

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

November 20, 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

Rick Hart

David Karas

Mike Smith

Also in Attendance:

Marcus Lock, District Legal Counsel

Natalie DeBon, Administrative Manager

Chad Tate, Director of Utilities

Nicholaus Marcotte, Element Engineering

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

Community Members and Guests:

Dan Gray

Desiree Faraci

Mike Plotnick

CALL TO ORDER

President Lawson called the meeting to order at 9:01AM

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 SMITH, 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 OCTOBER 31ST, 2024 AND CURRENT SCHEDULE OF CASH POSITION.
- APPROVE MINUTES FROM THE OCTOBER, 2024 REGULAR MEETING.

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

APPRECIATION

Gary Potter was presented with a plaque by the District Board and management in recognition of his dedicated work with the District. He continues to serve as the District's Operator Responsible in Charge while Mr. Tate prepares to obtain his Class B license. Everyone expressed their gratitude and appreciation for Gary's loyalty and commitment to the District.

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 October 16, 2024 as follows:

General	\$	10,228.18
Capital	\$	8,065.04
<u>Enterprise</u>	\$	<u>26,701.46</u>
	\$	44,994.68

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR KARAS AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING NOVEMBER 20, 2024.

Public Hearing to Consider Adoption of the 2025 Budget

MOTION: DIRECTOR HART MOTIONED TO OPEN THE PUBLIC HEARING AT 09:15AM, SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED.

Ms. DeBon confirmed that the notice of the proposed 2025 budget, along with the notice of intent to adjust or increase fees was published in the District office, on the District’s website, in the Saguache Crescent and Crestone Eagle newspapers, and included in the District’s Fall newsletter, which was distributed via email to District customers.

Ms. Fromm presented the proposed 2025 Budget to the Board.

Director Lawson invited public comment.

Dan Gray: Dan Gray expressed concerns regarding the District's relationship with the Town of Crestone, the tax burden on District citizens as a result of this relationship, and ensuring fair compensation to the District for sewer services provided to the Town of Crestone.

Board continued discussion of the proposed budget and Director Hart and Lawson also addressed Mr. Gray’s comments.

The Board also discussed bond and loan obligations and interest, and TABOR requirements pertaining to the budget and project planning. The Board discussed different funds with Ms. Fromm, discussed 2025 projects and the District Master Plan.

MOTION: FOLLOWING DISCUSSION, DIRECTOR SMITH MOVED, AND DIRECTOR HART SECONDED, A MOTION TO CONTINUE THE PUBLIC HEARING AND CONSIDERATION OF THE PROPOSED 2025 BUDGET TO THE NEXT BOARD MEETING, WHICH WAS RESCHEDULED TO DECEMBER 11, 2024. THE MOTION ALSO INCLUDED CONTINUING CONSIDERATION OF ADOPTING THE FEE RESOLUTION AT THE DECEMBER 11TH MEETING. THE MOTION WAS UNANIMOUSLY APPROVED.

Director Lawson invited public comment once more.

Dan Gray expressed concerns about the cost of operating the wastewater treatment plant and the cost of treating the Town of Crestone's sewage.

BOARD MATTERS

The Board vacancy is posted on the website and newspaper. The Board directed Ms. DeBon to update the deadline for submitting letters of interest to no later than December 10th so that applications can be reviewed by the board and an appointment may be made at the December 11 board meeting if the board chooses.

LEGAL MATTERS

The Board continued consideration of the fee resolution to the next Board meeting on December 11, 2024.

IGA Update: Mr. Lock informed the Board that the Town's attorney is encouraging their Board to reach a decision on the IGA. Their next meeting is scheduled for November 25th, and we hope they will approve and sign the agreement at that time.

EXECUTIVE SESSION

MOTION: UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ADJOURNED TO EXECUTIVE SESSION AT 10:39 A.M., ADJOURN TO EXECUTIVE SESSION PURSUANT TO C.R.S. § 24-6-402(4) (A), (B), (E), AND (F)(I) WHICH RESPECTIVELY CONCERN, THE PURCHASE OR LEASE OF REAL PROPERTY, SPECIFIC LEGAL ADVICE FROM COUNSEL, DETERMINING POSITIONS RELATIVE TO MATTERS SUBJECT TO NEGOTIATION, AND PERSONNEL MATTERS FOR THE PURPOSE OF DISCUSSING THE LEASE RATE FOR THE NEXT 20-YEAR TERM OF THE WATER SERVICE AGREEMENT, THE TERMS AND CONDITIONS FOR CONTINUED PROVISION OF SEWER SERVICE TO THE TOWN OF CRESTONE, AND PERSONNEL MATTERS PERTAINING TO THE DISTRICT MANAGER.

MOTION: UPON MOTION DULY MADE BY DIRECTOR HART , SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ADJOURNED FROM EXECUTIVE SESSION AT 11:18 A.M.


MOTION: UPON MOTION DULY MADE BY DIRECTOR HART , SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THAT IN THE EVENT THAT DISTRICT MANAGER IS NOT AVAILABLE, DIRECTOR LAWSON, HART OR SMITH CAN APPROVE PURCHASE ORDERS.

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 11:24 A.M.
THE NEXT REGULAR MEETING IS SCHEDULED FOR

December 11, 2024

Respectfully submitted,


Natalie DeBon

THESE MINUTES ARE APPROVED AS THE OFFICIAL NOVEMBER 20, 2024 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:


Vivia Lawson


Rick Hart

Mike Smith


David Karas

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 session on November 20, 2024 and it is my opinion that any portion of the executive session that was not recorded constituted attorney-client privileged communications.


Marcus Lock

General Counsel

Baca Grande Water and Sanitation District

December 11, 2024

Respectfully submitted,

Natalie DeBon

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Marcus Lock

General Counsel

Baca Grande Water and Sanitation District

New Tax Entity? YES NO

Saguache County COUNTY ASSESSOR

Date 12/05/2024

NAME OF TAX ENTITY: BACA GRANDE WATER & SANITATION DISTRICT

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) and 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2024

Table with 11 rows detailing valuation components: 1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: \$20,868,671; 2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: \$20,920,044; 3. LESS TOTAL TIF AREA INCREMENTS, IF ANY: \$0; 4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: \$20,920,044; 5. NEW CONSTRUCTION: \$220,783; 6. INCREASED PRODUCTION OF PRODUCING MINE: \$0; 7. ANNEXATIONS/INCLUSIONS: \$0; 8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: \$0; 9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND: \$0; 10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1: \$0.00; 11. TAXES ABATED AND REFUNDED AS OF AUG. 1: \$2,190.86

- ‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution
* New Construction is defined as: Taxable real property structures and the personal property connected with the structure.
** Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.
Ⓢ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART. X, SEC. 20, COLO. CONSTUTION AND 39-5-121(2)(b), C.R.S., THE Saguache County ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2024

Table with 7 rows detailing actual valuation components: 1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: \$219,054,915; 2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: \$3,295,267; 3. ANNEXATIONS/INCLUSIONS: \$0; 4. INCREASED MINING PRODUCTION: \$0; 5. PREVIOUSLY EXEMPT PROPERTY: \$48,000; 6. OIL OR GAS PRODUCTION FROM A NEW WELL: \$0; 7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: \$0

WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)

DELETIONS FROM TAXABLE REAL PROPERTY

Table with 4 rows detailing deletions: 8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: \$0; 9. DISCONNECTIONS/EXCLUSIONS: \$0; 10. PREVIOUSLY TAXABLE PROPERTY: \$0

- ¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.
* Construction is defined as newly constructed taxable real property structures.
§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS: TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY \$208,532,526

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES: HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): ** \$4,177
*** The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.



Baca Grande Water and Sanitation District

P.O. Box 520 | 57 Baca Grant Way S.
Crestone, CO 81131-0520

NOTICE OF VACANCY ON THE BOARD OF DIRECTORS, OF THE BACA GRANDE WATER AND SANITATION DISTRICT TO FILL VACANCY BY APPOINTMENT

NOTICE IS HEREBY given that a vacancy exists for the Office of Director of the Baca Grande Water and Sanitation District (the “District”). An eligible elector of the District will be appointed by the Board of Directors (the “Board”) to serve until the next regular special district election in May 2025.

