

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

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

District Office – 57 Baca Grant Way South

Crestone, Colorado 81131

Meeting held via Zoom

**ATTENDANCE**

Directors in Attendance:

John Loll  
Dale Halley  
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

Community Members and Guests:

Parke Hess  
Michael Scully  
Rick Hart  
Dan Gray

**CALL TO ORDER**

President Loll opened the meeting at 9:01 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 HALLEY, SECONDED BY DIRECTOR PECK AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE AGENDA.

**CONSENT AGENDA**

The board considered the following consent agenda items:

- Approve Minutes from the February 16, 2022 Regular Meeting

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LAWSON, 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.*

1. Michael Scully, 87 Iberia Court, Casita Park- read aloud a letter that he wrote to the District last year in response to the USFW article that was published in the Crestone Eagle.
2. Dan Gray, 3898 Rarity Way Chalets- commented that he believed the District should be more transparent regarding negotiations with USFW and the Town of Crestone and the need to be able to contact board members via email.

**BOARD AND STAFF REPORTS**

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

**Board Matters**

**1. In-Person Board Meetings**

The Directors discussed whether they should continue having the board meetings via Zoom or if it is time to begin having the board meetings in person.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HALLEY, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED TO CONTINUE CONDUCTING MONTHLY MEETINGS VIA ZOOM UNTIL THE BOARD AGREES AT A FUTURE MEETING TO BEGIN FACE-TO-FACE MEETINGS.

**2. Board Candidate “Meet and Greet” Forum Discussion**

The Directors discussed hosting a Candidate Forum for the upcoming election. The discussion included where and how to host a forum, finding a neutral third-party moderator, and who would organize the event. All agreed that this would be an opportunity for the community to engage with board candidates before the election. Time and resources are tight and there is not much time to schedule a forum and still allow enough time for voters to return their ballots via USPS by Election Day, May 3<sup>rd</sup>.

Mr. Lock cautioned the group that any issues of candidate campaign would have to be totally separate from the District. It is important that any Directors that are involved in the event planning or other campaign activities do so in their individual capacity only and not in their capacity as a Director of the District.

Two candidates at the meeting were invited to speak to the matter.

Candidate Dan Gray is in favor of a candidate forum so that the candidates can get out in the public to let them know who they are, what they believe in; he feels this is in the best interest of community.

Candidate Rick Hart is open. He is new to the group and is currently in the learning phase. He agrees that this would be a good idea if it could happen.

The consensus was that the candidates themselves should be responsible for organizing their own event; it is not appropriate for the District to organize a campaign event. The District Manager was directed to reach out to the DEO about the feasibility of having a candidate forum.

**FINANCIAL MATTERS**

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

General	\$ 2,216.74
Debt Services	\$ 400.00
<u>Enterprise</u>	<u>\$ 48,699.18</u>
	\$ 51,315.92

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

Financial Statements:

Ms. Fromm reviewed the financial statements with the board of directors. Ms. Fromm responded to a question about specific ownership tax. Specific Ownership Tax (SOT) is tax that is paid each year when a vehicle is registered and renewed in Colorado. The District receives a portion of the fees from the county that is prorated based on our portion of property tax compared to the total county property tax; we get SOT every month.

**LEGAL MATTERS:**

1. Tower Proposal: The Directors reviewed questions and concerns they had regarding the proposal presented at the February meeting.

**MOTION:** FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HALLEY, SECONDED BY DIRECTOR PECK, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD DIRECTED THE DISTRICT MANAGER TO CONTINUE DISCUSSION WITH THE TOWER PROVIDER AND ENCOURAGE THEM TO SET UP A PUBLIC MEETING TO RECEIVE FEEDBACK IN ORDER FOR THE BOARD OF DIRECTORS TO MAKE A FINAL DECISION ON THE PROJECT.

2. Town of Crestone: Before entering into executive session, Director Lawson had questions for Mr. Lock. One question regarded the public comment that was made earlier in the meeting about lack of transparency regarding discussions around the Town of Crestone.

Mr. Lock responded that when he provides legal advice regarding the status of negotiations about the Town of Crestone it is appropriate to keep confidential and that is why this advice is given to the Board in executive session consistent with the Colorado Open Meetings Act (COMA). Other subject areas that are appropriate for executive session under COMA include negotiations, and the purchase, acquisition, lease, transfer, or sale of any property interest. The public policy basis is that an open discussion about these issues could be contrary to the interests of the District.

Ms. Lawson's other question involved materials that Directors receive and what constitutes confidential materials and is there a penalty if confidential materials are inappropriately shared with the public.

Mr. Lock explained that generally speaking, sensitive legal analysis, attorney client privileged materials, and materials subject to the work product or deliberative process doctrines are confidential. The consequences of a director sharing confidential documents is that it may constitute a breach of the Director's fiduciary duty. If a document has gone to a third party or comes from a third party it is usually public information. Mr. Lock suggests an easy rule of thumb- if uncertain is to just ask him or the District Manager. Procedural information is important for the public to know.

