

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

February 21, 2020

9:00 AM

District Office - 57 Baca Grant Way South
Crestone, Colorado 81131

ATTENDANCE

Directors in Attendance:

John Loll
Robert Salmi
Gregg Conlee
Michael Scully
Bill Peck

Also in Attendance:

Marcus Lock; Law of the Rockies (via speakerphone)
Cathy Fromm; Fromm and Company (via speakerphone for a portion of the meeting)
JoAnn Slivka; District Manager
Andrew Rheem; Raftelis
Richard Hood: JVA (via speakerphone for a portion of the meeting)

See list for additional attendees

CALL TO ORDER

President Loll opened the meeting at 9:03 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

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

APPOINTMENT OF DIRECTOR

The board then considered the letter of interest to fill the vacant seat received from Mr. William Peck.

APPOINTED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SALMI, SECONDED BY DIRECTOR CONLEE AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPOINTED MR. PECK TO FILL THE VACANCY.

Ms. Evenson issued the Oath of Office and Mr. Peck joined the meeting. The seat that is being filled by Mr. Peck is good until the election in May 2020. Then that seat will be up for election in May 2023.

CONSENT AGENDA

The board considered the following consent agenda items:

- Approve Minutes from the January 30, Special Meeting
- Approve Minutes from the January 17, 2020 Regular Meeting
- Ratify Independent Contractor Agreement with Southern Colorado Water Operations, LLC.

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

PUBLIC COMMENT (ITEMS **NOT** ON THE AGENDA ONLY. COMMENTS LIMITED TO **THREE MINUTES** PER PERSON AND TAKEN IN ORDER LISTED ON SIGN IN SHEET)

Daniel Gray 3898 Rarity Way: Mr. Gray made several comments and acquisitions about the district's performance. In the opinion of legal counsel, the entirety of Mr. Gray's public comments is completely inaccurate especially as it relates to accusations made against Mr. Loll and also in every other aspect as well.

Jim Vanderpool Baca Grande Fire Captain:

Mr. Vanderpool requests a Memo of Understanding for mitigation and the board’s permission to access those right of ways. It was agreed that we would get together and look at the map to figure out what the legal rights of access are. The board agreed that they are supportive of all the work the Fire District has done.

BOARD AND STAFF REPORTS

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

FINANCIAL MATTERS

Financial Statements: Ms. Fromm reviewed the unaudited financial statements with the board. She changed the format slightly to make it a little easier to read. Many of the expenses were for 2019 and these will be accrued back to 2019 for the Audit. Interest rates are going down, hopefully they will stabilize soon.

Check Register: The board considered approval of the check register through the period ending February 21, 2020 as follows:

General	\$ 9512.20
Debt Service	\$ 400.00
Capital Projects	\$ 432.50
<u>Enterprise</u>	<u>\$ 45,111.61</u>
	\$ 55,456.31

APPROVED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SCULLY, SECONDED BY DIRECTOR SALMI, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING FEBRUARY 21, 2020.

Rate Study:

Mr. Andrew Rheem from Raftelis, began his presentation with an introduction of his firm and projects they have been involved with.

Discussion included questions and comments regarding:

- Town of Crestone share of services
- The expansion of the treatment plant
- The district is currently evaluating the load and flow of the plant
- Impact of new building and incoming residents
- Water conservation efforts
- Average customer billing
- Comparison to other districts
- Consideration of rate increase to fixed and limited income folks
- Funding a customer assistance program

Mr. Rheem wrapped up the presentation and will include 2020 and 2021 in his recommendation for the March 27 meeting.

The board thanks both Andrew Rheem and Andrew Sparn and Richard Hood from JVA for all the work they did on the Rate Study and today’s Presentation.

EXECUTIVE SESSION MATTERS - §24-6-402(4) (a), (b), (e)(1) and (f)(1), C.R.S.

DIRECTOR SCULLY MOVED AND DIRECTOR CONLEE SECONDED THAT THE BOARD OF DIRECTORS ENTER INTO EXECUTIVE SESSION FOR THE PURPOSES OF RECEIVING LEGAL ADVICE REGARDING PROPERTY MATTERS, CONFERENCES WITH THE DISTRICT’S ATTORNEY, NEGOTIATIONS AND INSTRUCTING NEGOTIATORS.

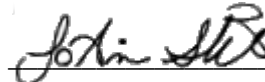
DIRECTOR SCULLY MOVED AND DIRECTOR CONLEE SECONDED THAT THE BOARD OF DIRECTORS RECONVENE TO REGULAR SESSION AT 11:50 AM.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE BY DIRECTOR SCULLY SECONDED BY DIRECTOR CONLEE AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 12:00 PM.

**THE NEXT REGULAR MEETING IS SCHEDULED FOR
March 27, 2020**

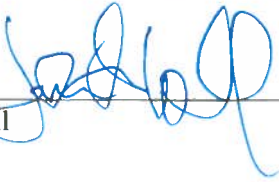
Respectfully submitted,



JoAnn Slivka

Secretary for the meeting


THESE MINUTES ARE APPROVED AS THE OFFICIAL February 21, 2020 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



John Koll

Robert Salmi


Gregg Conlee

Michael Scully


Bill Peck

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 February 21, 2020, 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



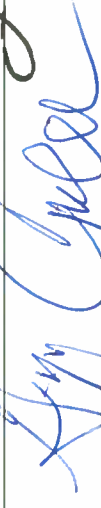
Baca Grande Water and Sanitation District



Baca Grande Water and Sanitation District
 P.O. Box 520 | 57 Baca Grant Way S
 Crestone, CO 81131-0520

**February 21, 2020
 Board Meeting**

Board of Directors Sign-in

Bob Salmi:	
John Loll:	
Michael Scully:	<i>Michael Scully</i>
Gregg Conlee:	

William Beck *William Beck*



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February 21, 2020
 Board Meeting

Please print your name, address and contact information along with any issues you are interested in addressing at today's Board Meeting.

Name	Address	Telephone/Email	Would you like to speak?	Issues to be addressed
David Karev	931 Moonlight	719-490-2043	Perhaps	looking into employment possibility
Andrew Rheem		303-898-8377	Yes	
daniel gray	3898 Rautz	970 497-6010	Yes	Rates
Savie Thomas	203 Camino del Oro W,	719 488 1935	yes	
Bill Beck	31 Sunset	970-819-3209	yes	
Gwynn Busby	360 E Iron Ave	940-634-9981	No	
KARLUNA MUNIZ	249 W SILVER AVE	719-256-5445	No	ICATEL
JIM VANDERPOOL	BACA GRANDE F.D.	719 980-9076	MAYBE	



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February 21, 2020
Board Meeting

Please print your name, address and contact information along with any issues you are interested in addressing at today's Board Meeting.

Name	Address	Telephone/Email	Would you like to speak?	Issues to be addressed
STEPHEN FUTRAL	PO BOX 275	720.386.4488	?	
SAMPAGE	" " 125	719-937-8309		