An eligible elector of the District is registered to vote in Colorado and:

1. A resident of the District; or
2. The owner (or spouse/civil union partner of owner) of taxable real or personal property situated within the boundaries of the District; or
3. A person who is obligated to pay taxes under a contract to purchase taxable property within the District.

The Board is accepting Letters of Interest from eligible electors of the District wanting to be considered for the appointment by the Board to the Office of Director. The Letter of Interest must include the following information:

1. Name of eligible elector as it appears in her/his voter registration record;
2. Address of residence, or address of qualifying property if not a resident of the District and spouse’s name, if property is in spouse’s name;
3. Phone number;
4. Email address;
5. Reason(s) for interest in serving as a Director; and
6. Details of experience, training, education, and/or background that would bring value to the Board.

Letters of interest and/or resumes should be personally delivered or mailed so that they are received at the District office no later than 9:00AM, December 10th, 2024 to be considered for this vacancy.

We ask potential candidates to attend at least one Board meeting and more if possible before deciding whether to submit an application.

The Letter of Interest may be mailed, emailed, or delivered to:

Baca Grande Water and Sanitation District
PO Box 520 – 57 Baca Grant Way S
Crestone, Colorado 81331
info@bacawater.com

Baca Grande Water and Sanitation District
by Diego Martinez, District Manager

The Crestone Eagle

NOTICE OF VACANCY ON THE BOARD OF DIRECTORS, OF THE BACA GRANDE WATER AND SANITATION DISTRICT TO FILL VACANCY BY APPOINTMENT

Classifieds

November 20, 2024

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November 22, 2024

Michael Allen Plotnick
780 Palomino OL
PO Box 1303
Crestone, CO 81131

Board of Directors
Baca Grande Water and Sanitation District
PO Box 520 - 57 Baca Grant Way S
Crestone, CO 81331
info@bacawater.com

Dear Members of the Board,

I am writing to express my interest in the appointment to serve on the Baca Grande Water and Sanitation District Board of Directors until the next regular special district election in May 2025.

My education includes a BS in Electrical Engineering from Drexel University and an MS in Electrical Engineering from Stanford University. I am also a registered Patent Agent with the US Patent and Trademark Office.

My professional experience includes key engineering and management positions in major research and development organizations, including AT&T Bell Laboratories, RCA Laboratories, Hitachi America, PA Technology, and LG Display. I have also been involved in a number of start-up ventures related to wireless networking, hand-held modular computers, and telecommunications equipment. I have worked as a Patent Agent for the law firms Oblon, McClelland, Maier & Neustadt, L.L.P and Xsensu. I also served as an advisory board member of the American Society of Inventors.

My experience also includes considerable involvement in community and civic associations, including:

- As a member of the Board of Directors and Treasurer of Bryn Gweled Homesteads, an intentional community in Southampton, PA,
- As a member of the Civic Association of Southampton, PA,
- Lead researcher and author of a position paper opposing the sewerage of the Bryn Gweled Homesteads community, and
- As a member of the Board of Directors of the Civic Association of Hollin Hills (Alexandria, VA)

This experience has deepened my understanding of local needs and the importance of sensible and sustainable practices.

I am particularly passionate about water conservation, infrastructure improvement and community engagement, and I believe my skills in project management and policy development would be beneficial in addressing these concerns. I am committed to promoting transparency, innovation, and effective communication within the board and with our community members.

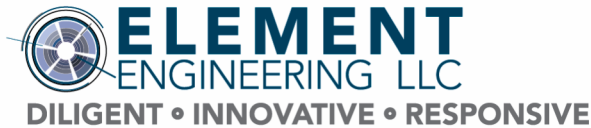
Having lived in the Baca Grande for six years, I understand some of the unique challenges and opportunities we face regarding water and sewage. With a strong commitment to community and public service and a background in engineering, organizational management and finance, I believe I could make a significant contribution to the board and the community it serves.

I am excited about the opportunity to collaborate with fellow board members to ensure that the Baca Grande Water and Sanitation District continues to provide high-quality services while fostering environmental and community health.

Thank you for considering my application. I look forward to the possibility of discussing my candidacy further.

Sincerely,

Michael Allen Plotnick
mikeplotnick@gmail.com
Home: 719-235-5808
Mobile: 703-459-3217



MONTHLY ENGINEER'S REPORT

DATE OF MEETING: DECEMBER 11, 2024
CLIENT: BACA GRANGE WATER & SANITATION DISTRICT (BGWSD)
SUBJECT: MONTHLY ENGINEER'S REPORT **NEW ITEMS IN BOLD**

GENERAL ENGINEERING (PROJECT NO. 0001)

The district's discharge permit expires on November 30, 2024. A discharge permit application must be filed six months prior to the termination of the permit. Therefore, the permit application is due on May 30, 2024. Element will assist the district with the discharge permit application. Currently the district has an individual permit. If it is possible, Element recommends the district apply for a general permit as there are several benefits of a general over an individual. We are currently reviewing if the district is eligible for a general permit.

We are currently working on the general permit renewal application and plan to have that sent to the district for review by the end of February.

Element is assisting the district with an application for the FY2024 Water Smart grant. This application will be written in support of a project to replace outdated water meters and install meters and meter pits where meters are located in homes. The grant is due by February 22nd.

The Water Smart grant application for meter replacements was submitted. Element continues to work with the district on compiling the discharge permit renewal application and associated documentation.

No items to report.

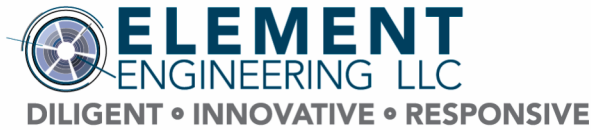
WATER AND WASTEWATER MASTER PLAN UPDATE (PROJECT NO. 0009)

The Water and Wastewater Master Plan Update document has been finalized in draft format and provided to the BGWSD staff and board for review.

The master plan was approved by the district board in September 2022. The district approved Water and Wastewater Master Plan culminated in recommendations for water and wastewater system improvements. These recommendations are being included in the Wastewater Treatment Plant Improvements (Project No. 0010) and Water Treatment Plant Improvements (Project No. 0011) projects. Status reports on these projects are presented under their respective project numbers.

The master plan also included recommendations for water loss reduction. Reporting on progress for this item is listed under General Engineering (Project No. 0001). As the master plan document itself has been approved, and action is being taken on the master plan recommendations, no additional updates will be included on this project number.

No items to report.



WASTEWATER TREATMENT PLANT IMPROVEMENTS (PROJECT NO. 0010)

A draft of the alternatives analysis was submitted to district staff and a meeting held to review and discuss. The updated alternatives analysis memorandum has been completed and submitted to district staff. This document was reviewed with the district at the board retreat. It was recommended that the WWTP should be put on hold based on the most recent influent loading data.

Element is conducting a search for a contractor/consultant to provide a structural and environmental analysis of the wastewater treatment plant building. It was determined that the facility may need structural and/or environmental (mold) remediation and an inspection and report should be generated.

Element has solicited a proposal from our subconsultant for a mechanical, electrical, and structural review of the existing WWTP building. This proposal was forwarded to district staff for review.

The district has retained a firm to provide an MEP analysis of the WWTP. We will work with the district on estimating costs for the improvements outlined in the recommended improvements.

We are currently assisting the district in providing updated cost estimates for the necessary improvements to the district's WWTP including those recommended in the MEP analysis.

WATER TREATMENT SYSTEM IMPROVEMENTS (PROJECT NO. 0011)

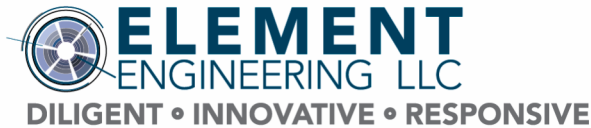
The Water and Wastewater Master Plan Update recommended a water project be completed including the following:

- Integrate the Motel Well and Booster Pump Station into the large BGWSD system.
- Increase Water Treatment Plant (WTP) Pumping Capacity
- Add Administrative Building for district.

It is recommended that these projects be funded through the Colorado Department of Health and Environment (CDPHE) State Revolving Fund (SRF) Loan Program. Upon completion of the WWTP PER and ER the funding process for the water system improvement project should begin. A preliminary schedule for the proposed project is shown below. Note that this schedule may vary widely based on review time by CDPHE.

