

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

**December 14, 2022- 9:00 AM**

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom

**ATTENDANCE**

Directors in Attendance:

Vivia Lawson

John Loll

Mike Smith

Rick Hart

Also in Attendance:

Marcus Lock, District Legal Counsel

JoAnn Slivka, District Manager

Gary Potter, District Director of Utilities

Natalie DeBon, District Administrative Services Manager

Cathy Fromm, District Accountant

Nick Marcotte, District Engineer (for a portion of the meeting)

Community Members and Guests:

dan gray

Charles Whipple

**CALL TO ORDER**

President Lawson opened the meeting at 9:05 AM.

Board Roll Call: Directors Lawson, Loll, Smith, and Hart were present.

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

**CONSENT AGENDA**

The board considered the following consent agenda items:

- Approve Minutes from the November 16, 2022 Regular Meeting
- Accept the unaudited financial statements for the period ending November 30, 2022 and current schedule of cash position

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

Daniel Gray: 3848 Ridgecrest Way: wants an agenda and board packet before the meeting.

**FINANCIAL MATTERS**

Check Register: The board considered approval of the check register through the period ending December 14, 2022 as follows:

General	\$ 9,174.18
Capital	\$ 2,310.00
<u>Enterprise</u>	<u>\$ 71,662.99</u>
	\$ 83,147.17

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SMITH, SECONDED BY DIRECTOR HART AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING DECEMBER 14, 2022.

**BOARD AND STAFF REPORTS**

The board reviewed and discussed the reports incorporated herein by this reference.

**Board Matters**

Human Resources and Safety:

President Lawson expressed support for an HR consultant and mentions how it will help with diversity inclusion awareness and it would also help with the District’s vulnerability. She continued to speak about the importance of safety and to spread awareness and understanding of what is happening Safety wise. She would like to create a Safety Board Committee for the 2023 year and would like Directors Smith and Loll to be involved.

Director Hart comments on how important safety is and the need for an HR consultant that has a proper background in safety and would help with establishing programs that direct district management in a good direction.

Mr. Lock suggests we explore the available resources we already have through the SDA member pool and Employers Council before we call in other resources. President Lawson said sometimes a third party is needed to observe of what is happening.

**Engineer’s Report:**

Mr. Marcotte reviewed the monthly report with the Directors. He reported on continuing work with Utility Director Potter on the water loss prevention plan The Preliminary Engineering Report (“PER”) draft is under internal review and will be sent to staff before given to the board members for discussion. President Lawson suggested having a work session in late January or early February dedicated to discussion of these projects.

The prequalification for Colorado Department of Public Health and Environment (“CDPHE”) funding is also due this month. This is the first step in the process to apply for funding with CDPHE. This project is on schedule as well, with the draft currently under internal review. Element Engineering will notify the district manager when the report is ready for submittal. We will receive a meeting invite to go through the funding process with representatives from CDPHE, DOLA, Element Engineering and BGWSD staff.

Mr. Marcotte reported that the next step on the Hillcrest Line Extension is to schedule the surveyor. Director Hart inquired about the line extension process. He was concerned that the

property owner does not fully understand the process and the associated costs. Mr. Potter addressed the question; he explained that the county and the POA approved the project before the district was involved.

Accidents: Mr. Potter discussed another two minor vehicle accidents that is in his report. He then reported a third accident that just occurred on Monday. Director Hart inquired about any theory as to why there is such a cluster of events. Mr. Potter said he is looking at different safety programs for the Operations staff to prevent future accidents from happening.

VFD Installation: The VFD for Well 17 is still not operational. Mr. Potter reports that the part came in but he is having difficulties with the installation as the water proof enclosure is too small. He had to order a new part to make the VFD fit. He expects it will be 3-4 weeks to get the new part.

Town of Crestone: Mr. Potter reported on the flow meter calibration that was requested by the Town's ORC. The calibration was performed by a third-party technician on the Town of Crestone sewer flow meter. The updated calibration showed the flow dramatically increased; he worked with Mr. Marcotte and the technician on the cause of the huge difference. The technician came back yesterday to ensure the accuracy of the meter calibration.

Discussion followed:

Director Loll inquires as to how this affects the BOD numbers and trigger points to the state; will there would be problems in the future or was it successfully handed.

Potter: Yes, it does affect the BOD numbers be he feels it is correct and is accurate now. He is hoping to read it more often to monitor the daily totals.

Director Lawson: asks about the incorrect readings and how was it handled.

Potter: he averaged past readings from previous months and years during this time period.

Director Hart: with the increased flow do we anticipate an increase in the town's billing?

Potter: Nothing major but yes it should be slightly higher. Explains the flume is larger than it needs to be for the size of the pipe and community; he will be looking into this.

Director Smith: asks if we can get the training to do the calibration monitoring ourselves?

Potter: says yes, it is feasible that we can do it. He will look into it and report back to the Board.

Loll: feels this is important to have dual capability on assuring the accuracy of the meter.

Meter Pits: Mr. Potter reported that there is nothing in stock, the Rep promised him that a partial shipment will arrive in January along with some MXUs, but he has not received an order confirmation yet. We will have a presentation this afternoon, from another company to see what other sources we may have. We will continue to hook up new applicants as they come up.

#### Public Hearing to Consider Adoption of the 2023 Budget

Director Lawson asked for a motion to open the public hearing to consider the proposed 2022 Budget and discuss related issues. Public members of the audience included Charles Whipple and Dan Gray.

MOTION: DIRECTOR HART MOTIONED TO OPEN THE PUBLIC HEARING AND TO WELCOME PUBLIC COMMENTS AT 10:25AM, SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED.

Public Comments Received: None.

MOTION: THERE BEING NO PUBLIC COMMENTS, DIRECTOR HART MOTIONED TO CLOSE THE PUBLIC HEARING AT 10:27AM, SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED.

It was noted by District Manager, Ms. Slivka that publication of the 2023 Budget Notice stating that the Board will consider adoption of the 2023 Budget Resolution and Related Topics, the date, time and place were published in the Saguache Crescent, the legal publication for the county in November as well as the local publication, The Crestone Eagle. No written objections were received.

District Accountant, Ms. Fromm, lead the discussion on the proposed 2023 Budget. She reviewed the various District funds and commented on the COLOTRUST interest going up to 3.8% which is good for the District. Ms. Fromm discussed the Final Assessed Valuation received from Saguache County went down compared to last year. She explained the decrease is the result of Senate Bill 22-238 in the reassessed residential rates from 7.15 to 6.95 % for the next two years. It is a temporary reduction for the District over the next two years then it will increase back to 7.15%. Ms. Fromm mentioned that some Districts adjusted their mill levy, BGWSD has not adjusted their mill levy.

Ms. Fromm also discussed and explained the enterprise status with the Board and the proposed capital fund project.

At 11:28 it was decided to take a 4-minute break.

The Board of Directors continued discussion on the 2023 proposed budget, including a proposal to increase certain fees, such as usage rates, late fees, consolidation fees, transfer fees, and the annual AOS fee. They also discussed adding fees for non-sufficient funds and de-consolidation or sub-division fees. The Board of Directors also discussed and revised the Capital projects with staff and Ms. Fromm.

Public comment received from Mr. Gray regarding debt bond payment, he mentioned the bond amount will double and board should not ignore it. Ms. Fromm clarified that combined payment will go up but it would not double and CWRPDA will get paid off in 2029. Director Hart thanked Mr. Gray for his comment and that it was not missed by himself or the board.

The final fee resolution will be presented to the board for consideration during the January 18, 2023 regular meeting.

No additional public comments were received.

MOTION: DIRECTOR HART MOTIONED TO ADOPT THE 2023 BUDGET AND SET THE MILL LEVY PER RESOLUTION 2023-12-01. AS DISCUSSED, DIRECTOR SMITH SECONDED THE MOTION, AND UPON VOTE, UNANIMOUSLY CARRIED, THE RESOLUTION WAS ADOPTED AND EXECUTION OF THE CERTIFICATION OF BUDGET AND CERTIFICATION OF MILL LEVIES

WAS AUTHORIZED. MS. FROMM WAS AUTHORIZED TO TRANSMIT THE CERTIFICATION OF MILL LEVIES TO THE BOARD OF COUNTY COMMISSIONERS OF SAGUACHE COUNTY AND THE DIVISION OF LOCAL GOVERNMENT, NOT LATER THAN DECEMBER 15, 2022, AND TO TRANSMIT THE CERTIFICATION OF BUDGET TO THE DIVISION OF LOCAL GOVERNMENT, NOT LATER THAN JANUARY 30, 2023.

A COPY OF THE ADOPTED RESOLUTION IS ATTACHED TO THESE MINUTES AND INCORPORATED HEREIN BY THIS REFERENCE.

**RESOLUTION 2022-12-02 DECLINING PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM**

At the December 6, 2022 staff meeting, District employees received information on the Family and Medical Leave Insurance (FAMLI) program. They also received written notice that the Board of Directions will discuss opting out of the program at the December meeting. The staff had no comments and acknowledged receipt of the notification.

The Board of Directors discussed the District's employee PTO policy and asked Mr. Lock if there is any additional legal advice or liability and as to the participation or not in the Colorado Paid Family and Medical Leave Insurance Program. District Employees have a generous PTO policy, and an employee who would be interested in the program could still join the FAMLI program on their own. The Board of Directors did not receive any public comments regarding the program and voted to opt out of the program.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LOLL, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ADOPTED RESOLUTION 2022-12-02 DECLINING PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM PURSUANT TO OPT OUT RULES FOR LOCAL GOVERNMENTS PROMULGATED BY THE COLORADO DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE.

A COPY OF THE ADOPTED RESOLUTION IS ATTACHED TO THESE MINUTES AND INCORPORATED HEREIN BY THIS REFERENCE.

**Election Services Agreement for the May 2, 2023 Regular Election:**

The Board of Directors reviewed and accepted the Services Agreement proposed by Judy Egbert, of GovPro Consulting to provide the entirety of the proposed services for the May 2, 2023 Baca Grande Water and Sanitation District Regular Election.

