

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

March 17, 2020

9:00 AM

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom due to COVID-19 restrictions

ATTENDANCE

Directors in Attendance:

John Loll
Robert Salmi
Gregg Conlee
Mike Smith
William Peck

Also in Attendance:

Marcus Lock; District Attorney
Cathy Fromm; District CPA (for a portion of the meeting)
JoAnn Slivka; District Manager
Gary Potter; District Director of Operations

Members of the Public:

Michael Scully
Peter May

CALL TO ORDER

President Loll opened the meeting at 9:00 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.

MR. PECK ANNOUNCED THAT HE HAS JOINED THE MOFFAT SCHOOL BOARD.

AGENDA

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

CONSENT AGENDA

The board considered the following consent agenda items: Approve Minutes from the February 17, 2021 Special Meeting

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SMITH SECONDED BY DIRECTOR SALMI 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.

BOARD AND STAFF REPORTS

Board Member Matters

Board Director Resignation

The board acknowledged and accepted Mr. Salmi's resignation. Everyone thanked Mr. Salmi for his years of invaluable service. His years of experience was an asset to the District; he will be missed by the directors and staff.

Consider appointment of the Vice President

President Loll discussed the need to replace the role of Vice President.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LOLL SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPOINTED DIRECTOR CONLEE TO SERVE AS VICE-PRESIDENT.

Consider appointment of the Treasurer

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR Conlee SECONDED BY DIRECTOR LOLL AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPOINTED DIRECTOR SMITH TO SERVE AS TREASURER.

Discuss plan for new Board member recruitment

Upon discussion on how to move forward to fill the vacancy left by Mr. Salmi's departure, the Board director Ms. Slivka to publish a notice of vacancy in the Crestone Eagle.

FINANCIAL MATTERS

Check Register: The board considered approval of the check register through the period ending March 17, 2021 as follows:

General	\$ 4,046.00
Debt	\$ 400.00
Capital	\$ 13,824.00
<u>Enterprise</u>	<u>\$ 64,749.78</u>
	\$ 83,019.78

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SALMI SECONDED BY DIRECTOR CONLEE AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING MARCH 17, 2021.

Financial Summary

Ms. Fromm reviewed the unaudited financial statements with the Board.

Dump Truck Purchase

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR PECK SECONDED BY DIRECTOR CONLEE AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE PURCHASE OF THE DUMP TRUCK AND APPROVAL TO ENTER INTO THE BOBCAT PROGRAM.

Payment Assistance Program

Following discussion, the Board directed Ms. Slivka to contact Neighbors Helping Neighbors to inquire about setting up an assistance fund for district customers.

Fire Mitigation – Peter May

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR PECK SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BGWSD BOARD OF DIRECTORS DECIDED TO TABLE THE MATTER AT THIS TIME.

LEGAL MATTERS

Utility Trailer Sale

Gary Potter began discussion regarding the utility trailer. It is not being used and should be liquidated.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR CONLEE SECONDED BY DIRECTOR PECK AND, UPON VOTE, UNANIMOUSLY CARRIED, APPROVED TO SELL THE TRAILER TO THE INTERESTED PARTY; THAT THE AMOUNT BEING PAID BY THE BUYER CONSTITUTES FAIR MARKET VALUE FOR THE TRAILER AND THE DISTRICT NO LONGER NEEDS AND DOES NOT USE THE TRAILER FOR ANY PUBLIC PURPOSE OF THE DISTRICT.

Executive session:

UPON MOTION DULY MADE DIRECTOR PECK SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ADJOURNED TO EXECUTIVE SESSION AT 12:13 FOR THE PURPOSE OF SEEKING LEGAL ADVICE FROM COUNSEL, AND DETERMINING POSITIONS RELATIVE TO MATTERS SUBJECT TO NEGOTIATION REGARDING THE LEASE RATE FOR THE NEXT 20-YEAR TERM OF THE WATER SERVICE AGREEMENT AND THE POTENTIAL PURCHASE OF WATER RIGHTS FROM THE UNITED STATES FISH AND WILDLIFE SERVICE.

MOTION: DIRECTOR CONLEE MOVED AND DIRECTOR PECK SECONDED THAT THE BOARD OF DIRECTORS RECONVENE TO REGULAR SESSION AT 12:29 AM.

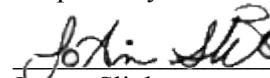
Thank you, Bob Salmi, you will be missed!!

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR CONLEE, SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 12:33 AM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR
April 21, 2021

Respectfully submitted,



JoAnn Slivka
Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL March 17, 2021 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

John Loll

Robert Salmi

Gregg Conlee


William Peck

Mike Smith

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 March 17, 2021, 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