- | | |
|---|----------------------------|
| • Compile and submit pre-qualification form (CDPHE funding) | December 2022 |
| • Compile and submit Project Needs Assessment | April 2023 |
| • CDPHE review and design and engineering grant execution | July 2023 |
| • Design, CDPHE permitting | August 2023 – March 2024 |
| • CDPHE funding coordination and loan execution | February 2024 – April 2024 |
| • Bidding | April 2024 |
| • Construction | June 2024 – December 2024 |

The pre-qualification form was submitted in December of 2022. A pre-qualification meeting has been scheduled with CDPHE, DOLA, BGWSD, and Element staff on Tuesday January 31st at 10:00. The pre-qualification meeting is the next step in the CDPHE funding process where all entities discuss the proposed project and review the steps in the funding process.



The prequalification meeting was held to discuss the CDPHE funding process specific to the BGWSD water project. The district qualifies for a planning grant of \$10,000 to support compilation of the Project Needs Assessment. The planning grant requires a local match of \$2,500, for total funding of \$12,500 for the Project Needs Assessment. The Project Needs Assessment (PNA) is an engineering planning document similar to the PER but compiled in a format and form acceptable to CDPHE. Element has compiled a proposal to complete the PNA on behalf of the district.

The draft PNA is nearly complete with an internal (Element) review by the middle of April. We are on target to provide the draft to district staff by the end of April.

CDPHE has provided a pre-qualification review letter after our January pre-qualification meeting. The review letter (dated April 19, 2023) is attached to this report. This letter clarifies that the district is eligible for a planning grant (already obtained), a design and engineering grant, and Bipartisan Infrastructure Law (BIL) funding.

Element finalized a draft of the PNA and transmitted it to district staff on May 9, 2023. It is recommended the district board schedule a work session or special meeting to review the final PNA during the month of June. In the meantime, Element and district staff will work to resolve any initial questions and/or comments.

The draft PNA is scheduled to be reviewed by the district at an August 23rd meeting. A handout summarizing the PNA has been transmitted to district staff for board distribution.

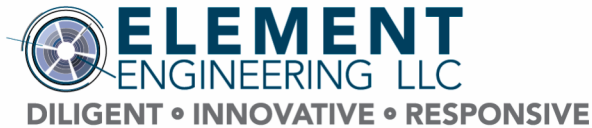
The district approved submittal of the PNA at the August 23rd meeting. Element has coordinated with district staff and the PNA has been submitted to CDPHE. We are awaiting CDPHE review of the document. Element will respond to any questions or CDPHE comments.

The PNA has been approved. See the attached approval letter.

We have been exchanging email correspondence with CDPHE regarding the district's potential Design and Engineering grant (D/E grant) for the drinking water project. The proposed budget from the US Congress is significantly cutting the EPA capitalization grants to the various state SRF programs. Therefore, CDPHE is unsure if they will have D/E grants available and may not know the available amount until September of 2024.

CDPHE will, however, allow the district to recoup funds spent on design and engineering costs from the construction loan, when it is issued to build the project. This would mean funding the design of the project upfront and recouping the costs at the time of construction. The district may apply for a DOLA grant to fund up to half of the design related costs. Therefore, the two options moving forward are as follows:

1. Self-fund the design of the water project and reimburse yourself with funds from the construction loan when the project design is completed and goes to construction. In this case we could potentially apply to DOLA for a 50/50 match grant for design.
2. Wait to see if D/E grant funds become available later in the year and proceed accordingly if one is awarded. If those funds are not available, re-consider item number 1 above.



The design and engineering costs associated with the water system project is \$108,370.00. Therefore, the district could apply for a DOLA grant in the amount of \$54,185.00, which would be a Tier II grant. The upcoming DOLA cycle begins accepting applications on March 1 and closes on April 1. Awards are estimated to be made by July of 2024. Note that if the district intends to use this grant, no work can begin until the grant contract is executed.

The district has selected to apply for a DOLA grant during the March 1 – April 1 application period to support design. Element will assist the district in completing the grant application. This application has been submitted by the project team.

CDPHE has reached out to Element and indicated that funding for a design and engineering grant in the necessary amount is available. CDPHE is currently working on this grant paperwork with the district.

The district has approved Element to begin the design phase of the project. Our internal project kickoff meeting has been scheduled and we are starting survey coordination. Our goal is to have the survey work completed prior to significant snowfall. Our team will meet with district staff onsite and walk the project locations and review the project scope. A kickoff meeting with the client will be held prior to the surveyor being onsite.

We have solicited proposals for survey firms to complete the survey work and hope to have that field work completed early in 2025. We held an onsite meeting to discuss the project and tour each facility with district staff. We are corresponding with the district on layout items and questions. Our surveyor has been given the notice to proceed and we are awaiting notification for the date of the field work.

2023 WATER LOSS PREVENTION PROJECT (PROJECT NO. 0013)

No items to report. This project is in the warranty period.

District Manager Report – December 11, 2024

United States Fish and Wildlife Service (USFWS) – Water lease negotiations

- Management will start defining “drought” conditions
 - Outline restrictions for irrigation and use of MHE Well in a drought
 - Draft presented for legal review
- USFWS approved a 1 year extension to our short-term agreement
- Rio Grande Chub & Rio Grande Sucker no longer listed under the Endangered Species Act
- Present draft drought restrictions to BOD for approval prior to submission to USFWS
 - USFWS liked the drought restrictions
- USFWS would like to discuss the possibility of the District purchasing water rights, or possibly being given credit for relinquishing certain wells
 - Attorney for USFWS will be retiring in May 2024
- No update for October
- No update for December – Counsel is reaching out

Town of Crestone (ToC) – Sewer Service Negotiations

- No update for April
 - The Discharge Permit was on the agenda of the last trustee meeting
- No update for May
 - ToC has been unresponsive
- ToC held an open meeting on 6/18 to discuss the IGA and Discharge permit
 - Instructed counsel to respond to the District
- A response to the draft IGA was received on 7/31
 - No response to draft discharge permit
 - Several compliance questions received from ToC
 - Our response will be reviewed and approved by BOD
- The District’s updated IGA draft was transmitted to the ToC attorney in August, 2024
 - No response has been received from the ToC as of 9/25/24
- No response from ToC as of December
 - The new rate will be included in the updated fee resolution
 - \$8.33 per 1,000 gallons of flow
 - \$1.05 per pound of BOD

Aspen Wastewater Treatment Facility (AWWTF)

- Loading data suggests additional capacity may not be necessary – Averaging 40% capacity (have not exceeded 60% capacity since 11/2022)
 - More frequent sampling
 - EQ Basin cleaning program
 - Auto samplers
- Some issues are present – Health or Safety hazards prioritized

- Structural engineer inspection of foundation
- Industrial health & safety inspection
- Inspections are underway
 - An initial property inspection identified several deficiencies
 - Initial quote for structural, mechanical/plumbing, and electrical inspections were much higher than expected (\$9,000), will be reviewing other options.
 - Met with structural engineer – recommended laser measurements
- Met with BOCC at AWWTF to discuss widening the relief route.
 - Looking for copy - Will be getting a survey completed at AWWTF and Stables Lift Station to determine boundaries and easements
- Foundation and Structure are satisfactory – HVAC/mechanical and Electrical inspections are pending
- Element Engineering is working on the updated PER

Grant Opportunities

- Congresswoman Lauren Boebert – Community Project Funding
 - Status – Pending
 - Request was for \$1,450,000 to help with Water Loss Prevention and new residential meters
 - Requested up date with no response. Funding was for 2025.
- USDA
 - Representatives recommended not withdrawing application
 - Submit new PER with chosen alternatives
- Energy/Mineral Impact Fund (EIAF) Grant
 - Request \$750k to help fund MHE Water System Improvement Project
 - *Requires Board Approval
- CDPHE – Water Quality Control Division
 - 2025 Assistance Grant Funding
 - Up to \$25,000
 - Will apply by 12/23/24