**Resolution No. 2022-12-03 Resolution of the Board of Directors Regarding the May 2, 2023 Regular Election**

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE DIRECTOR LOLL, SECONDED BY DIRECTOR HART AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ADOPTED RESOLUTION No. 2022-12-03 , A RESOLUTION CALLING FOR THE 2023 REGULAR DISTRICT ELECTION; DETERMINING THAT THE ELECTION IS TO BE CONDUCTED AS A MAIL BALLOT ELECTION; AND NAMING JUDY EGBERT, AS THE DESIGNATED ELECTION OFFICIAL, AND AUTHORIZING SPECIFIC AUTHORITY TO THAT OFFICIAL.

A COPY OF THE ADOPTED RESOLUTION IS ATTACHED TO THESE MINUTES AND INCORPORATED HEREIN BY THIS REFERENCE.

**Juneteenth (June Nineteenth) Holiday:**

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LOLL, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD ADOPTED RESOLUTION 2022-12-04 ADDING JUNETEENTH ("JUNE NINETEENTH") AS A PAID DISTRICT HOLIDAY.

President Lawson commented on how important it is to recognize and remember this day.

**LEGAL MATTERS**

There were no legal matters to discuss.

**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 12:43 PM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR  
January 18, 2023

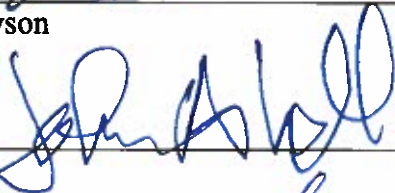
Respectfully submitted,

   
JoAnn Slivka and Natalie DeBon

THESE MINUTES ARE APPROVED AS THE OFFICIAL December 14, 2022 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



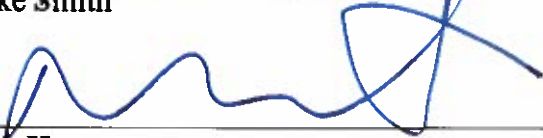
Vivia Lawson



John Loll



Mike Smith



Rick Hart



**NOTICE OF REGULAR MEETING and AGENDA  
BACA GRANDE WATER AND SANITATION DISTRICT BOARD of DIRECTORS**

WHEN: Wednesday, December 14, 2022

TIME: 9:00 AM

WHERE: **TELECONFERENCE VIA Zoom** [Ctrl+click to join Zoom meeting](#) (see below)

<u>Board of Directors</u>	<u>Office</u>	<u>Term/Expiration</u>
Viva Lawson	President	2025/May 2025
John Loll	Vice-President	2025/May 2025
Mike Smith	Treasurer/Secretary	2023/May 2023
Rick Hart	Director	2025/May 2025

**I. CALL TO ORDER**

- Present disclosures and potential conflicts of interest
- Board Roll Call

**II. APPROVE AGENDA**

**III. CONSENT AGENDA**

Action: to approve

These items are considered routine and will be approved and/or ratified by one motion.

There will be no separate discussion of these items unless a Board member so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.

- a. Approve Minutes from the November 16, 2022 Regular Meeting

- b. Review and accept unaudited financial statements for the period ending November 30, 2022 and current schedule of cash position (enclosure)

**IV. PUBLIC COMMENT (ITEMS NOT ON THE AGENDA ONLY. NO ACTION MAY BE TAKEN)**

Per Colorado Open Meetings Law, no Board discussion or action will take place until a later date, if necessary. Speakers must identify themselves with their full name and address. Each speaker's comments are limited to three minutes or less.

**V. FINANCIAL MATTERS**

- a. Review and approve the check register for the period ending December 14, 2022 (enclosure) Action: to approve

General	\$ 9,174.18
Capital	\$ 2,310.00
<u>Enterprise</u>	<u>\$ 71,662.99</u>
	\$ 83,147.17

**VI. BOARD AND STAFF REPORTS**

- a. Board of Director Matters
- b. District Engineer Report (enclosure)
- c. District Manager Report (enclosure)
- d. Administrative Manager's Report (enclosure)
- e. Director of Utilities Report (enclosure)



- VII. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolutions to Adopt the 2023 Budget and Appropriate Sums of Money and Set Mill Levies (enclosures – Preliminary assessed valuation, Draft 2023 Budget, Resolutions, and Capital Project Summary Sheets).  
Comments limited to three minutes per person.
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VIII. LEGAL MATTERS

- a. Consider Resolution 2022-12-02 Resolution Declining Participation in the Colorado Paid Family and Medical Leave Insurance Program  
FAMLI Program Opt Out. The Board will take public comments and then vote on whether to opt out of Colorado's Family and Medical Leave Insurance program pursuant to opt out rules for local governments promulgated by the Colorado Division of Family and Medical Leave Insurance.
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- b. Consider Services Agreement for Election Services for May 2, 2023 Regular Election
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- c. Consider Resolution 2022-12-03 – Resolution of Board of Directors Regarding the May 2, 2023 Regular Election
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- d. Consider Resolution 2022-12-04 Adding Juneteenth (June 19) as a Paid District Holiday
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IX. EXECUTIVE SESSION

- a. Adjourn to Executive Session pursuant to C.R.S. § 24-6-402(4) (a), (b), and (e), which respectively concern the purchase or lease of real property, specific 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.
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X. ADJOURN

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**HAPPY HOLIDAYS!**  
**NEXT REGULAR MEETING IS SCHEDULED FOR**  
**January 18, 2023, at 9:00 AM**

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Join Zoom Meeting

<https://us02web.zoom.us/j/87269124750?pwd=ZmZVcTd2Y0UycW0vRmFWNS9wTU5WQT09>

Meeting ID: 872 6912 4750 -- Passcode: 638055 -- One tap mobile - Dial by your location +1 346 248 7799 US (Houston)

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

**November 16, 2022- 9:00 AM**

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom

**ATTENDANCE**

Directors in Attendance:

Vivia Lawson  
John Loll  
Mike Smith  
Rick Hart

Also in Attendance:

Marcus Lock, District Legal Counsel  
JoAnn Slivka, District Manager  
Gary Potter, District Director of Utilities  
Cathy Fromm, District Accountant (for a portion of the meeting)  
Nick Marcotte, District Engineer (for a portion of the meeting)

Community Members and Guests:

Parke Hess  
Charles Whipple  
dan gray  
Elizabeth Namgyel  
Buddy Frank  
CSH iphone

**CALL TO ORDER**

President Lawson opened the meeting at 9:01 AM.

Board Roll Call: Directors Lawson, Loll, Smith, and Hart were present.

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

**CONSENT AGENDA**

The board considered the following consent agenda items:

- Approve Minutes from the October 19, 2022 Regular Meeting
- Accept the unaudited financial statements for the period ending October 31, 2022 and current schedule of cash position

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

Dan Gray- 3898 Rarity Way

Mr. Gray had several comments; 1) What is the status of a backup generator at the Plant 2) Status of the Motel Well and who owns it 3)Why does this board like to keep a vacant seat 4) Wants to know after the board goes into executive session if there are more discussion items after they exit executive session

Charles Whipple- 1885 Sentinel Point

- 1) Mr. Whipple wants to know why the status of infrastructure funding is not on the agenda
- 2) Did the District receive the parts for Well 18 and is it back in service

Elizabeth Namgyel- 869 Pine Cone Way

Ms. Namgyel inquired as to the status of the cell tower idea

**FINANCIAL MATTERS**

Check Register: The board considered approval of the check register through the period ending November 16, 2022 as follows:

General	\$ 8,780.41
Capital	\$ 5,430.00
<u>Enterprise</u>	<u>\$53,250.67</u>
	\$67,461.08

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR SMITH, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING NOVEMBER 16, 2022.

2022 Audit: The Board reviewed the engagement letter received from Fiscal Focus Partners, LLC to perform the 2022 Audit.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE ENGAGEMENT OF FISCAL FOCUS PARTNERS, LLC TO PERFORM THE 2022 AUDIT, IN AN AMOUNT NOT TO EXCEED \$11,000.

**BOARD AND STAFF REPORTS**

The board reviewed and discussed the reports incorporated herein by this reference.

**Board Matters**

Administration Building: President Lawson gave a brief overview of the District’s efforts towards acquiring a building for the administrative staff. During our investigations it was discovered that there are some boundary issues that will need to be corrected at the current office/shop location. We will continue to pursue options for a new administrative building for staff. Mr. Lock recommended that the board consider hiring a site planner to assist with next steps.

**Engineer's Report:**

Mr. Marcotte reported that they are working on the Preliminary Engineering and Environment Reports and are on track to submit the reports in December 2022.

**Administration:**

Ms. DeBon is out of the office this week attending the CGFOA Conference. Among the many updates on her report, the announcement of the 2022-2023 water assistance program was included in her report. Flyers have been distributed throughout town and more information can be found on the District's web site home page at [bacawater.com](http://bacawater.com).

LIHWAP: The Low-Income Household Water Assistance Program (LIHWAP) is now accepting applications for the 2022-2023 winter season. The Colorado Department of Human Services received additional funding from the federal government to assist low-income households with water and wastewater bills. For more information visit <https://cdhs.colorado.gov/leap>.

Cleaning Services needed: After ~15 years of cleaning the District offices, Dora Peregrino has resigned. We thank her for her many years of service.

An advertisement has been posted for a dependable person with office cleaning experience to clean the district office two times per month.

**Operations:**

Wagon Wheel Lift Station: Mr. Potter reported on a catastrophic failure at the Wagon Wheel lift station. Both pumps are down and the operations staff have been manually hauling the wastewater from the Wagon Wheel lift station to the Stables lift station. We are going on week five of this event. Operations staff is getting assistance from an outside service once a week to help pump out the excess wastewater. The new pump he ordered did not fit, now they are waiting for the retrofit. He anticipates the part to arrive today. He also ordered a rewind of the old pump; it is still in the shop.

Personnel: One Operations employee is still on light duty, probably until the end of the year.

Well 18 VFD: This is the part that Mr. Whipple is asking about. Delivery was expected on 11/14/22 but has been rescheduled to Monday, 11/21/22.

Inventory: Mr. Potter reported on the lack of inventory for new hookups. He is currently out of stock on radio read devices for meters and does not have any new water meters left in stock. He may not see delivery of the outstanding orders during the year 2023. Difficulty getting response from the vendors.

Discussion followed regarding the financial implications of continuing with new connections without the radio read device.

Director Loll asked for more details and guidance on a path forward. He requested that staff provide alternative options for the board's information and consideration.

**SET DATE FOR PUBLIC HEARING TO ADOPT THE 2023 BUDGET** - The Directors considered moving the scheduled December 21, 2022 meeting to occur on December 14 instead.

