given and posted in accordance with Colorado law, the meeting was called to order by Mr. Underbrink at 6:00 PM.

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

Mr. Seward presented the minutes of the June 8, 2026 regular meeting and the June 22, 2026 special meeting.

Mr. Sammons made a motion to approve the minutes as presented. Mr. Hassler seconded the motion, which unanimously carried.

4. LEGAL MATTERS

Mr. Underbrink drew the Board's attention to the matter of the sanitary sewer connection permits held by FCAP Muddy Creek, LLC. Mr. Underbrink explained that the Board was sitting as a quasi-judicial body to consider the matters set forth in the District's order to show cause dated June 19, 2026. Entries of appearance were made by Mr. Seward and Mr. Norris for the District and by Mr. Pearson and Mr. Brownlee for FCAP Muddy Creek, LLC. Mr. Norris provided an overview of how the hearing will occur.

Mr. Seward clarified that this portion of the meeting as with all meetings of the Board, is being recorded and the recording will serve as a portion of the record of the hearing.

Mr. Underbrink described the record before the Board and asked if there were any objections to the record. Mr. Brownlee made several objections; Mr. Norris clarified that the statements appeared to be reservations of rights, not objections to the record, and the Board took no action on the objection.

Mr. Seward made a presentation of evidence to the Board and responded to questions from the Board. Mr. Brownlee then made a presentation of evidence to the Board and responded to questions. Both Mr. Seward and Mr. Brownlee made rebuttal arguments.

Following the presentation of evidence, the Board deliberated on the matter before it. Mr. Hassler made a motion to table any action on the order to show cause until a date certain and to keep the evidentiary record open pending further deliberations of the Board. Mr. Sammons seconded the motion, which unanimously carried.

5. EXECUTIVE SESSION

Mr. Hassler made a motion to enter into executive session to confer with legal counsel regarding the hearing held in the Matter of the Sanitary Sewer Connection Permits Held by FCAP Muddy Creek, LLC, Located At 315 River Lane, Kremmling, Colorado, pursuant to C.R.S. § 24-6-402(4)(b). Mr. Sammons seconded the motion, which unanimously carried.

Mr. Norris advised that it was his opinion as counsel to the District that the executive session would constitute attorney-client privileged communication and,

as a result, no recording of the executive session would be made. The Board entered into executive session at 7:30 PM and exited executive session at 8:37 PM.

The Board took no action as a result of executive session.

6. APPROVAL OF EXPENDITURES

- a. Mr. Seward presented the expenditure report dated June 9, 2026 – July 13, 2026.

Mr. Menhennett made a motion to (i) approve the expenditure report dated June 9, 2026 – July 13, 2026, in the amount of thirty thousand one hundred eighty-five dollars and sixty-five cents (\$20,185.65) and (ii) authorize the payment of all accounts, including current payables, in conformance with budgetary appropriations. Mr. Heller seconded the motion, which unanimously carried.

- b. Mr. Seward presented the budget-to-actuals report for the period ending May 31, 2026.

7. OPERATOR'S REPORT

- a. Mr. Weber presented the operator's report. Mr. Weber reported that the District's contracted laboratory completed an investigation into lab results that indicated elevations in the wastewater treatment plant's BOD levels. The investigation revealed no abnormalities in the testing process. As a result of the investigation Mr. Weber and Mr. Yoder are evaluating the wastewater treatment plant's process controls to identify any needed improvements. All other lab values were within normal limits.
- b. Mr. Weber reported the septic receiving station is open and one hauler permit has been issued. He then detailed work on the reuse water system and its usage, noting that water use is higher than anticipated.

8. ENGINEER'S REPORT

- a. Mr. Seward provided an update on development activities, reporting that the Kremmling Sunrise developer has indicated general agreement to the District's terms of inclusion and an agreement regarding the same is being drafted. A fourth round of comments have been provided to the K-Town North developer.
- b. Mr. Weber provided an update regarding the collection system project, noting the project is nearing completion and substantial completion will be achieved at the end of the month.

9. MANAGER'S REPORT

- a. Mr. Seward advised the Board that pursuant to state law, a draft of the annual independent audit was provided for the Board's review and comment by on June 30, 2026. Mr. Seward has to date received no comments on the draft audit. The auditor will finalize the audit and file it with the Office of the State Auditor before the July 31, 2026 deadline and will attend the August Board meeting to present her findings.

10. ADJOURNMENT

There being no further business to come before the Board, Mr. Sammons made a motion to adjourn the meeting. Mr. Hassler seconded the motion, which unanimously carried. The Board adjourned at 9:30 PM.

The foregoing represents a true and accurate representation of the proceedings of the Board's regular meeting held on July 13, 2026



Jack Seward
Recording Secretary