

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
**BACA GRANDE WATER AND SANITATION DISTRICT**

**October 20, 2021**

9:00 AM

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom

**ATTENDANCE**

Directors in Attendance:

John Loll  
Mike Smith  
William Peck  
Vivia Lawson  
Dale Halley

Also in Attendance:

Marcus Lock, District Legal Counsel  
JoAnn Slivka, District Manager  
Gary Potter, District Director of Operations

Alejandro Montoya, community member  
Parke Hess, community member

**CALL TO ORDER**

President Loll opened the meeting at 9:02 AM.

**DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

*Attorney Lock has discussed with the Board the requirements pursuant to Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Baca Grande Water and Sanitation District Board of Directors and to the Secretary of State. It was noted that a quorum was present and members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No new disclosures were made.*

**AGENDA**

MOTION APPROVED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR PECK, SECONDED BY DIRECTOR HALLEY AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE AGENDA.

**PUBLIC COMMENT (ITEMS NOT ON THE AGENDA ONLY. NO ACTION MAY BE TAKEN).**

*The district is subject to the Colorado Open Meetings Law, which states that no Board discussion or action will take place until a later date, if necessary.*

*Please limit your comments to three minutes or less.*

- There was no public comment received.

**BOARD AND STAFF REPORTS**

The board reviewed and discussed the reports incorporated herein by this reference.

A. Board Member Matters:

- Consider election of Board Vice-President

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ELECTED DIRECTOR HALLEY FOR THE POSITION OF VICE PRESIDENT FOR THE BACA GRANDE WATER AND SANITATION DISTRICT BOARD OF DIRECTORS.

B. District Manager Report

- Discuss Town of Crestone Sub-Committee

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD SELECTED DIRECTOR HALLEY TO THE SUB-COMMITTEE FOR THE TOWN OF CRESTONE NEGOTIATIONS.

- Discuss request from KTTG

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, SECONDED BY DIRECTOR HALLEY, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD DIRECTED MR. POTTER TO DISCUSS WITH NJAL SCHOLD, THE DETAILS OF THE REQUEST RECEIVED FROM KTTG FOR ASSISTANCE WITH REPAIR OF THE ROAD TO THE STUPA.

- Discuss request from Mr. Buckner  
Following discussion, the Board denied the request for waiver of the minimum monthly water and sanitation service fees. It was suggested that Mr. Buckner contact his insurance company as well as local assistance programs such as Neighbors Helping Neighbors.

C. Customer Request

- Mr. Alejandro Montoya addressed the Board regarding outstanding fees incurred from the District on three lots he purchased from the Saguache County land bid.  
Following discussion, the Board denied any exceptions regarding this request.

D. Director of Utilities Report

- Following discussion regarding delays on Locates from 811, the Board directed Mr. Lock to look into the law of 811 delays for emergency locates.

**FINANCIAL MATTERS**

Check Register: The board considered approval of the check register through the period ending October 20, 2021 as follows

General	\$ 17,010.92
Capital	\$ 5,160.00
<u>Enterprise</u>	<u>\$ 48,616.86</u>
Total	\$ 70,787.78

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, SECONDED BY DIRECTOR SMITH, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING OCTOBER 20, 2021.

**LEGAL MATTERS**

Ratify Tank Rehabilitation bid – Viking Industrial Painting, LLC.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HALLEY, SECONDED BY DIRECTOR PECK, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD RATIFIED THE NOTICE OF AWARD TO VIKING INDUSTRIAL PAINTING, LLC.

**EXECUTIVE SESSION**

There were no items for discussion in executive session.

**COVID UPDATE:**

This week there were 208 known reported cases in the San Luis Valley with a 6.67% positivity rate. The goal is to stay under 5%. To stay under 5%, individuals with symptoms need to pursue testing.

**ADJOURNMENT:**

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR SMITH, SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 10:52 AM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR  
November 17, 2021

Respectfully submitted,



JoAnn Slivka  
Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL October 20, 2021 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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John Loll

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William Peck

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Mike Smith

\_\_\_\_\_  
Vivia Lawson

\_\_\_\_\_  
Dale Halley