Old Business

- *Board review/approval of permanent 4/10 work schedule

Administrative Monthly Report

December 11, 2024

Board of Directors Meeting

UTILITY BILLING ACTIVITY FOR THE MONTH OF NOVEMBER

Customer Utility Billing		
Billing Category	Number of Accts	Amount Billed
Usage Customers Billed - SEWER	840	\$40,907.43
Usage Customers Billed - WATER	863	\$47,368.67
ON/OFF Service	1	\$25.00
LATE FEE	46	\$920.00
TRANSFER	8	\$2,800.00
EQR	27	\$785.75
WATER & SEWER HOOK UP	1	-\$2,750.00
CONSOLIDATION	0	\$0.00
W-S Hook Up extensions & additional lines	1	\$250.00
NSF	4	\$120.00

NOVEMBER - XPRESS BILL PAY TRANSACTION AND CHARGES ACTIVITY

Product / Service Description	Qty	Unit Price	Line Total
EFT Web Transactions	264	\$0.64	\$168.96
EFT Returned Item Basic	3	\$7.00	\$21.00
EFT Return NSF or Account Closed	2	\$14.00	\$28.00
Credit/Debit Card Web Transactions	386	\$0.49	\$189.14
Online Banking - Bank Bill Pay Transactions	12	\$0.25	\$3.00
Lock Box Service Transactions	109	\$0.58	\$63.22
Toll Free Operator Assisted Transactions	3	\$1.25	\$3.75
Toll Free IVR Transactions	6	\$1.25	\$7.50
Support, Maintenance, Hosting - Fee	1	\$100.00	\$100.00

Town of Crestone Sewer 2024

Town of Crestone Sewer Billing - 2024

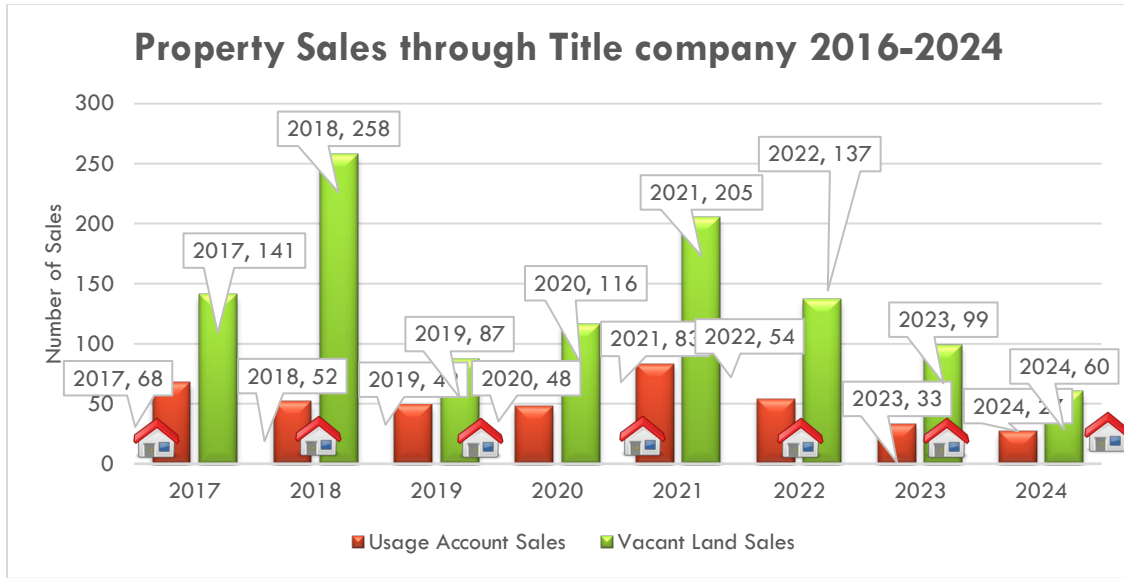
Date	Monthly Total	Monthly Flow	Flow Charges	Average Daily BOD	Monthly BOD	BOD Charges	Paid	Balance Due
January	418,898	3,309,294.20	\$ 3,309.29	37	1221	\$ 1,210.01	Check #13917	02/28/2024- \$4,519.31
February	379,458	2,997,718.20	\$2,997.72	38	1140	\$1,129.74	Paid online	03/31/2024- \$4,127.46
March	351,472	2,776,628.80	\$2,776.63	72	2016	\$1997.86	Check #14046	04/30/2024- \$4,774.48
April	384,310	3,036,049.00	\$3,036.05	33	1099	\$1,089.11	Check #14104	5/31/2024- \$4125.16
May	413,178	3,264,106.20	\$3,264.11	34	1020	\$1,010.82	Check # 14104	4,274.93- 06/30/2024 + \$499.56 overpayment
June	374,378	2,957,586.20	\$2957.59	38	1064	\$1,054.42	Check #14183	3,512.45 - 07/31/2024
July	450,704	3,560,561.60	\$3,560.56	52	1716	\$1,700.56	Check #14202	5,261.12- 08/31/2024
August	410,448	3,242,539.20	\$3,242.54	40	1240	\$1,228.84	Check 14263	4,471.38 – 09/30/2024
September	443,555	3,504,084.50	\$3,504.08	31	930	\$921.63	Check 14289	\$4,425.71 – 10/31/2024
October	381,418	3,013,202.20	\$3,013.20	37	1147	\$1,136.68	Check 14336	\$4,149.88- 11/30/2024
November	411,850	3,253,615.00	\$3,253.62	48	1440	\$1,427.04		\$4,680.66- 12/31/2024
December								
2024 Totals	4,419,669		\$34,915.39	460	14,033	\$13,906.70		

New Rate 10/2022

Rate per 1,000 Gallons of Flow: \$7.900 / 1,000 gallons

Rate per Pound of BOD: \$0.991 / pounds BOD

November - 2024- Property Sales: 2 - Homes, 4 - Lots

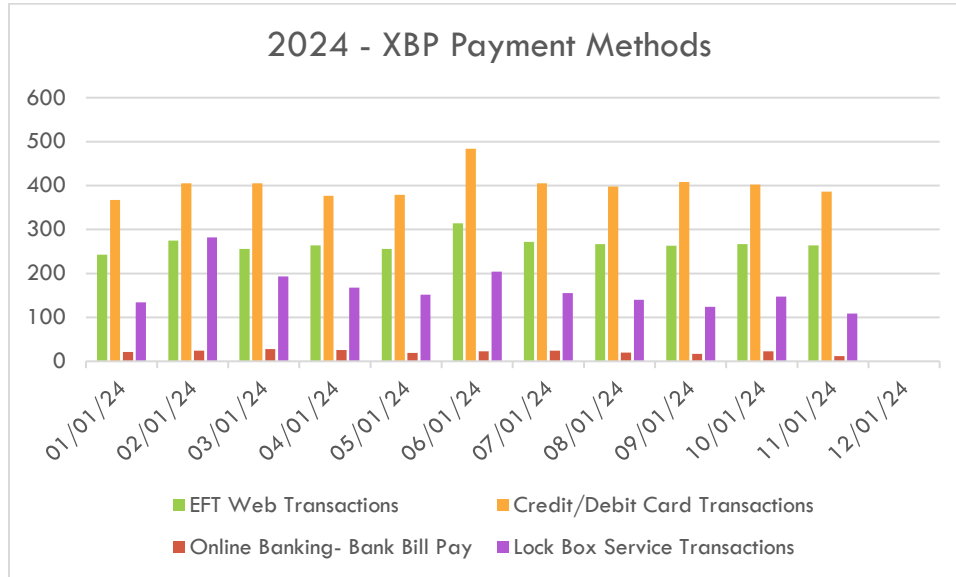


November - 2024 – Other Sales Statistic Including Name Changes Only

Prepared by Greg Hess

Type	Vacant Lot	House	Total Charges
Quit Claim Deed	2	4	\$350.00
Warranty Deed	2	1	\$350.00
Treasurer's Deed	0	0	\$0.00
Bargain & Sale Deed	0	0	0.00
Special Warranty Deed	0	1	\$0.00
General Warranty Deed	0	0	\$0.00
			Total: \$700.00

2024 - Xpress Bill Pay Customers Transactions Activity



2024 - Water and Sewer Hook up Applications

0 - Application (s) received in November, 22 – Total application (s) received in 2024

