

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

April 17, 2024 - 9:00 A.M.

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom

ATTENDANCE

Directors in Attendance:

Vivia Lawson

Mike Smith

Rick Hart

David Karas

Also in Attendance:

Marcus Lock, District Legal Counsel

Diego Martinez, District Manager

Natalie DeBon, Administrative Manager

Gary Potter, Director of Utilities

Cathy Fromm, District Accountant (for a portion of the meeting)

Nicholaus Marcotte, Element Engineering

(for a portion of the meeting)

Community Members and Guests:

Dan Gray

Matthew Eric Lit

CALL TO ORDER

President Lawson called the meeting to order at 9:03 A.M.

Board Roll Call: All Directors were present except Vice President Loll, as he had an excused absence. Director Smith, due to technical difficulties, joined the meeting in person.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

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 potential conflicts were disclosed.

AGENDA

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

CONSENT AGENDA

The Board considered the following consent agenda items:

- REVIEW AND ACCEPT UNAUDITED FINANCIAL STATEMENTS FOR THE PERIOD ENDING MARCH 31, 2024 AND CURRENT SCHEDULE OF CASH POSITION.
- APPROVE MINUTES FROM THE MARCH, 2024 REGULAR MEETING

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

PUBLIC COMMENT (ITEMS NOT ON THE AGENDA ONLY. NO ACTION MAY BE TAKEN). *In accordance with the Colorado Open Meetings Law, no Board action will take place until a later date, if necessary. Please limit your comments to three minutes or less.*

No public comments.

FINANCIAL MATTERS

Check Register: The Board discussed and considered approval of the check register through the period ending April 17, 2024 as follows:

General	\$	11,861.37
Debt	\$	400.00
Capital	\$	62,378.96
<u>Enterprise</u>	\$	<u>27,751.81</u>
	\$	102,392.14

Mr. Hart asked about the mini excavator purchase and if the purchase is within the budget. Mr. Potter responded, yes, the expense is well below budget, and part of a municipal purchase program which will provide the District a brand new mini excavator every two years. Directors Hart and Lawson also inquired about the expense related to design for the new administration building.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR KARAS, SECONDED BY DIRECTOR HART AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTERS FOR THE PERIODS ENDING APRIL 17, 2024.

Board of Director Matters:

President Lawson and Director Hart spoke highly of the Board Retreat, which took place on April 10th, 2024. Directors thanked everyone who attended for their input and presentations.

Engineer’s Report:

The Board reviewed and discussed the Engineer’s report incorporated in the Board packet, attached to the minutes as supporting documentation.

STAFF REPORTS

The Board reviewed and discussed the reports incorporated in the Board packet; the staff reports are attached to the minutes as supporting documents.

Wastewater Treatment Plant Evaluation:

The Board, engineer and staff discussed the history of high load percentages on the Aspen wastewater plant, which prompted planning for a new plant due to CDPHE mandates. However, improvements beginning around 2022, including more frequent cleaning of the tank, more frequent sample collection and automated monitoring has led to more consistent readings, and also consistently lower readings. Mr. Potter presented a graph outlining sampling timelines at the Aspen wastewater treatment plant from 2018 to 2023. The installation of auto testing and weekly duplicate sample analyses now provide for more accurate, cross-checked, and consistent data. With improved sampling frequency and accuracy, readings show that the plant consistently is operating at around 50% capacity, prompting reconsideration of the need to build a new facility.

MOTION: DIRECTOR HART MOVED, BASED ON THE PAST YEAR AND SAMPLING DATA, WHICH INDICATES THE LOADING ON THE WASTEWATER TREATMENT PLANT IS NOT AT A LEVEL THAT MANDATES EXPANSION, AND

ADDITIONAL CAPACITY IS NOT NECESSARY, THAT THE BOARD PIVOT FROM PLANNING REPLACEMENT OF THE ASPEN WASTEWATER TREATMENT FACILITY TO FOCUSING ON TARGETED HEALTH AND SAFETY IMPROVEMENTS AS RECOMMENDED BY ENGINEERS AND OPERATIONS DEPENDING ON NEED AND COST. MOTION SECONDED BY DIRECTOR KARAS AND UPON VOTE, THE MOTION CARRIED UNANIMOUSLY .

Legal Matters:

Mr. Lock discussed the ongoing work with the District Manager, Mr. Potter, and Engineers on operational considerations for droughts, to be included in a long-term amendment with the US Fish and Wildlife Service. Mr. Lock is awaiting a response from Ms. Burnidge regarding a one-year extension of the short-term amended agreement. Regarding the Town of Crestone, Mr. Lock informed the Board about an email exchange with the town's legal counsel and re-sent the discharge permit related to an initial draft of the long term IGA. Mr. Lock is expecting further communication on the matter soon.

District Manager Review:

President Lawson acknowledged that Mr. Martinez has completed six months in his position, prompting the need for a review. Forms will be created for Board members to evaluate his performance. Any further discussion or motions were welcomed before adjourning the meeting, with no further comments appreciation was expressed to all attendees.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR HART, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 10:34 A.M.

THE NEXT REGULAR MEETING IS SCHEDULED FOR
May 15, 2024

Drafted by Natalie DeBon

Respectfully submitted,

Diego Martinez

THESE MINUTES ARE APPROVED AS THE OFFICIAL April 17th, 2024 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

Vivia Lawson

John Loll

Mike Smith

Rick Hart

David Karas