The proposed 2023 Budget and discussion of intent to fix or increase fees, rates, tolls, penalties, or charges for water and/ or sanitary sewer serves will be presented at that time. The draft proposed 2023 budget is available for public review and comment.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR SMITH AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD RESCHEDULED THE DECEMBER 21, 2022 MEETING TO OCCUR ON DECEMBER 14, 2022 AT WHICH TIME THE PUBLIC HEARING FOR THE 2023 DRAFT BUDGET WILL BE REVIEWED AND DISCUSSED.

### **LEGAL MATTERS**

There were no legal matters for discussion.

### **EXECUTIVE SESSION**

MOTION: PURSUANT TO C.R.S. § 24-6-402(4) (F), UPON MOTION DULY MADE BY DIRECTOR LOLL, SECONDED BY DIRECTOR SMITH AND, UPON AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE QUORUM PRESENT, THE BOARD ADJOURNED TO EXECUTIVE SESSION AT 10:24 AM FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER INVOLVING THE EVALUATION OF THE DISTRICT MANAGER. THE DISTRICT MANAGER DID NOT REQUEST THAT THE DISCUSSION OCCUR IN OPEN SESSION.

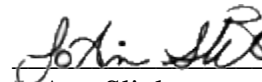
MOTION: DIRECTOR HART MOVED; DIRECTOR LOLL SECONDED TO RECONVENE TO REGULAR SESSION AT 10:53 AM.

### **ADJOURNMENT:**

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR LOLL, SECONDED BY DIRECTOR HART AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 10:54 AM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR  
December 14, 2022

Respectfully submitted,



JoAnn Slivka  
Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL October 19, 2022 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

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Vivia Lawson

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John Loll

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Mike Smith

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Rick Hart

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 October 19, 2022, and it is my opinion that the portion of the executive session that was not recorded constituted attorney-client privileged communications.

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Marcus J. Lock

General Counsel

Baca Grande Water and Sanitation District

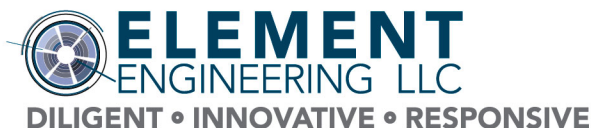
Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
<b>92694</b>					
12/14/2022	A&M Pest & Termite Control,Inc	732461	4-503000	Repair & Maint	75.00
Total 92694:					75.00
<b>92695</b>					
12/14/2022	CEBT	INV0052173	4-530500	Health Insurance	6,034.96
Total 92695:					6,034.96
<b>92696</b>					
12/14/2022	Center Tire Store	16450	4-500662	Vehicle-Repairs and Maint	1,130.24
Total 92696:					1,130.24
<b>92697</b>					
12/14/2022	Centratel, LLC	2212022091	4-500406	Phone Answering Service	206.84
Total 92697:					206.84
<b>92698</b>					
12/14/2022	Colorado Analytical Lab, Inc.	221117001	4-500250	Testing	345.00
12/14/2022	Colorado Analytical Lab, Inc.	221123008	4-500250	Testing	345.00
Total 92698:					690.00
<b>92699</b>					
12/14/2022	Consolidated Communications	CC-22-12	4-505027	Office / Cell Phones	464.42
Total 92699:					464.42
<b>92700</b>					
12/14/2022	Crestone Eagle Enterprises LLC	1228	4-500510	Advertising	72.00
Total 92700:					72.00
<b>92701</b>					
12/14/2022	DBA Streamline	C3C67858-0	4-500408	Computer Support	75.00
Total 92701:					75.00
<b>92702</b>					
12/14/2022	DeBon, Nataliia	ND-22-02	4-500500	Training and Education	255.36
Total 92702:					255.36
<b>92703</b>					
12/14/2022	Deluca Gas Company, Inc.	E006068	4-505020	Aspen TP-Propane	50.00
12/14/2022	Deluca Gas Company, Inc.	U0160610	4-505020	Aspen TP-Propane	718.18
12/14/2022	Deluca Gas Company, Inc.	U0160689	4-505026	Shop, Yard, Office-Propane	463.04
Total 92703:					1,231.22
<b>92704</b>					
12/14/2022	Denver Industrial Pumps, Inc.	102932	4-503022	Repair & Maint-Lift Stations	23,196.04
12/14/2022	Denver Industrial Pumps, Inc.	225440	4-503022	Repair & Maint-Lift Stations	7,841.36



Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
Total 92704:					31,037.40
<b>92705</b>					
12/14/2022	Element Engineering, LLC	EE-22-12-00	4-506020	Professional Fees	585.00
12/14/2022	Element Engineering, LLC	EE-22-12-00	3-516000	Master Plan	2,310.00
Total 92705:					2,895.00
<b>92706</b>					
12/14/2022	ENAQUA	2001776-IN	4-503019	Repair & Maint-Aspen TP	102.40
Total 92706:					102.40
<b>92707</b>					
12/14/2022	FirstBank	FB-22-11	4-500550	Meals and Lodging	31.81
12/14/2022	FirstBank	FB-22-11	4-500451	Supplies	192.21
12/14/2022	FirstBank	FB-22-11	4-503025	Repair & Maint-Office	33.92
12/14/2022	FirstBank	FB-22-11	4-500500	Training and Education	653.34
12/14/2022	FirstBank	FB-22-11	4-500500	Training and Education	70.08
12/14/2022	FirstBank	FB-22-11	4-500401	Postage	100.00
12/14/2022	FirstBank	FB-22-11	4-500451	Supplies	310.15
12/14/2022	FirstBank	FB-22-11	4-500500	Training and Education	85.00
12/14/2022	FirstBank	FB-22-11	4-500451	Supplies	112.64
12/14/2022	FirstBank	FB-22-11	4-500401	Postage	45.65
12/14/2022	FirstBank	FB-22-11	4-500401	Postage	45.65
12/14/2022	FirstBank	FB-22-11	1-506101	Admin - Remodel	569.25
12/14/2022	FirstBank	FB-22-11	4-500408	Computer Support	14.00
12/14/2022	FirstBank	FB-22-11	4-505029	Trash and Recycling Services	126.82
12/14/2022	FirstBank	FB-22-11	4-505029	Trash and Recycling Services	83.53
12/14/2022	FirstBank	FB-22-11	4-500408	Computer Support	59.97
12/14/2022	FirstBank	FB-22-11	4-505027	Office / Cell Phones	358.09
Total 92707:					2,892.11
<b>92708</b>					
12/14/2022	Freedom Mailing Services, INC	44257	4-500460	Utility Billing	441.71
Total 92708:					441.71
<b>92709</b>					
12/14/2022	Fromm & Company LLC	2022-10	1-506045	Accounting	3,024.00
12/14/2022	Fromm & Company LLC	2022-11	1-506045	Accounting	2,347.50
Total 92709:					5,371.50
<b>92710</b>					
12/14/2022	Front Range Win Water Works Co	07750900	4-503028	Repair-Meters	673.14
Total 92710:					673.14
<b>92711</b>					
12/14/2022	Grand Junction Pipe/Ferguson W	1377193-1	4-503001	Repairs & Maint-Water Mains	515.96
12/14/2022	Grand Junction Pipe/Ferguson W	1383800	4-503028	Repair-Meters	1,997.80
Total 92711:					2,513.76

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
<b>92712</b>					
12/14/2022	Great America Financial Svcs	32979694	4-500402	Copier Lease and Equipment	281.14
Total 92712:					281.14
<b>92713</b>					
12/14/2022	Hach Company	13278778	4-503019	Repair & Maint-Aspen TP	110.91
12/14/2022	Hach Company	13359301	4-503019	Repair & Maint-Aspen TP	1,532.19
Total 92713:					1,643.10
<b>92714</b>					
12/14/2022	Instrument & Supply West, Inc.	0005119-IN	4-503019	Repair & Maint-Aspen TP	1,638.40
Total 92714:					1,638.40
<b>92715</b>					
12/14/2022	Law of the Rockies	LOR-22-11	1-506030	Legal	3,233.43
Total 92715:					3,233.43
<b>92716</b>					
12/14/2022	Pitney Bowes Global Financial Se	1022037936	4-500401	Postage	107.78
Total 92716:					107.78
<b>92717</b>					
12/14/2022	Robinson, Shala	SR-22-07	4-503025	Repair & Maint-Office	87.50
Total 92717:					87.50
<b>92718</b>					
12/14/2022	Skoglund Excavating Inc	SE-22-12	4-503002	Repairs & Maint-Sewer(Gravity)	400.00
Total 92718:					400.00
<b>92719</b>					
12/14/2022	Ted D. Miller Associates Inc.	6604	4-500250	Testing	400.00
Total 92719:					400.00
<b>92720</b>					
12/14/2022	Timber Line Electric & Control	21689	4-503008	Repairs & Maint-Well No. 18	4,000.00
Total 92720:					4,000.00
<b>92721</b>					
12/14/2022	UNCC	222110104	4-500530	Locates	28.60
Total 92721:					28.60
<b>92722</b>					
12/14/2022	Univar Solutions	50714825	4-503300	Chemicals Maintenance	2,700.00
Total 92722:					2,700.00

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
<b>92723</b>					
12/14/2022	US Fish and Wildlife Service	USFW-22-12	4-500100	Raw Water USFSWS	3,419.78
Total 92723:					3,419.78
<b>92724</b>					
12/14/2022	USA BlueBook	180883	4-503019	Repair & Maint-Aspen TP	370.63
12/14/2022	USA BlueBook	180883	4-500451	Supplies	25.05
Total 92724:					395.68
<b>92725</b>					
12/14/2022	Van's Machine Shop	26158	4-503022	Repair & Maint-Lift Stations	90.92
Total 92725:					90.92
<b>92726</b>					
12/14/2022	Weaver's LB Septic & Excavation	16805	4-503022	Repair & Maint-Lift Stations	1,214.07
Total 92726:					1,214.07
<b>92727</b>					
12/14/2022	World Fuel Service, Inc. Land	2229086-415	4-500661	Gas and Oil	875.82
12/14/2022	World Fuel Service, Inc. Land	2229086-415	4-500663	Diesel Fuel	1,195.33
12/14/2022	World Fuel Service, Inc. Land	2233426-415	4-500661	Gas and Oil	358.35
12/14/2022	World Fuel Service, Inc. Land	2233426-415	4-500663	Diesel Fuel	2,423.42
12/14/2022	World Fuel Service, Inc. Land	2251798-415	4-500663	Diesel Fuel	1,684.97
12/14/2022	World Fuel Service, Inc. Land	2251798-415	4-500661	Gas and Oil	806.82
Total 92727:					7,344.71
Grand Totals:					83,147.17



## MONTHLY ENGINEER'S REPORT

**DATE OF MEETING:** DECEMBER 14, 2022  
**CLIENT:** BACA GRANGE WATER & SANITATION DISTRICT (BGWSD)  
**SUBJECT:** MONTHLY ENGINEER'S REPORT **NEW ITEMS IN BOLD**

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### GENERAL ENGINEERING (PROJECT NO. 0001)

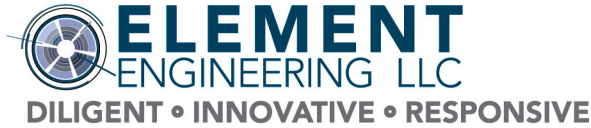
Casita Park Lift Station Analysis: Element has reviewed the hydraulics of the Casita Park (Mobile Home Estates) Lift Station to determine why pumps continue to see failure. We have completed an analysis of the existing hydraulic conditions and are evaluating system and pump curves. We expect to be able to provide recommendations to district staff within the next two to four weeks.