**EXECUTIVE SESSION**

**MOTION:** PURSUANT TO C.R.S. § 24-6-402(4) (A), (B), AND (E), UPON MOTION DULY MADE BY DIRECTOR PECK, SECONDED BY DIRECTOR HALLEY AND, UPON AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE QUORUM PRESENT, THE BOARD ADJOURNED TO EXECUTIVE SESSION AT 11:05 AM FOR THE PURPOSE OF DISCUSSING NEGOTIATIONS WITH THE TOWN OF CRESTONE AND THE PURCHASE OR LEASE OF REAL PROPERTY, RECEIVING 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 AND THE POTENTIAL PURCHASE OF WATER RIGHTS FROM THE UNITED STATES FISH AND WILDLIFE SERVICE. PURSUANT TO C.R.S. § 24-6-402(2) (D.5), (II), (B), NO RECORD WILL BE KEPT OF THE PORTION OF THIS EXECUTIVE SESSION THAT, IN THE OPINION OF THE BOARD'S ATTORNEY, CONSTITUTES PRIVILEGED ATTORNEY-CLIENT COMMUNICATION PURSUANT TO SECTION C.R.S. § 24-6-402(4) (B).

*MOTION: DIRECTOR LAWSON MOVED; DIRECTOR PECK SECONDED TO RECONVENE TO REGULAR SESSION AT 11:43 AM.*

**USFW NEGOTIATIONS:**

**MOTION:** FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HALLEY, SECONDED BY DIRECTOR PECK, AND, UPON VOTE CARRIED, THE BOARD DIRECTED MR. LOCK TO COMPOSE A LETTER TO USFW TO REITERATE THE DISTRICT'S POSITION REGARDING THE LEASE RATE. THE LETTER WILL BE REVIEWED BY THE DIRECTORS AT THE APRIL MEETING; THEN WE WILL SCHEDULE A MEETING WITH USFW AFTER THE MAY ELECTION.

**TOWN OF CRESTONE:**

At the February board meeting the Directors proposed and sent a contract to the Town of Crestone outlining terms of an Interim Intergovernmental Agreement (IGA) until a final agreement was made. The prior IGA expired on February 28, 2022, which is why the District offered the alternative rates before the end of February. The Town did not respond to that proposal in a timely fashion. The Town submitted a counter proposal the morning of March 16, 2022 during the board meeting. Because the response was not received in a timely fashion, the Board of Directors will need time to review the materials submitted.


*MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HALLEY, SECONDED BY DIRECTOR PECK, AND, UPON VOTE CARRIED, THE BOARD DIRECTED STAFF TO CHARGE THE TOWN OF CRESTONE FOR WASTEWATER TREATMENT IN ACCORDANCE WITH MR. LOCK'S FEBRUARY 22, 2022 LETTER, WHICH THE BOARD PREVIOUSLY AUTHORIZED AND APPROVED, UNLESS AND UNTIL THE TOWN AND THE DISTRICT AGREE TO A NEW INTERGOVERNMENTAL AGREEMENT.*

**ADJOURNMENT:**

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR SMITH, SECONDED BY DIRECTOR HALLEY AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 12:10 PM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR  
April 20, 2022

Respectfully submitted,


  
\_\_\_\_\_  
JoAnn Slivka  
Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL March 16, 2022 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
\_\_\_\_\_  
John Loll

  
\_\_\_\_\_  
Dale Halley

  
\_\_\_\_\_  
Mike Smith

\_\_\_\_\_  
William Peck  
  
\_\_\_\_\_  
Vivia Lawson

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 March 16, 2022, 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



**MEMORANDUM**

To: Baca Grande Water and Sanitation District Board of Directors  
 From: JoAnn Slivka, District Manager  
 Date: March 14, 2022  
 Subject: District Manager Report

