

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

August 25, 2021

9:00 AM

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom

ATTENDANCE

Directors in Attendance:

John Loll
Gregg Conlee
Mike Smith
William Peck
Vivia Lawson

Also in Attendance:

Marcus Lock; District Legal Counsel
Cathy Fromm; District Accountant
JoAnn Slivka; District Manager
Gary Potter; District Director of Operations

Michael Scully
Parke Hess

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.

AGENDA

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

CONSENT AGENDA

The board considered the following consent agenda items:

- Approve Minutes from the July 21, 2021 Regular Meeting

MOTION APPROVED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, 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 was no public comment received.

BOARD AND STAFF REPORTS

Board Member Matters:

- Director Lawson brought up the subject of what is the best way to move forward to be an effective board member. After reviewing the Special District Association Board Member Manual, she has questions and can see areas for meaningful discussions with the Board. The discussion led to the importance of staff, directors and consultants to be able to meet face-to-face for discussion as it relates to where the district is headed, a strategic plan, etc. Further discussion regarding the possibility and value of having a board retreat followed. It was agreed that retreats have value and we should try to schedule one before the end of the year. There are a number of challenges and action items in front of us during this time; we will continue to consider a board retreat to be scheduled in the next couple of months. Director Conlee announced that he is preparing to move to a lower altitude and will be leaving the area in September. It was decided to table setting a date for the retreat until later in the year when we might have the vacant board seat filled.
- The board reviewed and discussed the reports incorporated herein by this reference.

FINANCIAL MATTERS

Check Register: The board considered approval of the check register through the period ending August 25, 2021 as follows:

General	\$	1,848.46
Capital	\$	50,080.00
<u>Enterprise</u>	\$	<u>56,835.38</u>
	\$	118,763.74

MOTION APPROVED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SMITH, SECONDED BY DIRECTOR CONLEE, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING AUGUST 18, 2021.

Financial Statements: Ms. Fromm reviewed the financial statements with the Board.

Presentation of Water and Wastewater Rate and Fee Study

Mr. Rheem presented the findings of the rate study to the Board of Directors.

MOTION APPROVED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, SECONDED BY DIRECTOR CONLEE AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD DIRECTED STAFF TO CONTACT MR. FLEWELL FROM THE BACA GRANDE POA TO SET UP A MEETING TO DISCUSS IRRIGATION RATES FOLLOWING THE RATE STUDY FINDINGS.

2022 Budget Committee

MOTION APPROVED: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR CONLEE, SECONDED BY DIRECTOR LAWSON, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPOINTED DIRECTORS LOLL AND SMITH TO REPRESENT THE BOARD OF DIRECTORS IN THE 2022 BUDGET PLANNING PROCESS.

LEGAL MATTERS:

Motel Well: We just received a response letter from Water Division 3 regarding use of the Motel Well. We are pleased to report that the Division had no objection to the use of the Motel Well as part of the general water supply for the entire district, so long as the well is only used within the district boundaries. This will give the district redundancy and gives us some flexibility with our discussions with USFW.

USFW Negotiations: An executive session was not necessary to receive an update from Mr. Lock regarding negotiations with USFW. Ms. Burnridge sent a response to the Letter of Intent (LOI); they will be doing some research to determine the best course of action.

COVID UPDATE:

This week there were 64 known reported cases in the San Luis Valley with a 2.15% positivity rate, still maintaining under the 5% goal. The Delta variant is having an impact now. Conversations are beginning at the federal and state levels regarding policies for mandatory vaccinations.

OTHER BUSINESS:

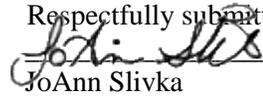
Seeing no other business, President Loll thanked everyone for a productive meeting.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR CONLEE, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 11:21 AM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR
September 15, 2021

Respectfully submitted,



JoAnn Slivka

Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL August 25, 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

Vivia Lawson