A memorandum summarizing the lift station analysis has been provided to the district for review. Further discussion on the hydraulic difference between design and actual hydraulic conditions between Element and the district staff is necessary to determine next steps. The district staff is looking into the hydraulic conditions and comparing the existing (old) originally installed pump and the newly installed pump.

Water Loss Prevention Plan: Element staff are periodically working with district staff in developing a water loss prevention program. It is likely that this prevention program will take several months to collaboratively develop prior to presentation by district staff and Element to the board. Element is assisting the district in assembling cost estimates for PRV vault and water main replacement program. Our initial meeting has identified the following items to focus on:

- PRV Vault Cost Estimate
- Metering Vault Cost Estimate
- Cost Estimate 1,000 Feet of Main (General)
- Meter Inventory (Ages, Visual Inspection)
- Unmetered Service Survey
- Testing Meters
- Leak/Break Fix Map
- Water Main Replacement Program

District staff is interested in applying for Saguache County grant funds to potentially pay for relocation of PRVs and installation of flow meter vaults to study. Potential uses for this grant money is installation of metering vaults, PRVs, and water shutoff valves to better isolate for breaks. Also, money could be used for leak detection equipment. A cost estimate of a PRV and metering vault has been provided to district staff for review.



### 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.

### WASTEWATER TREATMENT PLANT IMPROVEMENTS (PROJECT NO. 0010)

Element has provided the district with a proposal to complete a Wastewater Treatment Plant (WWTP) Improvements Preliminary Engineering Report and Environmental Report. The report will be assembled for United States Department of Agriculture (USDA) Rural Development (RD) funding of a new or upgraded/expanded WWTP. A preliminary schedule for the proposed project is shown below. Note that this schedule may vary widely based on review time by CDPHE and USDA as each entity reviews and processes the required submittals.

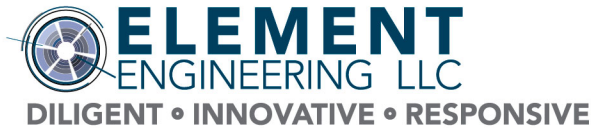
- Compile and submit Preliminary Engineering Report      December 2022  
(Includes ER and RD Apply funding application)
- USDA review and funding/underwriting      January 2023 – July 2023  
(Note this timeline is assumed and is shown conservatively long)
- USDA Letter of Conditions Coordination      July 2023 – September 2023
- Design, CDPHE and local permitting      September 2023 – August 2024
- Bidding      November 2024
- Construction      March 2025 – March 2026

**Element was approved on the wastewater PER/ER in the district’s September special meeting. We intend to meet the deadline for the PER/ER of the end of December 2022.**

### 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  |

**Element will prepare and submit the pre-qualification form to continue progress on this project.**

#### DEVELOPMENT SERVICES

590CR Hillcrest Overlook Extension: The district has asked that Element provide design services for sewer and water main extensions. The first of these projects is the above referenced extension. The process for design and construction is as follows:

- Application for line extension (application fee)
- Deposit for preliminary design and cost estimate
- Preliminary line extension design and cost estimate
- Customer approval of cost estimate/ deposit of full estimated cost of construction
- Final design/drawing/bid package
- Bid Project
- Award bid
- Pre-Construction Meeting/establish check in meeting schedule
- Construction
- Conditional acceptance
- Final acceptance

Element is currently working on scheduling the survey for the proposed project.



**DISTRICT MANAGER REPORT**

To: Baca Grande Water and Sanitation District Board of Directors

From: JoAnn Slivka, District Manager

Date: December 14, 2022

**Agenda Items**

- VII. Conduct Public Hearing on the proposed 2023 Budget and consider adoption of Resolutions to Adopt the 2023 Budget and Appropriate Sums of Money and Set Mill Levies
- VIII. Legal:
- a. Consider Resolution 2022-12-XX Resolution Declining Participation in the Colorado Paid Family and Medical Leave Insurance Program  
FAMLI Program Opt Out. The Board will take public comments and then vote on whether to opt out of Colorado's Family and Medical Leave Insurance program pursuant to opt out rules for local governments promulgated by the Colorado Division of Family and Medical Leave Insurance.
  - b. Resolution 2022-12-XX – Resolution of Board of Directors Regarding the May 2, 2023 Regular Election
  - c. Consider Resolution 2022-12-XX Adding Juneteenth (June 19) as a Paid District Holiday

**OTHER DISTRICT ACTIVITIES**

2022 Certification of Delinquent accounts - complete

- ✓ December 7, 2022: NOTIFY COUNTY OF ANY CLOSINGS THAT OCCURED
- ✓ December 9, 2022: Saguache County Treasurer's office will perform any changes/updates to our certification list

Master Plan

- December 2022: Compile and submit Preliminary Engineering Report (Includes ER and RD Apply funding application)
- January 2023 – July 2023: USDA review and funding/underwriting (Note this timeline is assumed and is shown conservatively long)
- July 2023 – September 2023: USDA Letter of Conditions Coordination
- September 2023 – August 2024: Design, CDPHE and local permitting
- November 2024: Bidding
- March 2026: Construction March 2025

Financial:

- USDA Grant Funding  
We have finally received validation that we have successfully renewed our registration with USDA and it is now active. We are now set up to begin the application process on RD Apply.

## 2023 Annual Budget

### Important Budget Dates

- ✓ December 10: Final assessed values – received
- December 14: Board meeting - 2023 Proposed Budget
- December 15: Budget must be adopted and mill levy set for property taxing entities
- December 15: Certification of mill levy to county commissioners (DLG70 Form)
- January 31: Budget must be submitted to the Division of Local Government.

## 2023 Elections and Calendar

Natalie and I will be visiting the Saguache County Clerk and Recorder on Monday, December 12, to discuss ways we may be able to coordinate the 2023 election.

December 14, 2022 Board adopts Election Resolution calling the regular election, appointing Designated Election Official

- 1-1-23 Earliest day Self-Nomination and Acceptance forms can be filed with the Designated Election Official
- 1-22-23 First day to be able to provide the call for nominations between 100 days and 75 days before a regular special district election.
- 2-16-23 Last day to provide the call for nominations.
- 2-24-23 Last day Self-Nomination and Acceptance forms must be filed with the Designated Election Official
- 2-27-23 Last day to file Affidavits of Intent to be a Write-in Candidate with Designated Election Official
- 2-28-23 Designated Election Official, if instructed by resolution of the Board, may cancel election if there are no more candidates, including write-in candidates, than positions to be filled.

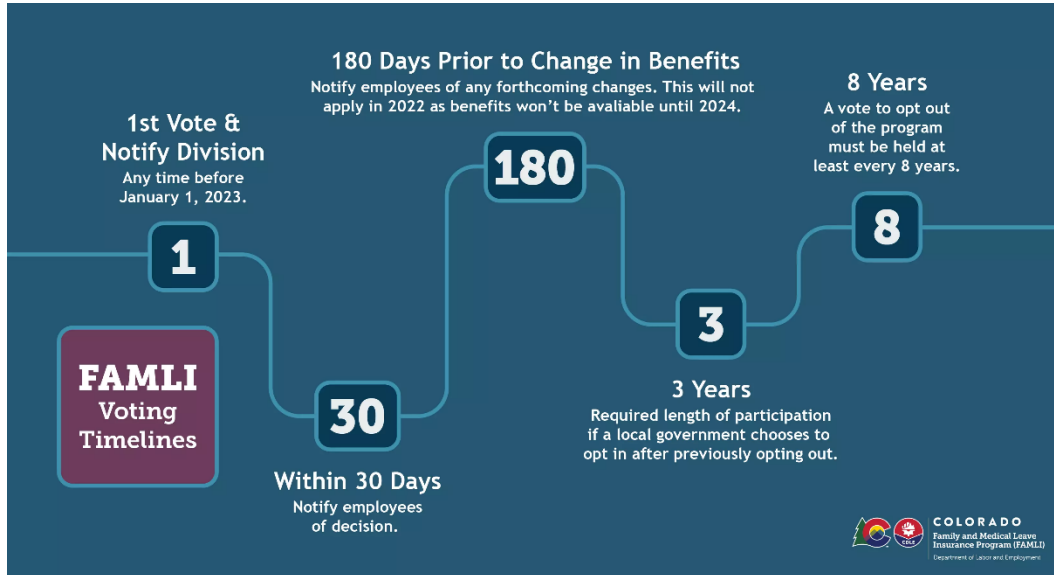
## FAMLI

FAMLI is Colorado's Family and Medical Leave Insurance (FAMLI) program. FAMLI affects Colorado local government employers differently than private businesses. The statute was written to give local governments options to participate. Local Governments can vote to opt out of FAMLI. **Local governments need to conduct their vote and notify the FAMLI Division by January 1, 2023 in order to avoid being responsible for premiums in 2023. No vote is required if the local government plans to participate in the program. All local governments must register with the Division in [My FAMLI+ Employer](#) even if they have voted to opt out.**

- FAMLI requires all Colorado employers, including special districts, to provide employees with up to twelve weeks of paid leave per year for family or medical reasons through a State-run insurance program similar to unemployment insurance where the employer and employee remit a percentage of wages to the State for the program.
- Local governments, like special districts, are given the option to opt out of FAMLI.
- If it doesn't opt out, beginning on January 1, 2023, the District would have to start remitting to the State .9% of all employee wages split with .45% coming from the District (assuming the District has at least 10 employees) and .45% coming from the employee. Further, there will be additional administrative work and potentially an increase in liability exposure should the District participate in FAMLI.