**2022 Election Calendar**

2022 Regular Mail Ballot Election Calendar- May 3, 2022		
✓2-17-22	Last day to provide the call for nominations - Complete	1-13.5-501(1) 1-13.5-501(1.5) 1-13.5-501(1.7)
✓2-25-22	Last day Self-Nomination and Acceptance forms must be filed with the Designated Election Official or, if none has been designated, with the presiding officer or the Secretary of the Board of Directors (no earlier than January 1st and no later than the normal close of business on the 67th day before the election) - Complete	1-13.5-303(1) 1-13.5-303(4) 1-45-108(1)(c)
✓2-28-22	Last day to file Affidavits of Intent to be a Write-in Candidate with Designated Election Official (not later than 64 days before the election) - Complete	1-13.5-305 1-13.5-513(1) 1-13.5-513(3) 1-13.5-513(
✓3-4-22	Certify ballot content (no later than 60 days before the election). Every ballot shall contain the names of all duly nominated candidates for the offices to be voted for at the election. The arrangement of the names shall be established by lot at any time prior to the certification of the ballot. The Designated Election Official shall notify the candidates of the time and place of the lot drawing for the ballot. The drawing shall be performed by the Designated Election Official or a designee. If any ballot question(s) or ballot issue(s) will be included on the ballot, they must follow the list of candidates.	1-13.5-511 1-13.5-902(2) 1-13.5-902(7)
✓3-4-22	FCPA NOTE: Each candidate or the Designated Election Official shall file with the Secretary of State a copy of such candidate's Self-Nomination and Acceptance forms or Affidavits of Intent to be a Write-In Candidate, no later than 60 days before the election. If the Self-Nomination and Acceptance form contains a statement that the candidate is familiar with the provisions of the Fair Campaign Practices Act, then no filing of a "Candidate Affidavit" under the Fair Campaign Practices Act is required.	1-45-108(3) 1-45-108(3.3)
✓3-9-22	Designated Election Official must have on file at the principal office of the special district or Designated Election Official a plan for the conduct of the mail ballot election (no later than 55 days prior to the election).	1-13.5-1104(1)
✓3-18-22	Designated Election Official shall mail absentee ballots to those eligible electors who have applied and are designated as a "covered voter" under the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA) (not later than 45 days before the election).	1-13.5-618 1-8.3-103(1)(d) 1-8.3-110(1)
→3-19-22	Earliest date to hold a class of instruction concerning the tasks of an election judge (not more than 45 days prior to the election).	1-13.5-408

## Election Update:

- BGWSD will be having an election on May 3, 2022. Three (3) Board of Directors' positions will need to be filled. The seats for John Loll, Dale Halley and Vivia Lawson will be open. The terms will be three (3) years.
- **2-25-22:** February 25 was the last day for submission of self-nominations; the District received and accepted eight self-nomination forms.
  - The Mail Ballot Election Plan and The Certification of Ballot for the May 3, 2022 Regular Election has been completed.  
The following candidates will appear as named below on the ballots-
    1. Vivia Lawson
    2. Michael Scully
    3. Dale W. Halley
    4. Kyle Morgan
    5. Michael Reid
    6. John Loll
    7. Rick Hart
    8. dan gray
- DOLA Training: Ms. Egbert and District staff have been attending the DOLA (Department of Local Affairs) Election trainings- four trainings have been held to date.
- Ballots:
  - ✓ Paper shortage: We received bids from three printing companies for the ballot printing. Freedom Mailing was the vendor who is able to provide all the services we need and they have the supplies necessary to print the envelopes and ballots for us.
  - ✓ New rules to provide bilingual translation went into effect this year: Saguache County was identified as having to provide bilingual ballots but the rule was not clear as to the necessity for Special Districts. To be on the safe side we included Spanish on the ballots and envelopes for voters. **Many thanks to Alba Martinez, from the District staff for working on this for us.**
  - ✓ Final Approval: Upon final review of the Registered voter, property owners and UOCAVA lists, I approved the printing of the ballots on Thursday, March 10<sup>th</sup>. **Our DEO Judy Egbert and Freedom Mailing have done a terrific job on the details of the ballot printing.**
    - Next: Identifying and training of Election Judges
    - Discuss having a candidate forum

## Town of Crestone

- A Letter and the IGA Extension was submitted to the Town of Crestone on February 20, 2022, twenty years to date, from the original 2002 IGA.
- Crestone responded with a request for information for their engineers to perform an analysis to help the Town prepare a counter-proposal.

## 2022 I.T. Updates

- **Xerox WorkCentre Lease Agreement:**  
We are still waiting for delivery of the new Xerox equipment.
- **New Server:**  
The server replacement and migration of data has been successfully completed.

## **Master Plan**

- We have met with Mr. Marcotte to discuss the priorities of the district master plan for the next five years.
- The focus this year is the AWWTP; he will provide an updated scope of work by July 2022 for the Board's consideration.
- Mr. Marcotte will review the proposal we received from DRC Construction for jetting and scoping of the system this year.

## **LEAP**

- The LEAP Program has assisted ~ six District customers to date with their water and sanitation bills. There is news that more information on updates to the program are forthcoming. We will find out more later in the month of March.

