

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

A Regular 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.

JULY 21, 2017 at 9:00 A.M.

The meeting was open to the public.

ATTENDANCE

Directors in Attendance:

Michael Scully

Martin Macaulay

Lynn Drake

Matthew Ghourdjian

Robert Salmi

Also in Attendance:

Marcus Lock; Law of the Rockies (via speakerphone for a portion of the meeting.)

JoAnn Slivka; District Manager

Chad Tate; Utility Maintenance Technician III (for a portion of the meeting)

Members of the Public:

John Loll (for a portion of the meeting)

Winter Ross (for a portion of the meeting)

Janie Thomas

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.

ADMINISTRATIVE MATTERS

Agenda

President Scully reviewed the proposed Agenda for the District’s Regular Meeting with the Board. Following discussion, it was agreed that the minutes will be approved at the August meeting; the remaining items were moved from the consent agenda to be considered in the Regular Agenda.

Director Macaulay requested an addition to the Executive Session regarding Board governance.

Ratify the Independent Contractor Agreement between Russell Surveyors and the Baca Grande Water and Sanitation District for surveying services.

*Following discussion, upon motion duly made
by Director Macaulay,
seconded by Director Drake,
and upon vote, unanimously carried, the Agreement between Russell Surveyors and
the District was ratified.*

Ratify the Independent Contractor Agreement between SourceWater Consulting, LLC and the Baca Grande Water and Sanitation District for Wastewater Operator in Responsible Charge services.

*Following discussion, upon motion duly made
by Director Macaulay,
seconded by President Scully,
and upon vote, unanimously carried, the Agreement between SourceWater Consulting,
LLC and the Baca Grande Water and Sanitation District was ratified.*

Ratify the Independent Contractor Agreement between Moltz Construction, Inc. and the Baca Grande Water and Sanitation District for construction of the Flow Equalization Project and Headworks Building.

The Board discussed the project and financial concerns surrounding the cost of the project. Recovering from the ending of SDMS departure.

*Following discussion, upon motion duly made
by President Scully,
seconded by Director Salmi,
and upon vote, carried, with three directors voting Aye and two Nye; the Agreement
between Moltz Construction, Inc. and the Baca Grande Water and Sanitation District
was ratified.*

Board and Staff Reports

The Board reviewed and discussed the staff reports which are attached hereto and incorporated herein by this reference.

FINANCIAL MATTERS

Check Register

The Board considered approval of the check register through the period ending April 21, 2017, as follows:

General Fund	\$ 3314.00
Debt Service Fund	\$ - 0 -
Capital Projects Fund	\$ 3242.94
Enterprise Fund	\$ 43,570.23
Total Claims:	\$ 50127.17

*Following discussion, upon motion duly made by
President Scully,
seconded by Director Macaulay,
and, upon vote, unanimously carried, the Check Register was approved.*

PUBLIC COMMENT

Mr. Loll commented that he was a representative from the Water Sustainability Group and he is sure that we can all work together in the future.

OFFICE ADMINISTRATION

The Board discussed the request from Mr. Lakish regarding outstanding fees on the White Eagle Lodge property. Ms. Slivka was directed to contact Mr. Lakish requesting he update his memo to include all his concerns about the property as it relates to water and sanitation services.

CAPITAL IMPROVEMENTS

The Board discussed the current capital projects and how to handle these projects moving forward.

EXECUTIVE SESSION

Pursuant to Sections §24-6-402(4)(a), (b), (e)(I) & (f)(I) C.R.S., upon motion duly made by Director Salmi, seconded by Director Macaulay and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 12:42 P.M. for the purpose of Personnel Matters, as authorized by Sections §24-6-402(4)(a), (b), (e)(I) & (f)(I) C.R.S.

The Board reconvened in regular session at 12:56 P.M.

OTHER BUSINESS

There were no other business matters to discuss.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Macaulay, seconded by President Scully, and, upon vote, unanimously carried, the Meeting was adjourned at 12:57 P.M.

Respectfully submitted,

By _____

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL July 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



Baca Grande
Water And Sanitation
District

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