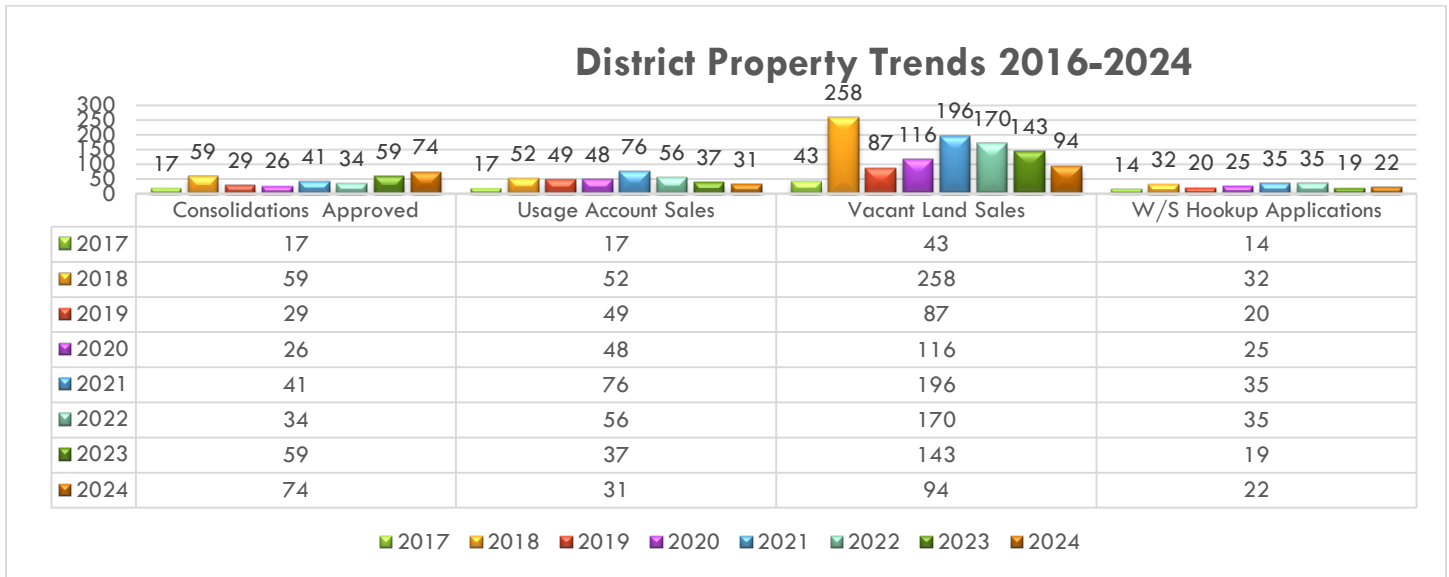
Water-Sewer Hookups 2016-2024



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2024 = 22 applications	4	1	3	2	3	4	0	2	3	0		
2023=19 applications	1	1	2	1	2	3	2	3	1	2	1	0
2022=35 applications	6	3	5	6	3	3	1	2	3	1	2	0
2021=35 applications	5	5	3	1	6	4	3	3	0	1	0	3
2020=25 applications	1	0	4	1	5	2	3	1	2	2	2	2
2019 = 20 applications	0	2	1	3	3	1	2	2	0	2	4	0
2018= 32 applications	1	3	4	0	0	7	2	8	1	1	4	1
2017= 14 applications	0	2	2	1	2	1	1	2	1	0	2	0

■ 2024 = 22 applications
 ■ 2023=19 applications
 ■ 2022=35 applications
 ■ 2021=35 applications
■ 2020=25 applications
 ■ 2019 = 20 applications
 ■ 2018= 32 applications
 ■ 2017= 14 applications

2016-2024 PROPERTY TRENDS



ADMINISTRATIVE UPDATES:

- **Consolidations:**

- District received multiple resolutions from the SC County and new requests for consolidations.
- In 2024, 33 consolidations completed, involving a total of 74 lots. Also one (1) subdivision happened in 2024

- **Certification of delinquent accounts**

November 04, 2024: PACKET GETS MAILED TO THE COUNTY TREASURER
 Packet included the Final list of delinquent accounts along with the 2024 Executed Resolution
 Treasurer confirmed receipt of certifications.
 November 30, 2024: LAST DAY FOR CLOSING REQUESTS FROM TITLE COMPANIES
 December 9, 2024: LAST DAY TO NOTIFY COUNTY OF ANY CLOSINGS/CHANGES THAT OCCURED

- **Projects:**

SOP updates – in progress.
 Updating Pressure Zones Project in Caselle – completed
 Website Tap status and AOS verification project - in progress
 Certifications of Delinquent accounts – in progress
 Creation of District’s social media accounts – in progress

- **Delinquent water shut off’ s:**

- No delinquent water shut off in the month of November.

- **December’s billing message:** The BGWSD Proposed 2025 Budget and Notice of Intent to Fix or Increase Fees, Rates, Tolls, Penalties or Charges for Water and/or Sanitary Sewer Service will be considered at a regular public meeting of

the Board of Directors of the District to be held on Wednesday, December 11, 2024, at 9 A.M via Zoom . For more information please contact our office. The District will be on a holiday schedule between December 25, 2024 and January 1, 2025. During this time, the office will be closed in order to conduct year-end business and all necessary District operations. To pay your bill by phone, please call our 24/7 IVR line at 888-504-0548. Wishing you a safe and happy holidays!

Happy Holidays!

The Baca Grande Water & Sanitation District Office Will Close Early

at 2 PM on Thursday, December 12, 2024 and will reopen at 8 AM Monday, December 16, 2024.

Our answering service will be available to take your calls during this time.

If you would like to make a payment, our IVR payment line is always available at 888-504-0548.



Happy Holidays!

HOLIDAY CLOSURE

The Baca Grande Water and Sanitation District Office will be closed to the public from December 25th to January 1st and will reopen Thursday, January 2, 2025 at 8:00am.

If you would like to make a payment during the holiday, our IVR payment line is always available at 888-504-0548.

The Board of Directors and Staff wish you a safe and happy holidays!

Baca Grande Water and Sanitation District
Monthly Operations Report

December 11th, 2024



Inside of MHE Water Storage Tank

Facilities and Staff Updates

In Service

Repaired
last month

Out of
Service

Water Facilities											
Well 18		Moonlight Transfer Station		Ridgeview Transfer Station		Fallen Tree Transfer Station		Pinecone Booster Station		Shumei Booster Station	
Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2

Wastewater Facilities									
Aspen WWTP		Stables Lift Station		Wagon Wheel Lift Station		MHE Lift Station		Dharma Ocean Lift Station	
Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2	Pump 1	Pump 2
						Pump 1			

Service Vehicles				
Truck 1	Truck 2	Truck 3	Truck 4	Truck 5

Equipment				
Vector Truck	Dump Truck	Backhoe	Skid steer	Excavator

➤ **One Equipment Failure. No Vehicle Failures or updates to report**

- Pump 1 at MHE lift station is out of service

➤ **Accidents**

- No Accidents to report on

Operations Updates

➤ Aspen Wastewater Treatment Plant

- Spoke with fluidyne about some upgrade options.

➤ 1 Leak on Peaceful way

- A customer called in a leak on Peaceful way the operations was able to repair with minimal interruptions to service.