- Even if the District opts out, District employees can still choose to voluntarily participate in the FAMLI program and obtain most of its benefits and protections by paying the Division directly .45% of the employee’s wages without any involvement of the District.
- The District currently has a generous and flexible PTO policy.



### 2023 Insurance and Policy Renewals

- Colorado Special Districts Property and Liability Pool: We are in the 2023 insurance renewal period now. Completed worker’s compensation payroll estimates for 2023 renewal and the annual Sanitation Maintenance Warranty form have been submitted.

### Insurance Claims/Accidents

1. The September 15 workers comp claim has been closed. The employee now has full range of motion and is back to work with no restrictions.
2. A property damage claim was filed for a September 28 incident. I have heard from the insurance company; the property owner has been reimbursed for damages to the garage.
3. Two more vehicle accidents occurred during the first week of December. No one was injured and no insurance claims were open for the minor damages.

### Personnel Handbook

- Employers Council: I am still working with Employers Council on updating the district’s employee handbook; still reviewing the draft.

### District Web site

- The web site update is underway. We plan to present a preview for the Board at the December meeting for comments and feedback before officially launching the new site.

### Holiday Schedule

- Holiday party is scheduled for December 21, from 2:00-4:30 P.M., the office will be closed during this time.
- The district will be on a holiday schedule between December 26 through and January 2. During this time, the staff will conduct year-end business and all necessary District operations.

Best Wishes to everyone for a healthy and happy holiday season!

Dear Employees of Baca Grande Water and Sanitation District:

In November of 2020, Colorado voters approved Proposition 118, codified in Part 5, Article 13.3 of Title 8, Colorado Revised Statutes (C.R.S.), establishing the Family and Medical Leave Insurance (“FAMLI”) Program, a state insurance plan providing paid leave for Colorado workers during certain life circumstances.

Under FAMLI, the District is required to remit .9% of your wages to the State of Colorado (with the District paying half and the employee paying half) to fund the premiums for the program. FAMLI then provides paid leave to employees at a certain percentage of the employee’s wage for up to twelve weeks annually. More information on FAMLI can be found at: <https://famli.colorado.gov/>.

Under C.R.S. § 8-13.3-522 and 7 CCR 1107-2, local governments like the District have the option of declining participation in the FAMLI program. Even if a local government like the District declines to participate in the FAMLI program, employees can still participate by remitting payment of .45% of the employee’s wages directly to the State of Colorado.

The Board of Directors of the District will be voting on whether to opt out of the FAMLI program at its public meeting on December 14, 2022 beginning at 9:00 a.m. at 57 Baca Grant Way S, Crestone, CO. You may submit written comments to the Board of Directors prior to the meeting regarding any input you would like to give regarding the Board’s decision on whether to decline participation in the FAMLI program. Please send any written comments you have to [joann@bacawater.com](mailto:joann@bacawater.com), hand them to JoAnn Slivka in person, or mail them to JoAnn Slivka at PO Box 520 Crestone, Colorado 81131-0520. You may also attend the December 14 Board meeting and provide any comments orally during the public discussion part of the meeting. The voting process is as follows: the Board will announce at the meeting that it is considering the FAMLI issue; the Board will allow public comments on the issue; after public comments, a motion will be made on whether to decline participation in FAMLI; and a vote taken by the Board. If a majority of Board members vote to decline participation in FAMLI, the District will not be a participant in FAMLI.

Please reach out with any questions.

## Deductions from Employee Wages start January 1, 2023

- The employee share of FAMLI premiums is set at 0.45% of employee wages through 2024. For 2025 and beyond, the director of the FAMLI Division sets the premium rate according to a formula based on the monetary value of the fund each year. Employers with ten or more employees must also contribute an additional 0.45% of wages for a total of 0.9%, but employers with nine or fewer employees are only responsible for the 0.45% employee share.
- Employers are not required to deduct FAMLI contributions from employees' wages. However, **starting in 2023, employers are allowed to deduct up to 0.45% from employees' wages for FAMLI contributions.** For every \$100.00 an employee makes, an employer may deduct up to \$0.45.

## Benefits start January 1, 2024

- Starting in 2024, paid family and medical leave benefits are available to most Colorado employees who have a qualifying condition and who earned \$2,500 over the previous year for work performed in Colorado.
- The qualifying conditions for paid family and medical leave are:
  - Caring for a new child during the first year after the birth, adoption, or foster care placement of that child.
  - Caring for a family member with a serious health condition.
  - Caring for your own serious health condition.
  - Making arrangements for a family member's military deployment.
  - Obtaining safe housing, care, and/or legal assistance in response to domestic violence, stalking, sexual assault, or sexual abuse.
- Covered employees are entitled to up to 12 weeks of paid family and medical leave per year. Individuals with serious health conditions caused by pregnancy complications or childbirth complications are entitled to up to 4 more weeks of paid family and medical leave per year for a total of 16 weeks.
- Leave may be taken continuously, intermittently, or in the form of a reduced schedule.
- Leave will be paid at a rate of up to 90% of the employee's average weekly wage, based on a sliding scale. Employees may estimate their benefits by using the benefits calculator available at [famli.colorado.gov](http://famli.colorado.gov).
- You don't have to work for your employer a minimum amount of time in order to qualify for paid family and medical leave benefits.
- If FAMLI leave is used for a reason that also qualifies as leave under the federal FMLA, then the leave will also count as FMLA leave used.
- Employees may choose to use sick leave or other paid time off before using FAMLI benefits, but they are not required to do so.
- Employers and employees may mutually agree to supplement FAMLI benefits with sick leave or other paid time off in order to provide full wage replacement.

## Filing Claims

- Employees will not be able to file for benefits until the last quarter of 2023. Benefits will be available starting January 2024. Instructions on how to apply for benefits will be available on [famli.colorado.gov](http://famli.colorado.gov) in the last quarter of 2023.
- Employees or their designated representatives apply for FAMLI benefits by submitting an application, along with required documentation, directly to the FAMLI Division. Employers cannot make employees apply for FAMLI benefits.
- Applications may be submitted in advance of the absence from work, and in some circumstances, they may be submitted after the absence has begun.
- Approved applications will be paid by the FAMLI Division within two weeks after the claim is properly filed, and every two weeks thereafter for the duration of the approved leave.
- Employees can appeal claim determinations to the FAMLI Division.
- Individuals who attempt to defraud the FAMLI program may be disqualified from receiving benefits.

## Job protection and continued benefits

- Employers must maintain health care benefits for employees while they are on FAMLI leave, and both the employer and the employee remain responsible for paying for those benefits in the same amounts as before the leave began.
- An employee who has worked for the employer for at least 180 days is entitled to return to the same position, or an equivalent position, upon their return from FAMLI leave.

## Retaliation, Discrimination, and Interference Prohibited

- Employers may not interfere with employees' rights under FAMLI, and may not discriminate or retaliate against them for exercising those rights.
- Employees who suffer retaliation, discrimination, or interference may file suit in court, or may file a complaint with the FAMLI Division.

## Other Important Information

- An employer may offer a private plan that provides the same benefits as the state FAMLI plan, and imposes no additional costs or restrictions. Private plans must be approved by the FAMLI Division.
- Employees and employers are encouraged to report FAMLI violations to the FAMLI Division.



## ADMINISTRATIVE MONTHLY REPORT

December 14th 2022

### NOVEMBER UTILITY BILLING ACTIVITY

Customer Utility Billing			
Billing Category	Number of Accts	Amount Billed	
Late Fees	45	675.00	
Usage Customers Billed - Water	819	42,420.43	
Usage Customers Billed - Sewer	797	37,627.81	
EQR Fees	28	787.39	
Transfer Fees	13	3002.53	
Consolidation Fees	5	3,300.00	
On/Off Fees	6	\$200.00	
W-S New Hook up	2	5,600.00	
W-S Hook up Refund	2	-3,200.00	

### NOVEMBER XPRESS BILL PAY TRANSACTION ACTIVITY

Product / Service Description	Qty	Unit Price	Line Total
EFT Web Transactions	235	0.49	115.15
EFT Return NSF or Account Closed	2	12.00	24.00
Credit/Debit Card Web Transactions	340	0.39	132.60
Online Banking - Bank Bill Pay Transactions	23	0.25	5.75
Lock Box Service Transactions	156	0.48	74.88
Toll Free Operator Assisted Transactions	0	0.00	0.00
Support, Maintenance, Hosting - Fee	1	75.00	75.00