## **Personnel, Board and Staffing Updates**

- Ms. DeBon has achieved the following milestones:
  - Received her Notary Certification.
  - Administration of Monthly Statistics report
- Admin staff:
  - Caselle training on the new Certification Tax module – completed
    - Next- implementation of the program
  - Xpress Bill Pay training on reports - completed
  - Utility Billing cross training - continuing
  - Updating the Standards of Performance for Utility Billing - continuing

## **Health and Safety**

- Health & Safety expenditures were submitted to CSDLP (Colorado Special District Liability Pool) and we received reimbursement of **\$1431**.
- Operations staff have begun regular Health and Safety trainings

## **COVID**

- The District is back to being fully staffed; one staffer is still under doctor's care but has been approved for return to work with no restrictions
- The Colorado Department of Labor and Employment (CDLE) implemented new requirements on January 1, 2022 for Paid Sick Leave: (1) general sick leave, and (2) COVID-related sick leave. The new paid sick leave requirements were made effective on January 1, 2022 and will remain in effect until at least May 14, 2022 (and longer if the current federal declaration of a public health emergency is extended).
- Budget impacts will need to be considered as new Family and Medical Leave Insurance Program (FAMLI) rules are being discussed for 2023 and 2024 implementation.
- Review and update of the Personnel Manual will include language to clarify new human resource rules.

## **Board of Directors**

- As a reminder, enclosed in your packets are the Rules of Decorum for Board Meetings. These rules are intended to support the intent of the Board to hold productive meetings and enable the effective functioning of the Board.
- As we near the election and have new members join the District Board of Directors we will continue to update and clarify Board of Directors policies.



### **CWLI Initiative**

Mr. Potter and Ms. DeBon joined me for a two-day training for Phase II of the Colorado Water Loss Initiative (CWLI)

- I am excited to have staff join me in Phase Two of the CWLI. We attended two half days of training for the program with the goal of identifying which of five Technical Assistance programs we would like to participate in.

#### Next Steps:

1. The district “Water Loss Team” will update the 2019 Water Audit to the new version #6
2. Keep eye out from CWLI where they will communicate with us on the choices for Technical Assistance
3. Once we agree on the direction we want to go we will complete an agreement on the TA and proceed to planning and scheduling.

### **Other Activities:**

- On February 26, I attended the 2022 Rio Grande State of the Basin Symposium  
The symposium honoring the late Justice Greg Hobbs included a number of excellent, inspirational speakers with over 100 attendees.  
“In Scarcity, Opportunity for Community” was the theme for the 2022 Rio Grande State of the Basin Symposium. These words, written by the late Greg Hobbs, are as timely as ever, as the San Luis Valley faces water scarcity from several directions. What are the current threats and opportunities? Insights, updates and future forecasts for 2022 were discussed at this year’s symposium.
  - Rio de la Vista provided a Rio Grande Water Glossary
    - Rio was also honored at the end of the symposium for all the work she has done for water education in the Valley
  - Heather Dutton, Manager, San Luis Valley Water Conservancy District, discussed the threat and impact to the valley of the RWR proposal.
  - Craig Cotten the state’s water engineer for the area, reported that the overall snowpack in the surrounding mountains that feed the Upper Rio Grande River Basin is about 93 percent of what’s considered normal. During the last 20 years, the Rio Grande River’s annual water flows in southern Colorado’s San Luis Valley have decreased. Cotten also noted that the area’s seasonal forecast for the next three months is for higher temperatures and lower precipitation. It’s not until June, July and August that the temperature and precipitation forecast reflects average levels.
  - RWR Proposal
    - Douglas County cancelled the March 26 meeting with the Valley
- Renewed SDA Membership

### **Upcoming:**

Compliance:

- Annual Consumer Confidence- Water Quality Report: The draft has been made available for review- the annual report is due to customers by the end of June
- AWWTF:
  - A compliance inspection for the Aspen Institute WWTF is scheduled for June 1, 2022.

UTILITY BILLING ACTIVITY

Customer Utility Billing

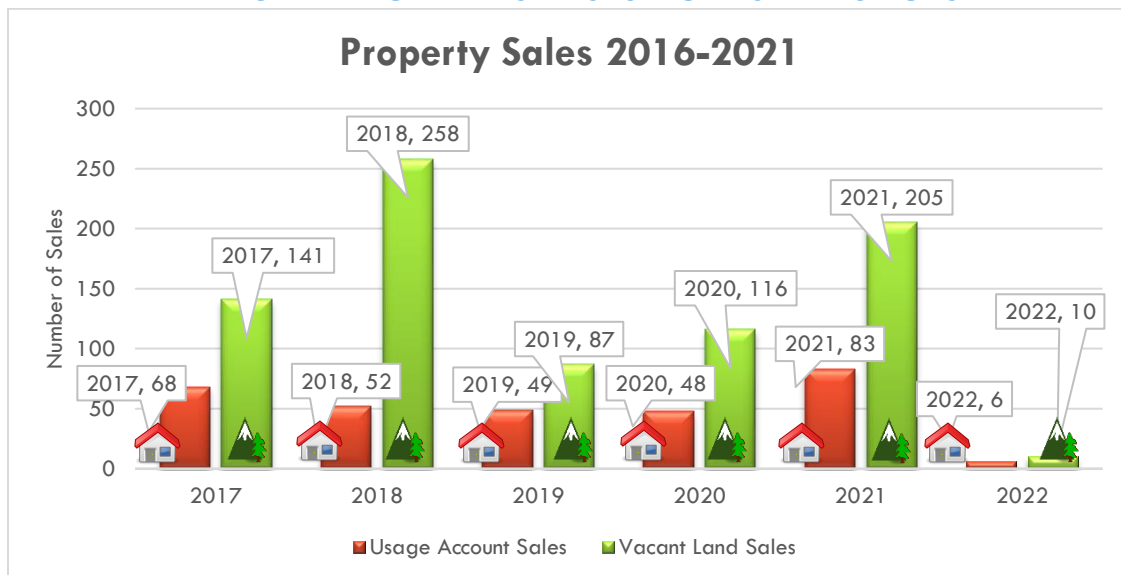
Billing Category	Number of Accts	Amount Billed
Late Fees	53	\$ 795.00
Usage Customers Billed - Water	796	\$40,713.34
Usage Customers Billed - Sewer	774	\$32,690.97
Transfer Fees	17	\$4,250.00
On/Off Fees	1	\$25.00