➤ Projects

Annual maintenance projects are completed for the season

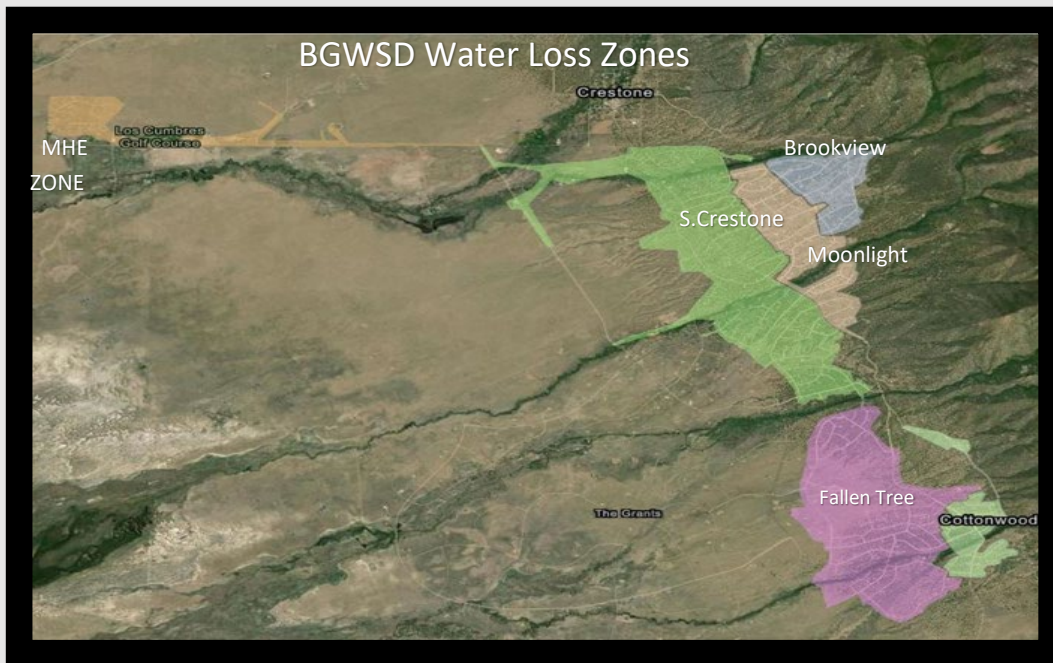
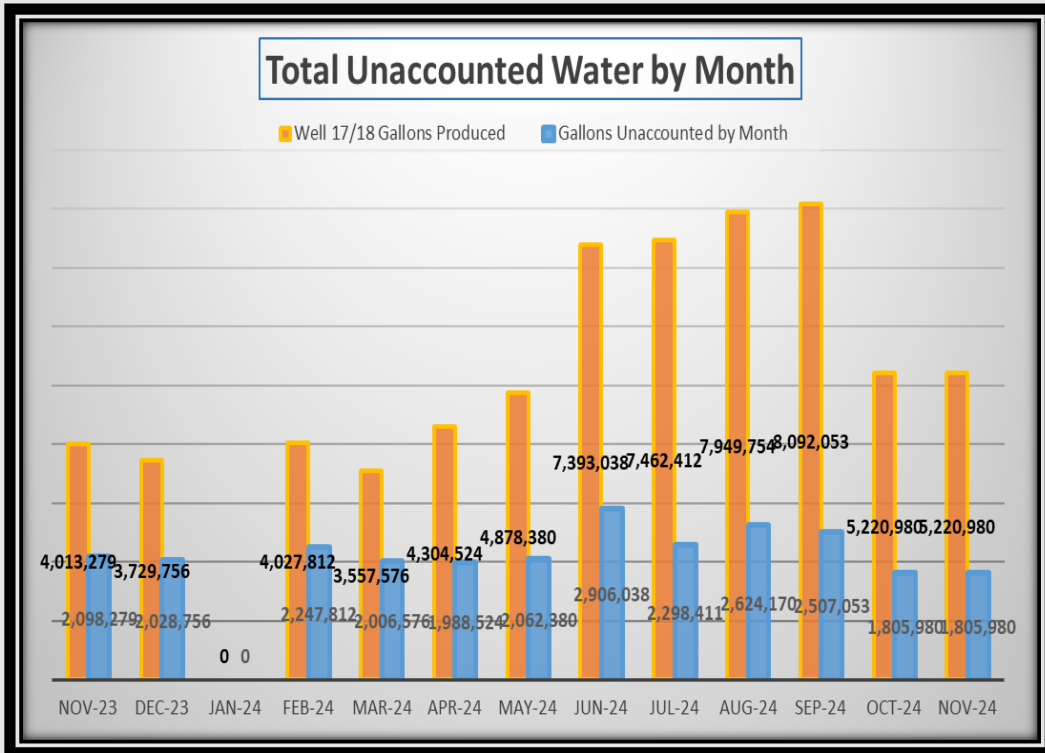
- Valve Maintenance- In process
- Collection System Cleaning- In Process
- Collection System Inspections-In-Process
- Fire Hydrant Maintenance- Completed
- Dig List (various projects that require excavation)- In Process
- Spanish creek manhole rehab Completed 10/24-25
- Facility Weed Control- Completed

➤ Unaccounted Water

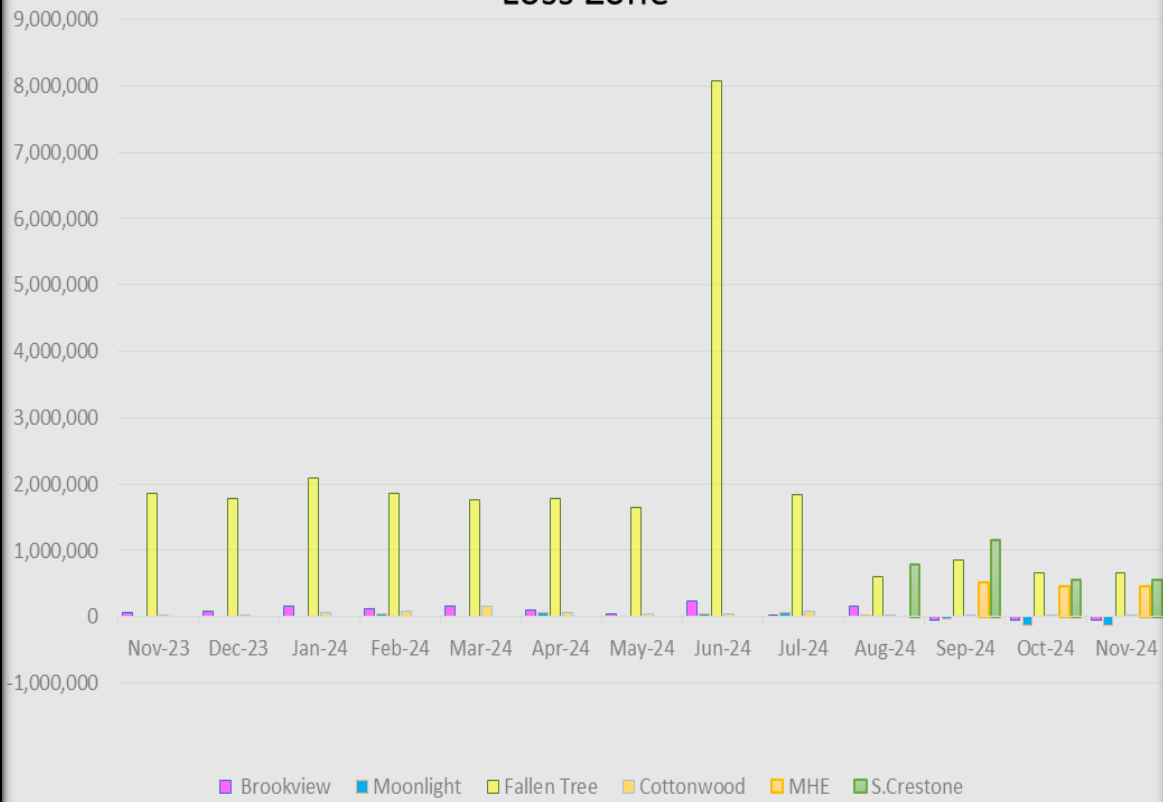
- Wells 17 and 18 produced 3,761,070 gallons of water in the month of November.
- The District sold its customers 1,883,000 gallons of water in the month of November, leaving 1,778,070 gallons unaccounted for.
- 47% of the water produced is unaccounted for in the month of November.