## Town of Crestone Sewer 2022

### Town of Crestone Sewer Billing - 2022

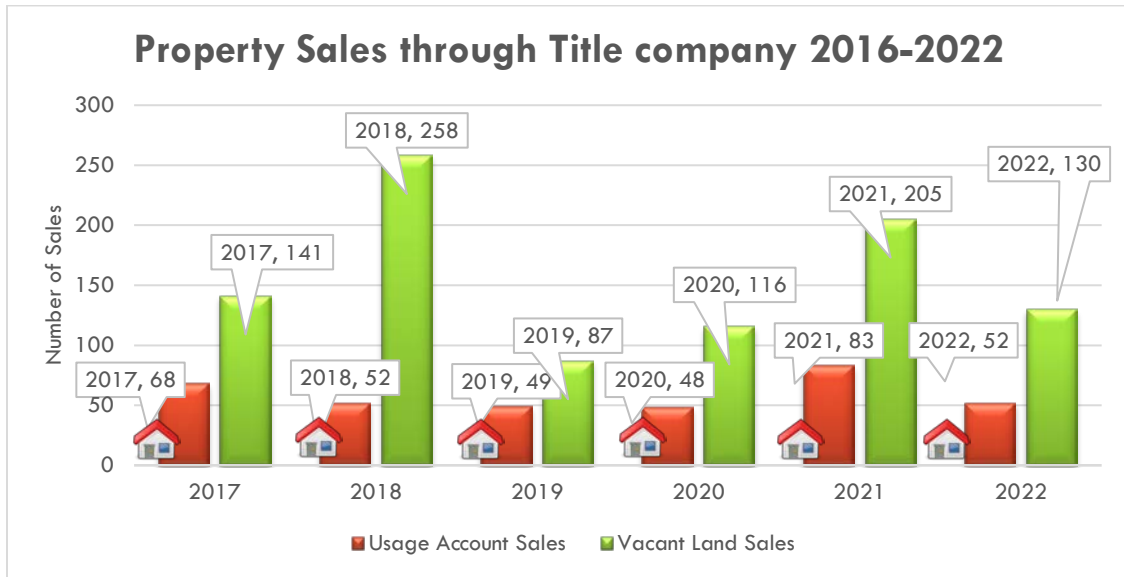
Date	Monthly Total	Monthly Flow	Flow Charges	Average Daily BOD	Monthly BOD	BOD Charges	Paid	Balance Due
January	461,135	2,425,570.10	\$ 2,425.57			\$ -	\$2,425.57	\$ 0.00
February	427,186	2,246,998.36	\$ 2,247.00			\$ -	\$2,246.99	\$ 0.01
March	444,100	4,698,578.00	\$ 4,698.58			\$ -	\$4,698.59	\$ (0.01)
April	526,408	5,679,942.32	\$ 5,679.94			\$ -	\$4,554.00	\$ 1,125.94
May	636,580	7,008,748.40	\$ 7,008.75			\$ -	\$6,700.23	\$ 308.52
June			\$ 15.00 LC			\$ -		\$ 15.00
	613,995	6,895,163.85	\$ 6,895.16			\$ -	\$6,470.98	\$ 424.18
July			\$ 15.00 LC			\$ -		\$ 15.00
	583,776	6,684,235.20	\$ 6,684.24			\$ -	\$6,209.33	\$ 474.91
August			\$ 15.00 LC			\$ -		\$ 15.00
	548,466	6,406,082.88	\$ 6,406.08			\$ -	\$6,790.56	\$ (384.48)
September			\$ 15.00 LC			\$ -		\$ 15.00
	554,809	4,382,991.10	\$ 4,382.99	77	2310	2,289.21	\$6,672.30	\$ (0.10)
October			\$ 15.00LC					\$ 15.00
	581,283	4,592,135.70	\$ 4,592.14	60	1860	\$ 1,843.26	\$6,435.40	\$ 0.00
November	559,199	4,417,672.10	\$ 4,417.67	60	1860	\$ 1,843.26		\$ 6260.93
December		0.00	\$ -					\$ -
<b>2022 Totals</b>	<b>5,936,937</b>		<b>\$ 55,513.12</b>		<b>6030</b>	<b>\$ 5,975.73</b>	<b>\$53,203.95</b>	<b>\$ 8,284.90</b>

**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 - 2022 - Property Sales: 4 Homes, 9 Lots



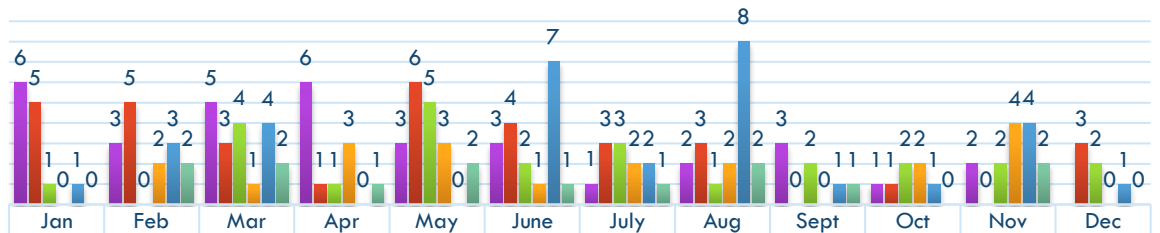
November - 2022 - Person to Person and Quit Claim Deeds Property Sales:

0 - Homes, 2 - lots

2022 WATER-SEWER HOOKUP APPLICATIONS

2 - APPLICATIONS RECEIVED IN NOVEMBER AND 2 – APPLICATIONS CANCELLED

### Water-Sewer Hookups 2016-2022

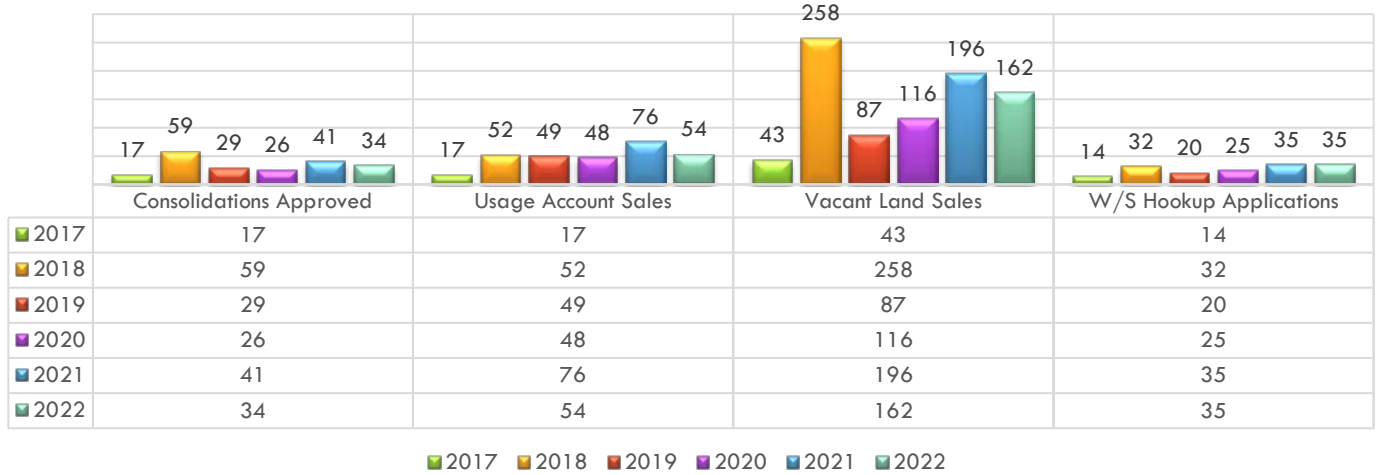


2022=35 hookups	6	3	5	6	3	3	1	2	3	1	2	
2021=35 hookups	5	5	3	1	6	4	3	3	0	1	0	3
2020=25 hookups	1	0	4	1	5	2	3	1	2	2	2	2
2019 = 20 hookups	0	2	1	3	3	1	2	2	0	2	4	0
2018= 32 hookups	1	3	4	0	0	7	2	8	1	1	4	1
2017= 14 hookups	0	2	2	1	2	1	1	2	1	0	2	0

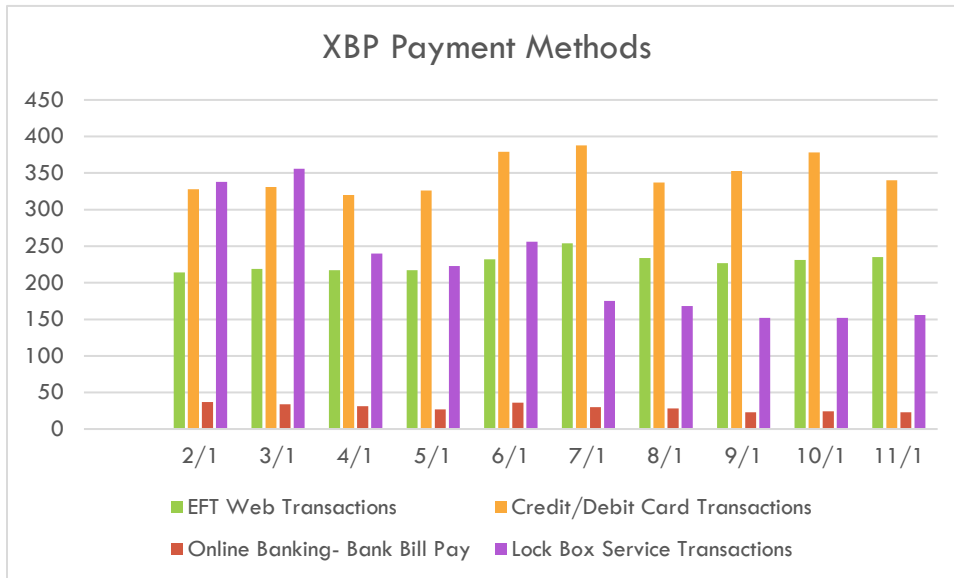
2022=35 hookups 2021=35 hookups 2020=25 hookups 2019 = 20 hookups 2018= 32 hookups 2017= 14 hookups

## 2022 PROPERTY TRENDS AND XBP PAYMENT METHODS

### District Property Trends 2016-2022



### XBP Payment Methods





## Office & Administrative Activities:

### **LIHWAP:**

Low Income Household Water Assistance Program is now accepting applications from November 1st 2022 until April 30th, 2023.

**In November we have received a promise to pay from LIHWAP representative to 4 of our customers.**

To qualify for this assistance, the household must meet these criteria:

- Be approved for LEAP during November 1, 2022 - April 30, 2023
- Complete the [English/Spanish LIHWAP Addendum](#) within the LEAP application and submit a copy of your water bill.
- Must pay drinking water services and/or waste/sewer services directly to a water vendor.
- Services must be in disconnected status, facing disconnection, or have a past due amount on the bill.

### **Xpress Bill Pay:**

#### **NEW Interactive Voice Response (IVR) system**

All Baca Grande Water and Sanitation District customers can now pay their utility bills 24/7 with our Interactive Voice Response (IVR) system.

### **CGFOA Conference:**

November 15t-18th I attended the 2022 conference in Grand Junction.

It helped me understand better government finances and accounting.

My focus was on budgeting, professional development, leadership, funding water & wastewater infrastructure and building customers and community trust.

I have also met financial & revenue directors, from different Colorado towns and cities and we have exchanged our knowledge and experience.

### **Vector Solution Training:**

As a part of our liability insurance plan we have access to various training through an online Vector Solutions Platform. Once District staff each completes at least one training before 9/30/2023 the District will receive a 10% discount on liability insurance.