Town of Crestone Sewer

Month	Total Monthly Flow (gallons)	Amount Billed
January	461,135	\$2,425.57
February	427,186	\$2,247.00
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		

<b>Totals</b>	<b>1,461,611</b>	<b>\$7,688.07</b>
---------------	------------------	-------------------

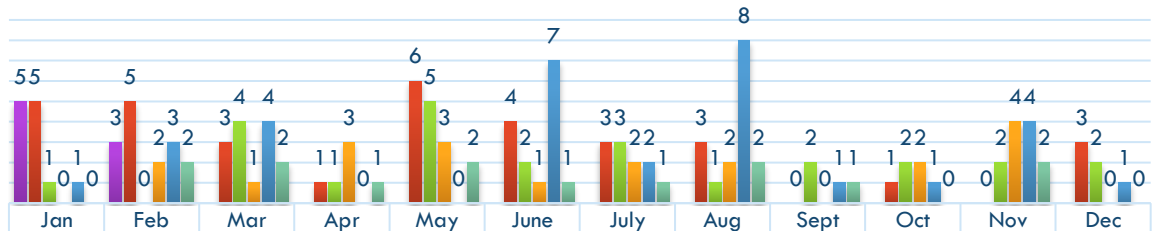
FEBRUARY PROPERTY SALES: 3 HOMES 5 LOTS



## 2022 WATER-SEWER HOOKUP APPLICATIONS

### 3 - APPLICATION(S) RECEIVED IN FEBRUARY

#### Water-Sewer Hookups 2016-2022

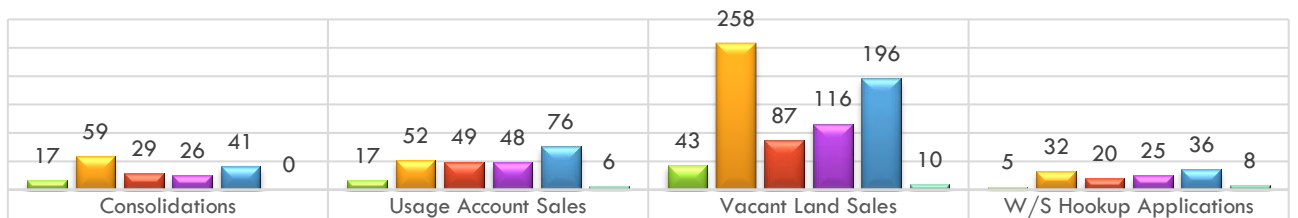


	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2022=8 hookups	5	3										
2021=35 hookups	5	5	3	1	6	4	3	3	0	1	0	3
2020=25 hookups	1	0	4	1	5	2	3	1	2	2	2	2
2019 = 20 hookups	0	2	1	3	3	1	2	2	0	2	4	0
2018= 32 hookups	1	3	4	0	0	7	2	8	1	1	4	1
2017= 14 hookups	0	2	2	1	2	1	1	2	1	0	2	0

■ 2022=8 hookups 
 ■ 2021=35 hookups 
 ■ 2020=25 hookups 
 ■ 2019 = 20 hookups 
 ■ 2018= 32 hookups 
 ■ 2017= 14 hookups