➤ Aspen WWTP and Town of Crestone Loading

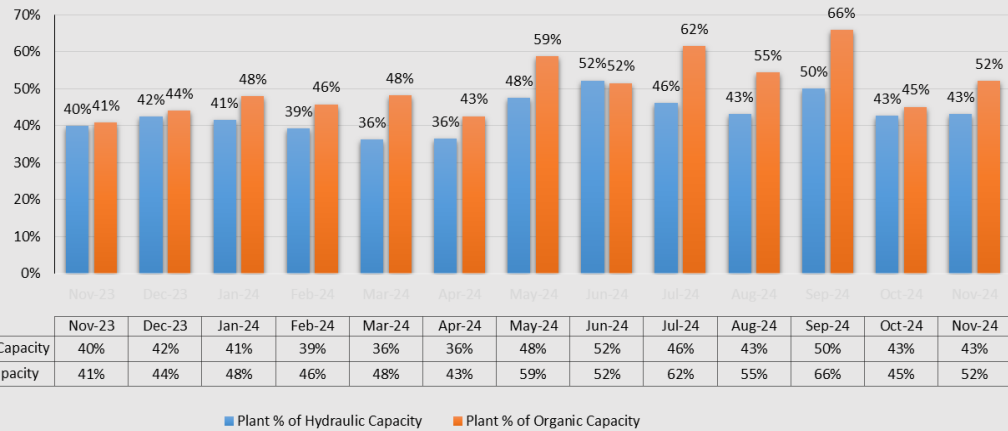
- Aspen WWTP averaged 43% of hydraulic loading capacity in the month of November, the Town of Crestone contributed an average of 16% of the treatment plants hydraulic load.
- Aspen WWTP averaged 52% of organic loading capacity in the month of November. The Town of Crestone contributed an average of 26% of the treatment plants organic load.



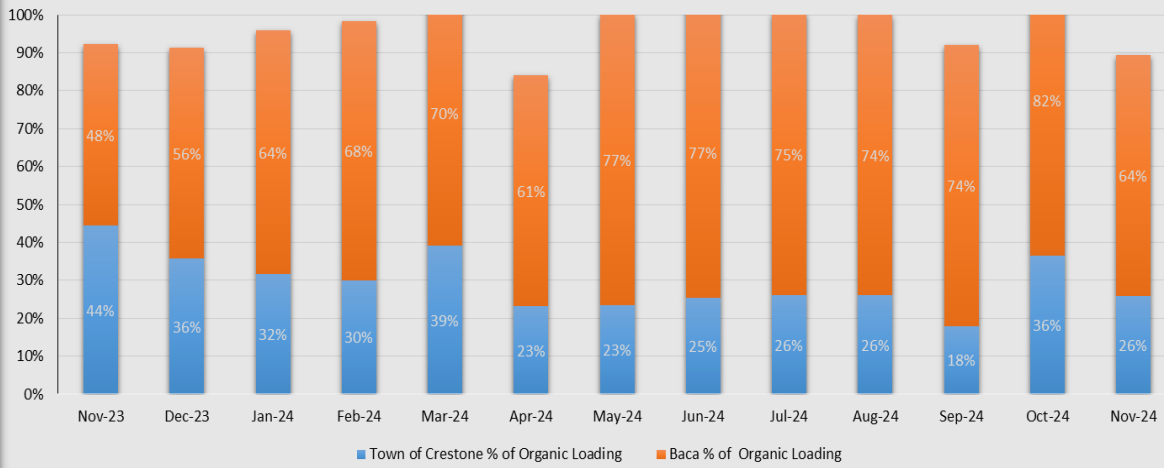
Total Monthly Unaccounted in Gallons by Water Loss Zone



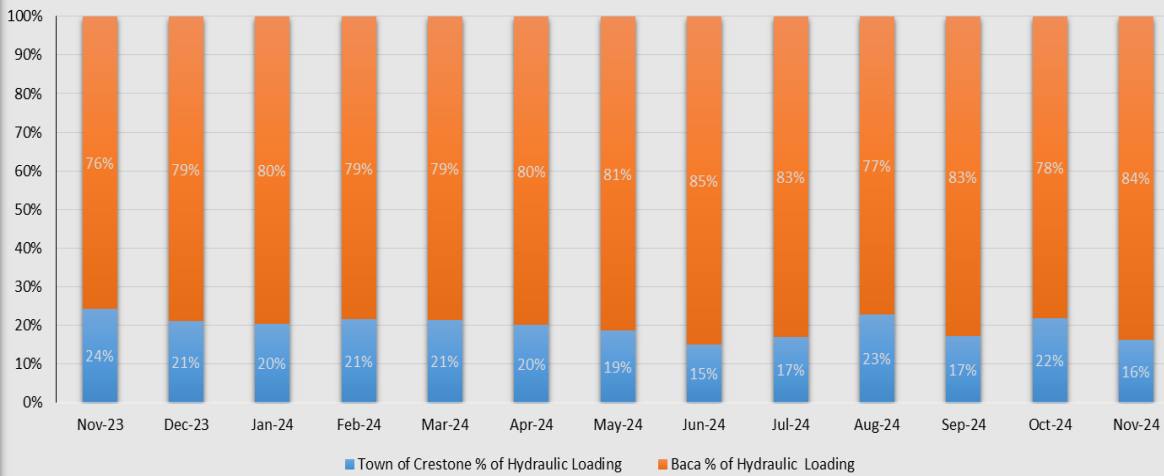
Percentage of Plant Capacities by Month at Aspen Wastewater Treatment Plant



Average % of Total Organic Loading of Aspen Wastewater Treatment Plant by Month of 2023-2024



Average % of Total Hydraulic Loading of Aspen Wastewater Treatment Plant by Month 2023-2024



**SERVICES AGREEMENT
ELECTION CONSULTING SERVICES
MAY 6, 2025 ELECTION**

THIS SERVICES AGREEMENT (Agreement) is made and entered into effective _____, 20__ by and between the Baca Grande Water and Sanitation District (District) and GovPro Consulting, LLC (Consultant). The District and the Consultant are sometimes referred to herein individually as a “Party” and collectively as the “Parties.”

WITNESSETH:

In consideration of the mutual covenants and obligations herein expressed, it is agreed by and between the Parties as follows:

1. **Active Parties.**
 - (a) Diego Martinez will represent the District in working with Consultant. He may, at his discretion, direct other parties to act on behalf of the District.
 - (b) Judy Egbert, Sole Member of GovPro Consulting, LLC will provide the entirety of the services. No other parties are authorized to act on behalf of GovPro Consulting.
2. **Scope of Services.** The Consultant agrees to provide services as listed in Exhibit A, Scope of Services.
3. **Compensation.**
 - (a) In consideration of the services to be performed pursuant to this Agreement, the District agrees to pay Consultant a lump sum of Seven Thousand Dollars (\$7,000) for work done as specified in the attached Scope of Services through the certification of the election. This rate will cover the entirety of Consultant’s time with the exception of those items specified in the Scope of Services as additional costs.
 - (b) In the event that the contract is terminated prior to completion of the Scope of Services through the certification of the election, compensation will be pro-rated based on the rate of \$75.00 per hour. If the contract is terminated due to cancellation of the election prior to ballot mailing, Consultant will be paid a lump sum of \$3,000.00.
 - (c) Consultant is not entitled to any fees or reimbursements beyond those specified in this contract.

- (d) Full payment is to be made within 30 days of completion of the Agreement. Progress payments may be made at any time by mutual agreement.

4. **Time of Commencement and Completion of Services.**

- (a) The services to be performed pursuant to this Agreement shall be initiated upon authorization of the specified District representative.
- (b) This Agreement will be considered complete upon certification of the election.
- (c) This agreement may be terminated by either party upon written notice. If the Agreement is terminated due to cancellation of the election prior to ballot mailing, Consultant will be paid a lump sum of \$3,000.00. If the Agreement is terminated by either party prior to certification of the election for any other reason, Contractor shall be compensated at the rate of \$75.00 per hour for work performed within the Scope of Services.

5. **Independent Consultant.** The services to be performed by the Consultant are those of an independent Consultant and not of an employee of the District. The Consultant is obligated to pay federal and state income tax on any moneys earned pursuant to this Agreement. Consultant is not entitled to workers' compensation benefits from the District for the performance of the services specified in this Agreement. Consultant is not entitled to any benefits offered to employees.

6. **Compliance with Laws.** The Consultant is expected to be familiar with laws governing Special Districts in Colorado, and to comply with these laws in performing work outlined in the Scope of Services.

7. **Default.** Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either Party should fail or refuse to perform according to the terms of this Agreement, such Party may be declared in default.

8. **Binding Effect.** This writing constitutes the entire agreement between the Parties and shall be binding upon the Parties, their officers, employees, agents and assigns and shall inure to the benefit of the respective survivors, heirs, personal representatives, successors and assigns of the Parties.