**New training have been assigned to operation staff which include:**

1. Driving Accidents & Emergencies (EDU)
2. Driving Safety

### **November Billing Message:**

The BGWSD Proposed 2023 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 14, 2022, at 9 A.M via Zoom . The Colorado Low Income Energy Assistance Program is now accepting applications. For assistance with your water bill, visit [cdhs.colorado.gov](http://cdhs.colorado.gov) forward slash LEAP for more information. The District will be on holiday schedule between December 26th and January 2nd. During this time, the office will be closed to conduct year-end business and all necessary District operations. To pay your bill, please call 800-720-6847. Wishing you a safe and happy holiday!

### **SOP Update Project ( Standard Operating procedure):**

Administrative staff continues updating SOP for easy understanding and simplifying the billing performing processes.

**✚ AOS Verification Project:**

Administrative and Operation Staff continues to work on AOS verifications for properties with NO AOS, Water Only & Sewer Only services. We are currently sorting properties by distance to available services. Utility Director reviewing the spreadsheet and will determine if new work orders need to be created for verification.

**✚ Office Cleaning:**

Please welcome our new office cleaning person - Shala Schremmer, starting date 12/07/2022.

**✚ Water & Sewer Hook ups:**

In the month of November we have received 2 water & sewer applications. 35 total in 2022 year.

In November 2 hook up applications were cancelled and refunded.

No MXU Project: 31 total accounts.

**✚ Octobers Final Bills:**

Total requests from title companies: 14

Cancelled final bills: 0

Extended final bills: 1

Total Usage accounts Sales including QCD(Quick claim deeds) : 4

Total Vacant properties Sales including QCD (Quick claim deeds): 11

**✚ Consolidations :**

In the month of November we have received 2 approved consolidation resolutions.

**✚ File Organization & Archiving :**

Administrative Staff started end of the year File Organization & Archiving project.

Thank you and Happy Holidays!



# Now! All Baca Grande Water And Sanitation District customers can pay their utility bills 24/7 with our Interactive Voice Response (IVR) system

Here is another fast and convenient way for you to pay your bills 24/7, no computer necessary! Simply call toll-free

**888-504-0548**

## What is the IVR system?

The IVR (Interactive Voice Response) system provides you with a complete bill payment system over the phone.

You can pay your bills anytime, anywhere. All you need is a phone.

## How does it work?

Dial the toll-free number **888-504-0548** and provide your account number to locate your bill.

The IVR system will tell you your account balance, the payment due date, and then guide you to make your payment using a credit card, debit card, or eCheck.

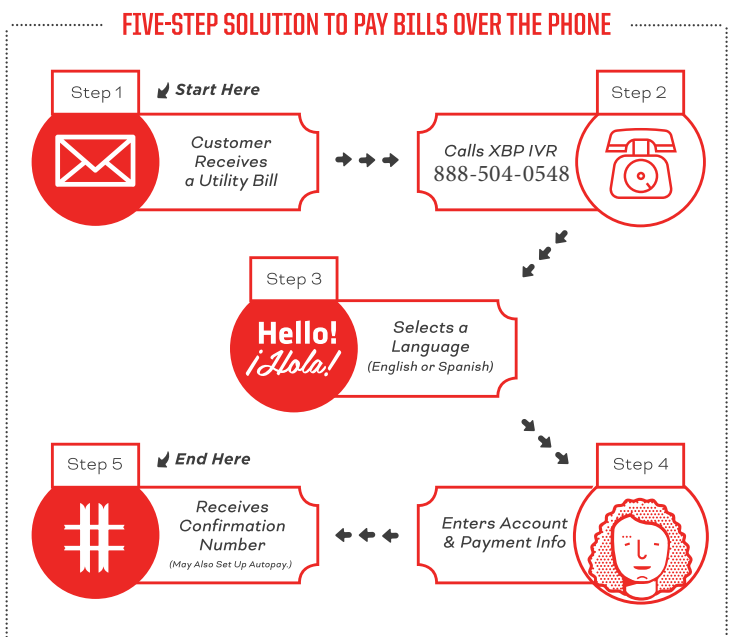
You are provided with a confirmation number and notified whether the transaction was successful or not.

At the end of the call, you have the option to set up Auto Pay.

Additionally, you may call the payment center (800-720-6847) and make payments over the phone with a live operator.

Both the IVR system and our payment center offer service in English and Spanish. (Note: Payment center Spanish service hours vary.)

If you have questions about IVR, call Xpress Bill Pay at 800-766-2350. Xpress Bill Pay is the online payment portal for Baca Grande Water and Sanitation District.



**xpress** BILL PAY  
www.xpressbillpay.com

# HOLIDAY CLOSURE

The Baca Grande Water  
and Sanitation District  
Office will be closed to the  
public from December 26th  
to January 2nd

We will reopen Tuesday,  
January 3rd at 9am

To pay by phone, please call  
800-720-6847 or 888-504-0548

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

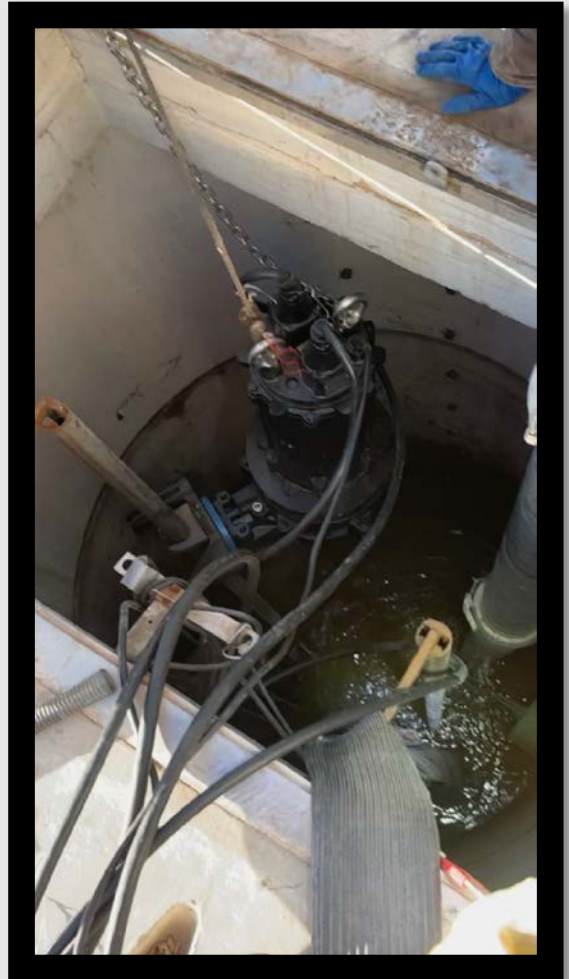


# Baca Grande Water and Sanitation District Monthly Operations Report

December 14<sup>th</sup>, 2022



Picture of New Pump at Wagon Wheel Lift Station ready to be installed.



Picture of new pump at Wagon Wheel Lift Station being lowered into the wet well.

## 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

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

Equipment				
Vector Truck	Dump Truck	Backhoe	Skid steer	Excavator

- **Well 17 VFD (Variable Frequency Drive) failure**
  - New VFD was scheduled to be installed on the 11/14/22
  - Installation got rescheduled for 11/28/22
  - New VFD is too big for the existing water proof enclosure
  - New enclosure ordered, lead time 3-4 weeks
- **Wagon Wheel Lift Station**
  - New pump installed and operational 11/22/22.
  - Rebuilt pump being delivered 12/8/22
- **Accidents**
  - Employee that was on light duty has been cleared for regular duty
  - An operation staff member backed Vactor truck into Truck 4. The truck door and glass will need to be replaced
  - An operations staff member backed truck 2 against the side of a concrete vault denting the running board.

## **Operations Updates**

- **Town of Crestone Flow Meter Calibration**
  - Town of Crestone flow meter was calibrated on 16<sup>th</sup> by a technician from Ted Miller and Associates.
  - After the calibration the daily total flow increase significantly.
  - After consulting with the engineer the totals are too high to be accurate.
  - The technician will be back the week of the December 12<sup>th</sup> to help us find the issue.
- **Meter Pit Issues**
  - 31 new service connections in 2022
  - 10 active applications
  - Currently out of stock on radio read device for meters (56 on order)
  - 0 new water meters left in stock. (36 on order)
  - 0 used meters left in stock.
  - Sensus Rep is now saying that they may get a partial shipment in January?
  - He also promised to get us a few meter an mxu's in the meantime.
  - We have a presentation from another meter company scheduled for 12/14/22
- **Water and Sewer Mainline Extensions**
  - Still waiting on the survey for line extension on Hillcrest Way

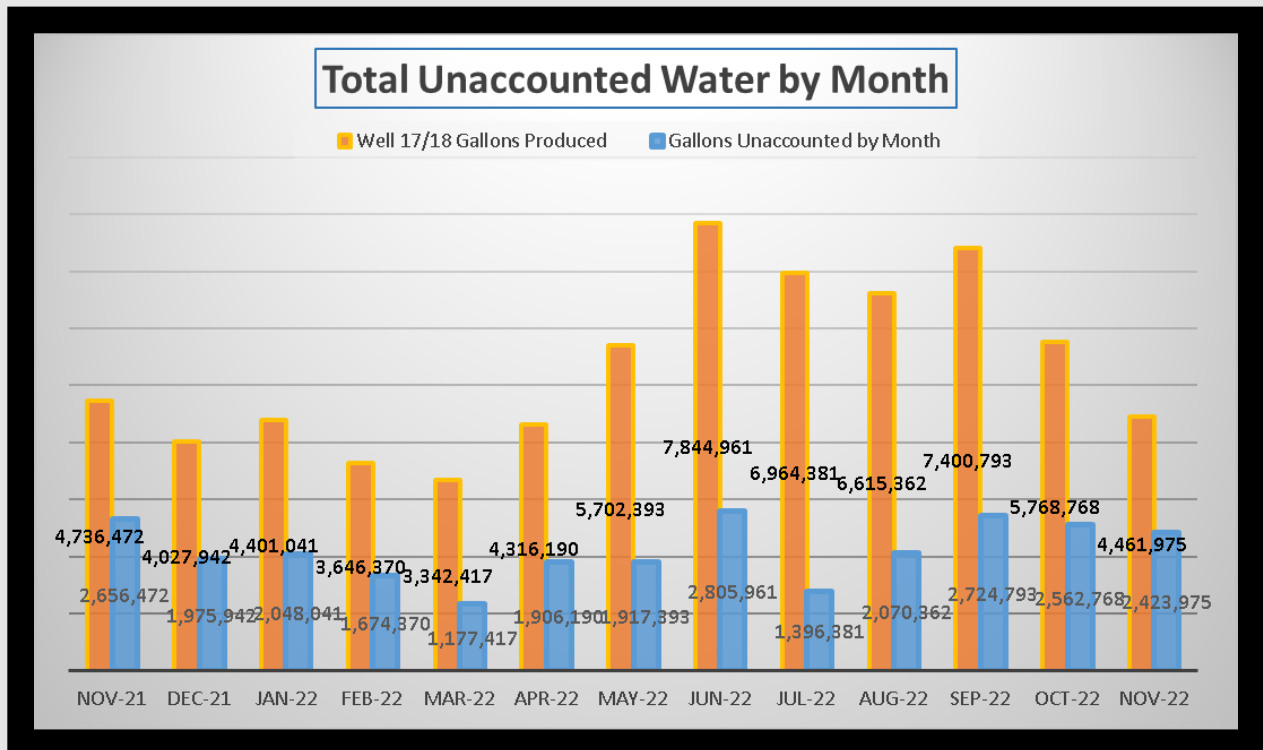


➤ **Unaccounted Water**

- Wells 17 and 18 produced 4,461,975 gallons of water in the month of November
- The District sold its customers 2,038,000 gallons of water in the month of November, leaving 2,423,768 gallons unaccounted for.
- 54% of the water produced is unaccounted for in the month of November.