## 2022 PROPERTY TRENDS

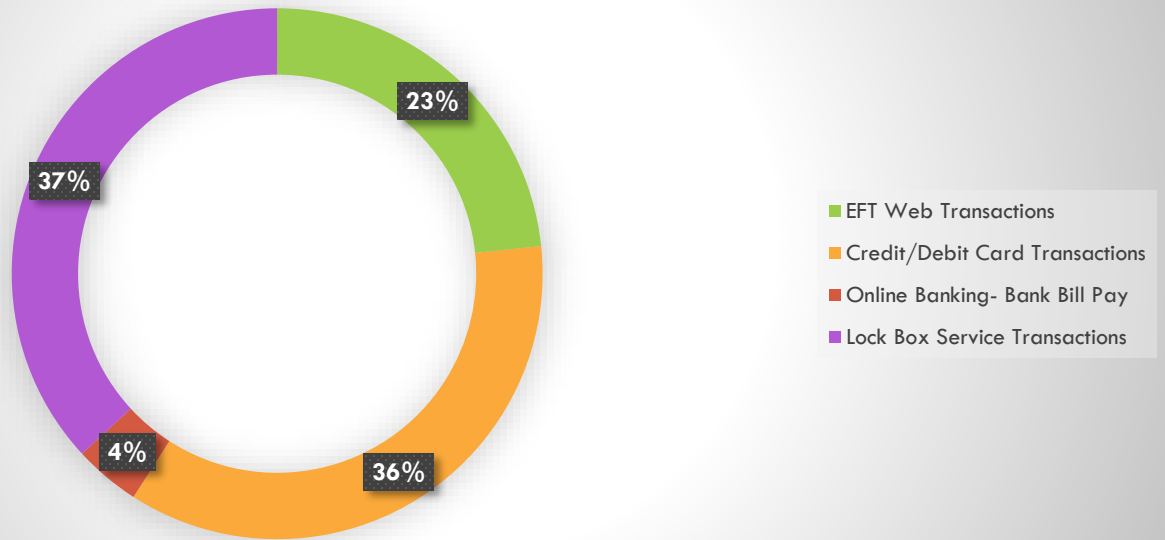
#### District Property Trends 2016-2021



	Consolidations	Usage Account Sales	Vacant Land Sales	W/S Hookup Applications
2017	17	17	43	5
2018	59	52	258	32
2019	29	49	87	20
2020	26	48	116	25
2021	41	76	196	36
2022	0	6	10	8

■ 2017 
 ■ 2018 
 ■ 2019 
 ■ 2020 
 ■ 2021 
 ■ 2022

## XBP February 2022 Payment Methods



## **Rules of Decorum**

**Board Intent for Rules of Decorum.** The District's business is conducted at Board meetings by the Board of Directors of the District. All Board meetings are open to the public, but the public's participation is permitted only at formal Board business meetings during the time and in the manner set forth in these rules. Public comment is generally not permitted during work session of the Board, although the public is encouraged to attend such sessions and express comments in writing or other communication prior to or after those meetings. In order for the Board to conduct its business in a manner completely open to the public, rules of decorum are necessary. Board meetings can last several hours, which may limit the practical ability for the public to participate and the effectiveness of staff to make presentations and elected officials to discuss issues and make decisions. The intent of these rules is to:

1. Provide a safe and secure setting for the Board and the public to attend to the District's business.
2. Enable the Board to conduct its deliberative process without interruption in a manner that can be heard and viewed by all in attendance.
3. Ensure that the public has a full opportunity to be heard during public hearings and open comment periods of Board meetings.
4. Facilitate transparency in the conduct of Board meetings so that all persons have the opportunity to observe and hear all of the Board discussion and votes.
5. State specific rules so that all may know the rules in advance and be subject to the same rules.
6. Limit interruptions, unreasonable delay, or duplication of comments, presentations, or discussion.
7. Develop an atmosphere of civility that is respectful of diverse opinions and allows presentation of positions that vary from the position of others at the meeting without insults or intimidation.
8. Balance the need for the Board to conduct effective meetings without the meetings extending for an unreasonable length of time with the need to give a full opportunity for the public to be heard.
9. Facilitate Board meetings as business meetings, therefore public comments should relate to the business of the District and, as such, be addressed to the Board as a whole, which conducts the business of the District.
10. Adopt these rules of decorum as the standard for conduct of meetings of the Board of Directors and staff of the District.

**b. Rules of Decorum for the Public.** During all times a meeting of the Board of Directors is being conducted, the following rules shall apply:

1. Prior to addressing the Board, a person shall sign-up providing information for the Board record.
2. All public comment to the Board shall be only after the speaker is acknowledged by the presiding officer, shall be addressed to the Board as a whole, and shall be limited to the amount of time indicated by the presiding officer, which amount of time will typically be three minutes.
3. While in attendance at a Board meeting, no attendee shall disrupt, disturb, or otherwise impede the orderly conduct of any Board meeting by any means in a manner that obstructs the business of the meeting. Disorderly conduct also includes failing to obey any lawful order of the presiding officer to be seated, leave the meeting room, or refrain from addressing the Board.
4. No attendee shall make threats or other forms of intimidation against any person in the Board chambers or meeting room or any employee of the District, or be in possession of any weapon or firearm while in the Board chambers or meeting room unless the attendee possesses a valid permit meeting all of the requirements set forth in § 18-12- 204, C.R.S.
5. To maintain the fire code occupancy limits and allow for safe exit, unless addressing the Board or entering or leaving the Board chambers or meeting room, all persons in the audience shall remain seated in the seats provided. No person shall stand or sit in hallways, corridors, doorways, or other avenues of ingress or egress.
6. All persons in the Board chambers or other meeting room, including, without limitation, Board members, staff, and attendees, shall silence all cell phones, pagers, and other electronic devices to prevent disruption at the meeting.
7. No person at any Board meeting shall be in a state of intoxication caused by the person's use of alcohol or drugs.
8. Members of the public shall make every effort to be respectful at all times of those with opposing views.
9. No sign shall be displayed in Board chambers in a manner that blocks the view of another person or in a manner that would violate subsection 5 above.

