

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

August 23, 2019

9:00 A.M.

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

ATTENDANCE

Directors in Attendance:

Lynn Drake  
Robert Salmi  
John Loll  
Michael Scully  
Gregg Conlee

Also in Attendance:

Marcus Lock; Law of the Rockies  
Cathy Fromm; (via speakerphone for a portion of the meeting)  
JoAnn Slivka; District Manager  
Joshua Cichocki; Utility Superintendent

Members of the Public

Janie Thomas; Community Member  
Daniel Gray; Community Member  
Jim Vanderpool; BGPOA Fire Captain

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

President Drake opened the regular meeting of the Baca Grande Water and Sanitation District Board of Directors with a review of the Agenda.

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*APPROVED: Following discussion, upon motion duly made by Director Scully, seconded by Director Salmi and upon vote, unanimously carried, the board approved the Agenda.*

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CONSENT AGENDA

The board considered the following consent agenda items:

- Approve Minutes from the July 18, 2019 special meeting.
- Approve Minutes from the July 19, 2019 regular meeting.
- Review and accept the unaudited financial statements for the period ending August 31, 2019 and current schedule of cash position.

Ms. Fromm reviewed the August financial statements with the board. She noted that the Bond and Loan payments will be due in November.

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*APPROVED: Following discussion, upon motion duly made by Director Loll, seconded by Director Scully and upon vote, unanimously carried, the board approved the Consent Agenda.*

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

- Mr. Gray began with a statement regarding his broken water line that occurred a few years ago. The board advised that the matter was over and there would be no further discussion.
- Janie Thomas thanked everyone for the work they did during the water main break last month. She

especially expressed gratitude to the Operations staff for the hard work they performed throughout the week until the repairs were made.

- Mr. Gray then stated that the Camper Village community was not notified of the Boil Water Alert. Ms. Slivka let him know that the district did not issue the Boil Water Alert and explained to him what actually happened. She also noted that Camper Village is a POA account therefore we do not have contact information for the people who reside there. We did try to obtain that information during the emergency but were told that the POA does not keep a contact list for Camper Village. We had planned to add the Camper Village resident phone numbers to the phone list for the Reverse 911 message that went out each evening during the event. Ms. Slivka offered to work with Mr. Gray, a Camper Village resident himself, to compile a community listing so that we can reach out in the future. He declined the offer feeling it wasn't his job.
- Mr. Jim Vanderpool spoke on behalf of the Baca Grande Property Owners Association (POA). His first question was regarding what the general plan is regarding the pressure issue at Casita Park. Next, he inquired about the annual Fire Hydrant service inventory; do we have a list of fire hydrants? What is the program? How can POA help? Does he (POA Fire) have permission to clear around the hydrants? Ms. Slivka suggested he and Mr. Cichocki have a meeting to discuss the best ways to work together. Mr. Cichocki says that staff will do the hydrant maintenance during the unilateral jetting this October. The Fire Department also wants to help with the traffic control during future emergency events. An After-Action meeting with local entities along with the county, local public and state public health officials is scheduled for Wednesday afternoon, August 28, 2019, at the district office.

**BOARD AND STAFF REPORTS**

The board reviewed and discussed the staff reports that are attached and incorporated herein by this reference.

Letter Regarding Water Testing for Verification of the Teyuna Pagamento

The directors reviewed and discussed the letter of request for assistance with water testing for verification of the Teyuna Pagamento. Following discussion the board directed Ms. Slivka to send a note to thank the group for their interest in working with the district and provide them with the contact information of the two labs the district works with.

Utility Superintendent Report:

Mr. Cichocki reported that the cause of the Road T/Camper Village/ Casita Park main line break is that the system is old and the materials are not acceptable. Staff are removing the old infrastructure as they get exposed and excavated. He advises that the district will be dealing with these issues for a long time. He states that we need a strategic plan.

**FINANCIAL MATTERS**

Check Register: The board considered approval of the check register through the period ending July 19, 2019 as follows:

General Fund:	\$	6,789.50
Capital Projects Fund:	\$	5,652.50

Enterprise Fund:	\$	41,426.27
<b>Total:</b>	<b>\$</b>	<b>53,868.27</b>

*APPROVED: Following discussion, upon motion duly made by Director Loll, seconded by Director Conlee, and, upon vote, unanimously carried, the board approved the check register for the period ending August 16, 2019.*

**BOARD of DIRECTOR MATTERS**

Director Scully reported that he attended the Rio Grande Round Table meeting held Tuesday, August 13 in Saguache; Director Loll and JoAnn also attended the meeting. There was a discussion about the Water Export with presentations by Sean Tonner, Renewable Water Resources and Cleave Simpson, Rio Grande Water Conservation District. We do not know what the impact on the district is at this time as no final plans have been presented. Everyone is aware and watching the issue.

2020 Budget Planning:

Following discussion, Director Loll and Conlee will work with Ms. Fromm and staff on preparation of the 2020 budget.

Ciello Tower:

The board discussed the request from Loren Howard, (Ciello) regarding improvements to the communication tower located on district property.


*ACTION ITEM: Following discussion, upon motion duly made by Director Conlee, seconded by Director Scully, and, upon vote, unanimously carried, the board directed the District Manager to request Mr. Howard submit a formal request on what Ciello is proposing including what the benefit would be to the community.*

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

*Following discussion, upon motion duly made by Director Scully, seconded by Director Conlee, and, upon vote, unanimously carried, the board entered into executive session at 11:05 AM to discuss Water Matters, Pending Water and Sewer Hookup Applications, and Personnel Matters.*

**ADJOURNMENT:**

*There being no further business to discuss, upon motion duly made by Director Scully, seconded by Director Loll and upon vote, unanimously carried, the meeting was adjourned at 2:30 PM.*

Respectfully submitted,  
 By 

THESE MINUTES ARE APPROVED AS THE OFFICIAL August 23, 2019 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

~~Lynn Drake~~

  
Robert Salmi

  
John Loll

  
Michael Scully

  
Gregg Conlee

**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, the portion of the executive session that I attended and was not recorded constituted attorney-client privileged communications.



Marcus J. Lock

General Counsel

Baca Grande Water and Sanitation District