

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

April 22, 2020

9:00 AM

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

Meeting held via Zoom due to COVID-19

ATTENDANCE

Directors in Attendance:

John Loll
Robert Salmi
Gregg Conlee
Mike Smith
William Peck

Also in Attendance:

Marcus Lock; Law of the Rockies
Cathy Fromm; Fromm and Company (for a portion of the meeting)
JoAnn Slivka; District Manager
Gary Potter; District Director of Operations

Members of the Public:

Kate Steichen
Darlene Yarbrough
Adam Sokol

CALL TO ORDER

President Loll opened the meeting at 9:00 AM.

The meeting began with introductions of directors and staff and members of the public

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.

Mr. Loll disclosed that he will recuse himself from the discussion on Agenda item IV. 2307 Echo OL Waiver Request.

AGENDA

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

CONSENT AGENDA

The board considered the following consent agenda items:

- Approve Minutes from the March 17, 2021 Meeting

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SMITH SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CONSENT 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 were no public comments.

2307 Echo OL Waiver request

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SMITH, SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE DISTRICT WILL CONTINUE THE SEPTIC SYSTEM WAIVER REQUEST AND DIRECTS STAFF AND LEGAL COUNSEL TO PROCEED WITH POST HASTE NEGOTIATIONS WITH THE BACA GRANDE POA IN GOOD FAITH TO ACQUIRE AN EASEMENT THROUGH THE GREENBELT IN ACCORDANCE WITH REGULATION 2.7.5. IN THE EVENT THAT WE ARE UNABLE TO NEGOTIATE ACQUISITION OF THE EASEMENT, THEN THE BOARD OF DIRECTORS AUTHORIZE STAFF AND LEGAL COUNSEL TO PROCEED WITH CONDEMNATION PROCEEDINGS.

BOARD AND STAFF REPORTS

Board Member Matters

Ms. Slivka requested that Directors respond in a timely fashion to attendance verification in order to be sure there is a quorum for the Board meetings.

OPERATIONS:

The Board granted permission for Mr. Potter to work with Mr. Lock to draft a letter to Division 3 regarding the use of the Motel Well.

FINANCIAL MATTERS

Check Register: The board considered approval of the check register through the period ending April 22, 2021 as follows:

General	\$ 8028.36
Capital	\$ 13,853.84
Enterprise	\$ 64,880.27
	<hr/>
	\$ 86,762.47

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR CONLEE SECONDED BY DIRECTOR PECK AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING APRIL 22, 2021.

Financial Summary: Ms. Fromm reviewed the unaudited financial statements with the Board.

LEGAL MATTERS

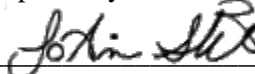
Mr. Lock gave an update on the negotiations with USFW. He had a productive meeting with Ms. Burnidge; she sent a follow up letter and a working draft of a proposed Purchase Agreement. The plan is for District and USFW representatives to meet in May to discuss a timeline and benchmarks towards a deadline to consummate the transactions, ideally by the end of the year.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR PECK, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 10:58 AM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR
May 19, 2021

Respectfully submitted,



JoAnn Slivka

Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL April 22, 2021 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

John Loll

Gregg Conlee

William Peck

Mike Smith