**c. Enforcement of Decorum.** The presiding officer of the Board shall be responsible for maintaining the order and decorum of meetings. The presiding officer may order removed from the Board chambers, or other room in which a meeting of the Board is occurring, any person who fails to observe these rules of decorum:

1. The presiding officer may interrupt any speaker who is violating these rules of decorum or disrupting a meeting.

2. The presiding officer shall attempt to provide a verbal warning to any attendee or particular speaker that may be violating these rules of decorum, but such verbal warning shall not be required as a condition of removing an offender from the Board chambers or meeting room.
3. These enforcement provisions are in addition to the authority held by any peace officer in attendance to maintain order pursuant to the officer's lawful authority.
4. Any person removed from the Board chambers or meeting room shall be excluded from further attendance at the meeting from which the person has been removed, unless permission to attend is granted upon the motion adopted by a majority vote of the Board.
5. Any person who has been removed from a meeting may be charged with a violation of any applicable provision of the Colorado Revised Statutes.
6. In addition, by vote of the Board, any person removed from a meeting may be excluded from attendance at Board meetings for thirty (30) days after such removal. A longer period of prohibition from attendance at Board meetings may be determined by the Board by a vote, if the person has been removed from the Board chambers or meeting room in the past twenty-four months for violation of these rules of decorum, or the Board determines that the attendee's conduct was so severe as to necessitate a longer period of prohibition.
7. A person prohibited from attendance at Board meetings may request a hearing to dispute prohibition under the provisions of Article 2.11 of the Rules and Regulations of the District, "Hearings." The scope of the hearing will be limited to the following: (1) the nature and extent of the behavior resulting in the suspension; and (2) if applicable, whether there was a prior removal in the past twenty-four months. The hearing officer will forward a recommendation to the Board to affirm the sanction, modify the sanction, or to remove the sanction for the Board's consideration at a subsequent meeting of the Board.
8. In addition to any other authority of the presiding officer, the presiding officer may call a recess during which time the members of the Board shall leave the meeting room. Similarly, if necessary for the safety of the Board and public, the presiding officer may order the Board chambers or meeting room cleared of all attendees, and call a recess, adjourn or continue the meeting until another date.

**d. Rules of Decorum for Board.** Members of the Board shall attempt to balance the right of the public to know positions of the elected and appointed officials and rationale for decisions with the need for balanced discussion and timely adjournment of the meeting. In order to realize this balance, members shall endeavor to:

1. Articulate questions, opinions, comments and reasons for votes succinctly;
2. Exercise self-discipline by avoiding repeating statements of others, being verbose in expressing opinions or straying off the topic;
3. Allow the presiding officer to manage the meeting and call on members before speaking;

4. Support the presiding officer in enforcement of these rules;
5. Permit other members an opportunity to speak once on an issue before speaking a second time on the same issue;
6. Focus on the issue being discussed rather than disagreement of ideas and avoiding personal attacks or assuming motives of another;
7. Consider the adopted Board goals, staff work plans, and limited resources when making requests for delay or additional information;
8. Acknowledge that new topics raised during a meeting by a member of the public or of the Board may not have the benefit of all of the necessary background information, may not be presented from a balanced perspective, and decisions in such situations are more often emotionally driven. New topics raised during a meeting are most often best resolved by deferring the decision to the District manager or to a future agenda with direction to staff to provide background materials before the matter is considered at a future meeting;
9. During a Board meeting, refrain from electronic communication regarding subjects considered at that meeting. Except that Board members may receive electronic copies of materials from staff displayed on monitors or otherwise made available at the meeting.

**e. Interpretation of Rules.** These rules are intended to support the intent of the Board set forth above. These rules are not to be used to limit public participation or Board debate, but to enable the effective functioning of the Board. Either the Board or the presiding officer may temporarily suspend these rules or grant exceptions in order to effectuate their intent.