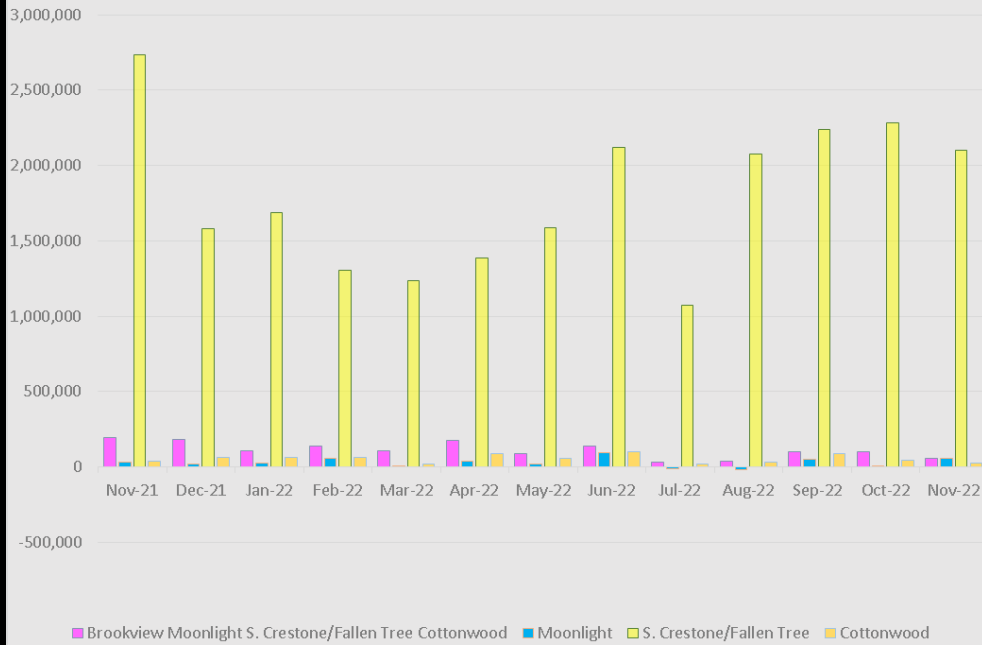
➤ **Aspen WWTP and Town of Crestone Loading**

- Aspen WWTP averaged 44% of hydraulic loading capacity in the month of November, the Town of Crestone contributed an average of 25% of the treatment plants hydraulic load.
- Aspen WWTP averaged 63% of organic loading capacity in the month of November. The Town of Crestone contributed an average of 38% of the treatment plants organic load.

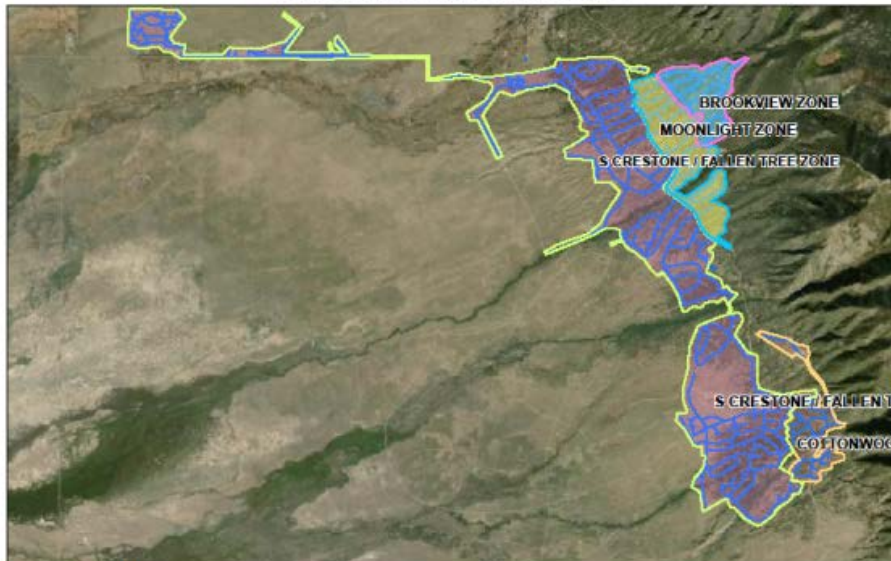




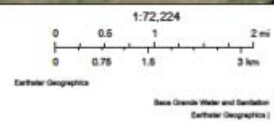
### Total Monthly Unaccounted in Gallons by Pressure Zone



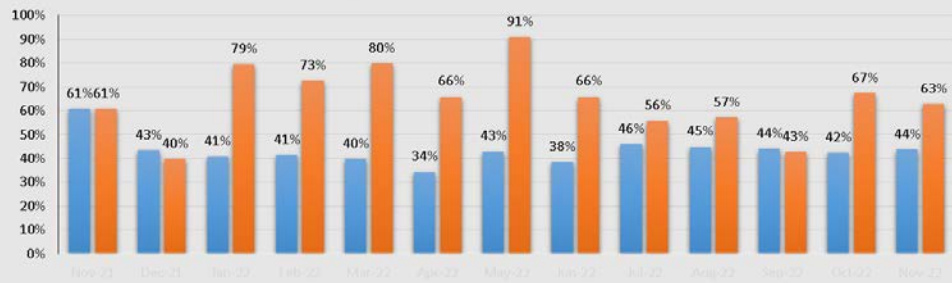
### BGWS D Unaccounted Water Zone's



12/10/2020, 3:43:14 PM



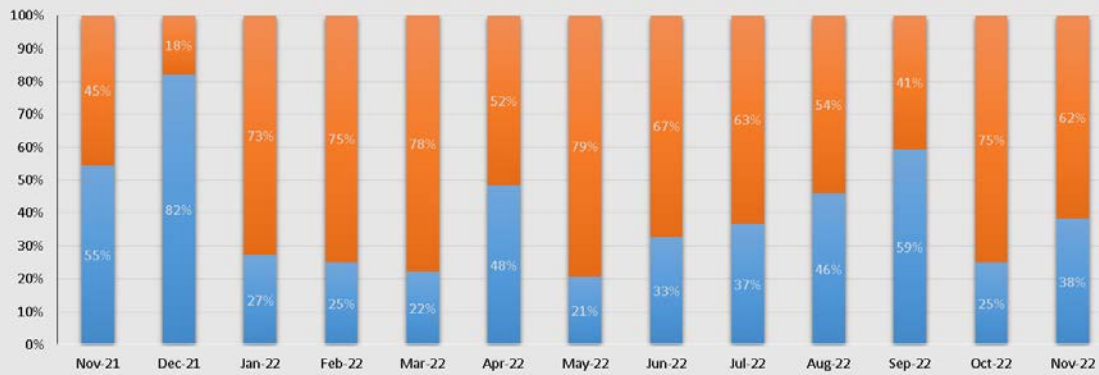
### Percentage of Plant Capacities by Month at Aspen Wastewater Treatment Plant



	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22
Plant % of Hydraulic Capacity	61%	43%	41%	41%	40%	34%	43%	38%	46%	45%	44%	42%	44%
Plant % of Organic Capacity	61%	40%	79%	73%	80%	66%	91%	66%	56%	57%	43%	67%	63%

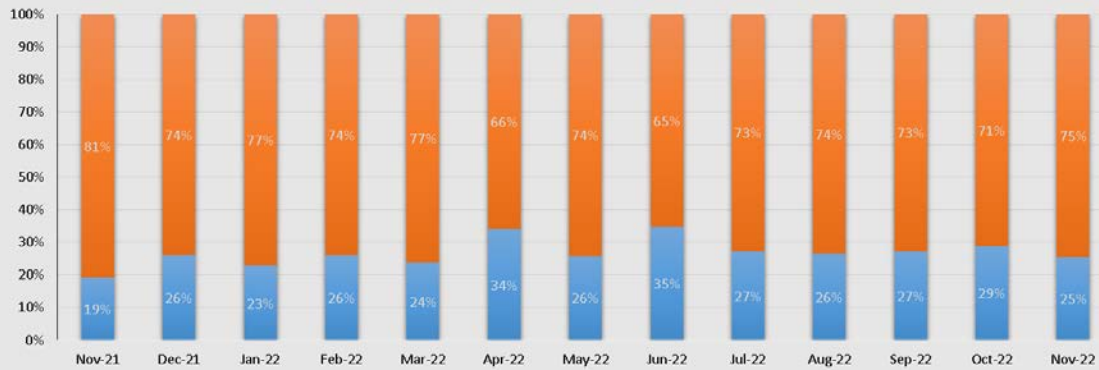
■ Plant % of Hydraulic Capacity ■ Plant % of Organic Capacity

### Average % of Total Organic Loading of Aspen Wastewater Treatment Plant by Month of 2021-2022



■ Town of Crestone % of Organic Loading ■ Baca % of Organic Loading

### Average % of Total Hydraulic Loading of Aspen Wastewater Treatment Plant by Month 2021-2022



■ Town of Crestone % of Hydraulic Loading ■ Baca % of Hydraulic Loading