9. **Applicable Law.** The laws of the State of Colorado shall govern the construction, interpretation, execution and enforcement of this Agreement.
10. **Severability.** In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.
11. **Notices.** All notices which may be given under this Agreement shall be effective when emailed or mailed via registered or certified mail to the addresses shown below.
12. **No Third Party Beneficiaries.** The Parties to this Agreement do not intend to benefit any person not a party to this Agreement. No person or entity, other than the Parties to this Agreement, shall have any right, legal or equitable, to enforce any provision of this Agreement.
13. **Indemnification and Hold Harmless.** District shall indemnify and hold Consultant harmless from and against all actions, damages, costs, liability, claims, losses, penalties and expenses (including but not limited to reasonable attorney's fees for legal counsel retained by District, expert fees, litigation costs, and investigation costs) of every type and description to which Consultant may be subjected by reason of, or resulting from, directly or indirectly, the Consultant's actions while acting within the scope of services contained herein. As Designated Election Official, Judy Egbert is considered an official of the District and therefore covered under the District's usual insurance policies. This obligation to defend, indemnify and hold harmless set forth applies to all claims and liability regardless of whether any insurance policies are applicable.

14.

CONSULTANT:



Judy A. Egbert
GovPro Consulting, LLC
410 12th Street
Alamosa, CO 81101
719/580-9357
GovPro@outlook.com

DISTRICT:

Diego Martinez, District Manager

P.O. Box 520

Crestone, Colorado 81131

719-256-4310

diego@bacawater.com

EXHIBIT A
Scope of Services

CONSULTANT:

- Consultant will provide Designated Election Official services in conjunction with the Regular Election May 6, 2025. Specifically:
 - Be the Designated Election Official.
 - Be available to potential candidates during the nomination window. This may be done through on-site office hours at times mutually agreeable by both Parties; and by phone/email access at all reasonable times of day.
 - Procure all necessary documents, forms, signs, etc. needed for conducting the election.
 - Create and file the Mail Ballot Plan.
 - Prepare the ballot and ballot package, and facilitate printing and mailing.
 - Prepare all required legal notices and facilitate posting/publication.
 - Communicate with the County Clerk and County Assessor as necessary regarding eligible voter data.
 - Ensure that all deadlines are met as specified on the Election Calendar as provided by the Colorado Special District Association, and the Colorado Department of Local Affairs Division of Local Government
 - Create and provide any necessary written procedures to direct District staff in customer service activities that may occur outside the hours when Consultant is on-site.
 - Identify and secure services of Election Judges.
 - Facilitate Judge's training.
 - Keep on-site office hours at a schedule determined by mutual agreement and in a manner that meets the needs of the District and its voters.
 - Be available as DEO the entirety of Election Day, and any days that election judges are working. This may be shared with other local Districts if multiple elections are conducted. Note that availability may be remote rather than on-site.
- Consultant may conduct preparatory work remotely, with on-site hours as specified above.
- Consultant will be available by phone or email at all reasonable times of day beginning upon the effective date of this Agreement, and through the end of this Agreement.

DISTRICT:

- The District will:
 - Designate a person as the point of contact in providing staff assistance.
 - Purchase or lease all necessary election supplies and equipment as determined by Consultant.

- Pay for all necessary printing and postage costs, including costs of a professional ballot printing vendor.
- Appoint an appropriate number of suitable Election Judges, based on the recommendation of the Consultant; or delegate appointment authority to Consultant through Board action.
- Pay the Election Judges directly.
- Procure and utilize any legal counsel necessary during the course of the election. Consultant is not an attorney and does not provide legal advice.

NOTE:

- The following items are not anticipated, but may occur. If needed, Consultant commits to carrying out at an additional cost. Compensation will be paid at the hourly rate specified in Section 3(b).
 - Overseeing and managing a recount.
 - Any required appearances in Court following certification of the election. If court appearances involve travel outside of Alamosa, mileage will be charged at the current IRS rate, and necessary lodging reimbursed at actual costs.

Resolution No. _2024-12-11

BACA WATER AND SANITATION DISTRICT
BOARD OF DIRECTORS RESOLUTION REGARDING
THE REGULAR ELECTION MAY 6, 2025

A RESOLUTION CALLING FOR THE 2025 REGULAR DISTRICT ELECTION;
DETERMINING THAT THE ELECTION IS TO BE CONDUCTED AS A MAIL BALLOT
ELECTION; AND NAMING A DESIGNATED ELECTION OFFICIAL, AND
AUTHORIZING SPECIFIC AUTHORITY TO THAT OFFICIAL

WHEREAS, the District was organized as a Special District pursuant to CRS §32-1-101 et seq. (the “Special District Act”); and

WHEREAS, the District is located entirely within Saguache County, Colorado (the “County”); and

WHEREAS, pursuant to CRS §32-1-804 the Board governs the conduct of the regular and special elections for the District; and

WHEREAS, the Board anticipates holding a regular election on May 6, 2025 for the purpose of electing directors and desires to take all actions necessary and proper for the conduct thereof (the “Election”); and

WHEREAS, the terms held by Richard Hart, Mary Vivia Lawson, and the term previously held by John A. Loll, which is currently vacant due to his resignation, shall expire after each successor is elected at the regular Special District election to be held on May 6, 2025 and have taken office;

WHEREAS, the Election shall be conducted pursuant to the Special District Act, the Colorado Local Government Election Code, including any amendments thereto (the “Code”), and shall also comply with Article X, §20 of the Colorado Constitution (“TABOR”) as necessary; and

WHEREAS, pursuant to CRS §1-1-111(2) the Board is authorized to designate an election official (the “Designated Election Official”) to exercise authority of the Board in conducting the Election; and

WHEREAS, pursuant to CRS §1-13.5-513(1) the Board can authorize the Designated Election Official to cancel the Election upon certain conditions;

NOW THEREFORE BE IT RESOLVED by the Board as follows:

1. The Board hereby calls the Election for the purpose of electing directors. The Election shall be conducted as an independent mail ballot election in accordance with CRS §1-13.5-1101 *et seq.* unless otherwise determined at the Board's discretion.
2. The Board names Judy Egbert of GovPro Consulting LLC as the Designated Election Official for the Election. The Designated Election Official shall act as the primary contact with the County and shall be primarily responsible for ensuring the proper conduct of the Election.
3. Without limiting the foregoing, the following specific determinations are also made:
 - a. The Board hereby directs general counsel to the District to oversee the general conduct of the Election and authorizes the Designated Election Official to take all action necessary for the proper conduct thereof and to exercise the authority of the Board in conducting the Election including, but not limited to, causing the call for nominations; appointment, training and setting compensation of election judges and a board of canvassers as necessary; all required notices of election including notices required pursuant to TABOR; printing of ballots; supervision of the counting of ballots and certification of election results; and all other appropriate actions.
 - b. The election shall be conducted as a mail ballot election in accordance with all relevant provisions of the Code. The Designated Election official shall develop a Plan for conducting the mail ballot election, which will be made available to the public. There shall be no election precinct or polling place. All mail ballots shall be returned to the address specified by the Designated Election Official.
4. The District shall be responsible for the payment of any and all costs associated with the conduct of the Election, including its cancellation, if permitted.
5. Self-Nomination and Acceptance forms are available by contacting the DEO; or for pick-up at the District office during regular business hours. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no later than close of business on Friday February 28, 2025.
6. If the only matter before the electors is the election of Directors of the District and if, at the close of business on March 4, 2025, there are not more candidates than offices to be filled at the election, including write-in candidates timely filing affidavits of intent no later than March 3, 2025, the Designated Election Official shall cancel the election and declare candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code. This notice and this resolution, signed by the Board Chair, shall be filed with the Division of Local Government.

7. Pursuant to CRS §1-11-203.5, any election contest arising out of a ballot question concerning the order of the ballot or the form or content of the ballot shall be commenced by petition filed with the proper court within five (5) days after the title of the ballot question is set.
8. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.
9. Any and all actions previously taken by the Designated Election official or the Secretary of the Board of Directors or any other persons acting in their behalf pursuant to the Act, the Code, or other applicable laws, and hereby ratified and confirmed.
10. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.
11. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this _____ day of _____, 20__.

Baca Grande Water and Sanitation District

By: _____
Chair

Attest: _____
Secretary