

**PUBLIC NOTICE OF SPECIAL MEETING/WORK SESSION OF THE
BOARD OF DIRECTORS OF THE
BACA GRANDE WATER AND SANITATION DISTRICT**

PUBLIC NOTICE is hereby given that a Special Meeting/Work Session of the Board of Directors of the Baca Grande Water and Sanitation District of the County of Saguache, State of Colorado, shall be held on Monday, June 26, 2017 at 3:00 P.M., at the District Office, 57 Baca Grant Way South, Crestone, CO 81131. At such meeting, the Board shall discuss the bid process for the Flow Equalization Basin project. All meetings shall be open to the public.

IN WITNESS WHEREOF, this notice is given and duly posted pursuant to statute this 22nd day of June, 2017.

BACA GRANDE WATER AND SANITATION
DISTRICT

By:



District Manager

BACA GRANDE WATER AND SANITATION DISTRICT

57 Baca Grant Way South
Crestone, Colorado 81131

SPECIAL MEETING AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Michael Scully	President	2020/May 2020
Martin Macaulay	Vice President	2018/May 2018
Lynn Drake	Secretary	2020/May 2020
Matthew Ghourdjian	Treasurer	2020/May 2020
Robert Salmi	Assistant Secretary	2018/May 2018

DATE: **June 26, 2017**
TIME: 3:00 P.M.
PLACE: BGW&SD Shop
57 Baca Grant Way South
Crestone, Colorado 81131

I. FLOW EQUALIZATION PROJECT

a. Attachments:

- i. Memo from TZA
- ii. Memo from Special District Solutions
- iii. Grant received "In the News", Memo from Bret Collyer, ORC contractor

b. Issues:

- i. Capital Account Fund
- ii. Importance of the project- Justification of project
- iii. Other priorities.

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

A Special Meeting of the Board of Directors (referred to hereafter as “Board”) of the Baca Grande Water and Sanitation District (referred to hereafter as “District”) was held at the offices of the District, 57 Baca Grant Way South, Crestone, Colorado.

June 26, 2017 at 3:00 A.M.

The meeting was open to the public.

ATTENDANCE

Directors in Attendance:

Michael Scully

Martin Macaulay

Lynn Drake

Matthew Ghourdjian

Robert Salmi (via speakerphone)

Also in Attendance:

Marcus Law; Law of the Rockies (via speakerphone)

JoAnn Slivka; District Manager

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 Board of Directors and to the Secretary of State. Attorney Lock has noted that conflicts have been for applicable Directors at least 72-hours prior to the meeting. President Scully noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting.

Aspen Institute Wastewater Treatment Facility – Headworks and Flow Equalization Basin Project

The Board held a special meeting to discuss the recent bid results submitted for the Headworks and Flow Equalization Basin Project. A memo was provided from TZA Engineers that briefly described the headworks building and what it was comprised of. The memo also explained what the original probable cost of construction would be and why all the bids came in at such at higher costs than originally planned. TZA recommends the Board could consider eliminating part of the bid by removing the fine screen and grit removal system.

The Board also reviewed a memo from Cathy Fromm of Special District Solutions, LLC that outlined the funding resources for the project. There is funding available for this project but it would deplete the Capital Project account. The shortfall of funds for this project would need to be covered by either the Enterprise or General Fund.

Many questions came out of the discussion. Director Salmi questioned the Mobilization costs. Do we want to run a lean ship, without reserve funds? Do we want to lose the grant? Is there a fine if we do not go through with the project? Can we apply for an additional Grant? Should we go ahead and do a partial building as recommended by TZA?

Attorney Lock recommended the Board consider the priority of the project, and if we are able to get more accurate costs elsewhere.

After discussion the Board directed Ms. Slivka to contact the Colorado Department of Health (CDPHE) to clarify questions the Board has.

She is to discuss the following with CDPHE:

1. Stage 1: Got bids, way in excess what are our options, can we pursue additional grant money?
 - a. Can we use partial funds?
 - b. Can we build just part of the project? (Remove the screen)
 - c. Do we need a change order to not do the screens?
2. How would it affect potential future funding if we give the Grant money back?
3. Can we do a change order to remove the screen

THE NEXT REGULAR MEETING IS SCHEDULED FOR JULY 21, 2017.

Respectfully submitted,

By  _____

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL APRIL 21, 2017 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

Michael Scully

Martin Macaulay

Lynn Drake

Matthew Ghourdjian

Robert Salmi

ATTORNEY STATEMENT

Regarding Privileged Attorney-Client Communication

Pursuant to §24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing the Baca Grande Water and Sanitation District, I attended the executive sessions on APRIL 21, 2017, and it is my opinion that the portion of the executive session that was not recorded constituted attorney-client privileged communications.

Marcus J. Lock

General Counsel

Baca Grande Water and Sanitation District