# Baca Grande Water and Sanitation District

## Monthly Operations Report

March 16<sup>th</sup>, 2022

### Operations Updates

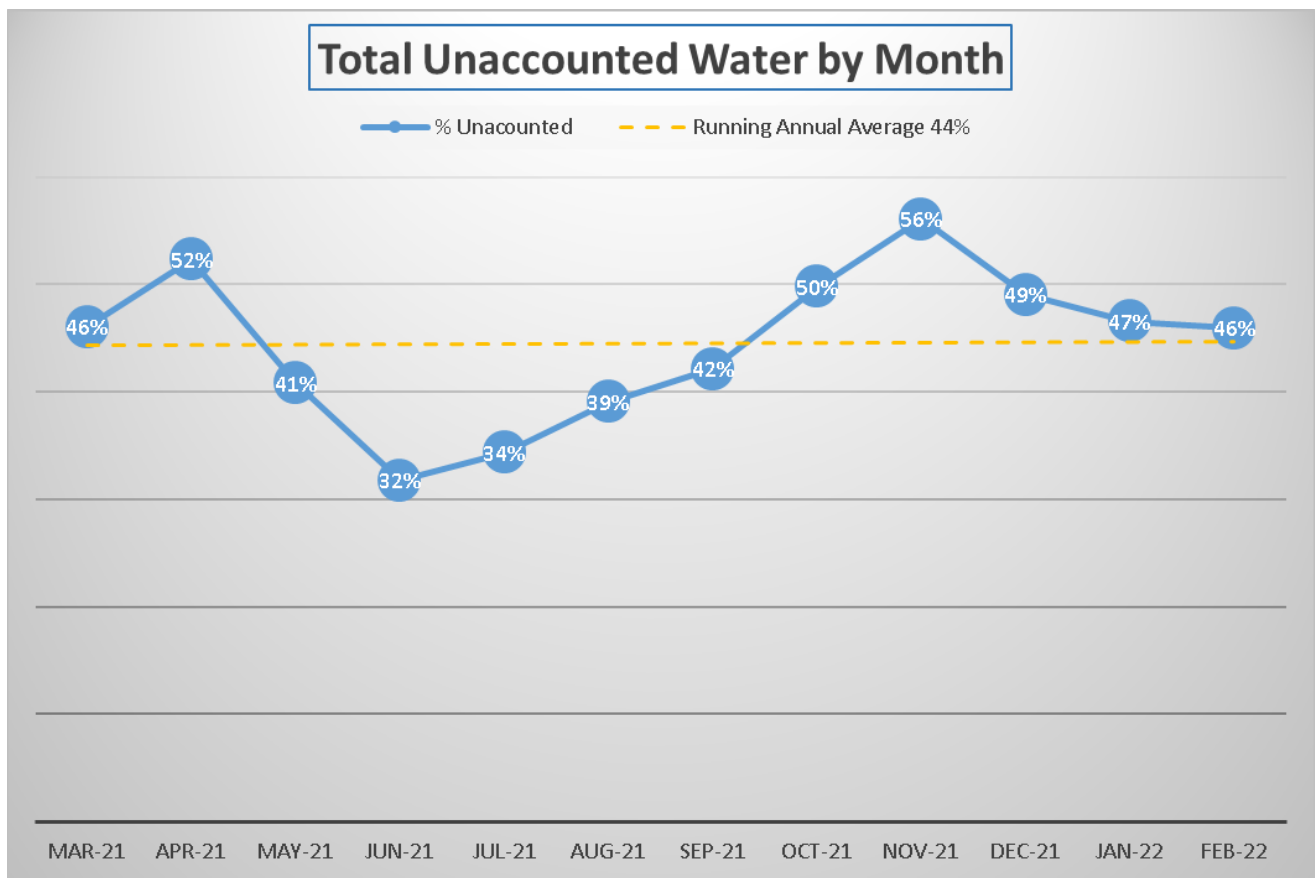
- **DRC Proposal**
  - Acoustic sounding to evaluate collection system
  - Takes a fraction of the time of traditional collection system cleaning and inspections
  - Cost significantly less than traditional cleaning and inspection methods
  - A more targeted and efficient approach
- **Colorado Water Loss Initiative (CWLI) Update**
  - CWLI is the largest state wide voluntary water loss program in the country
  - The goal is to help potable water systems identify and reduce the water system losses
  - BGWSD participated in phase 1 in 2019 and completed an annual water audit
  - We are working on a 2021 water audit
  - BGWSD staff attended a seminar for phase 2 of the program last week.
  - As part of phase 2 they are offering free technical assistance!
- **AWWTP**
  - Compliance inspection from CDPHE June 1st
- **Meter Pit Issues**
  - 12 new applications in 2022
  - 10 active application from 2021
  - 10 Pit that have been on order since April 2021 ship date pushed back to May 21<sup>st</sup>. (Maybe?)
  - 20 more pits hopefully arriving in June
- **Auto Sampling Equipment**
  - 2 Auto Samplers Purchased
  - Should Arrive any day
  - Requested a proposal for assistance with set up and training.
- **Water and Sewer Mainline Extensions**
  - Nothing new to report at this time

➤ **Unaccounted Water**

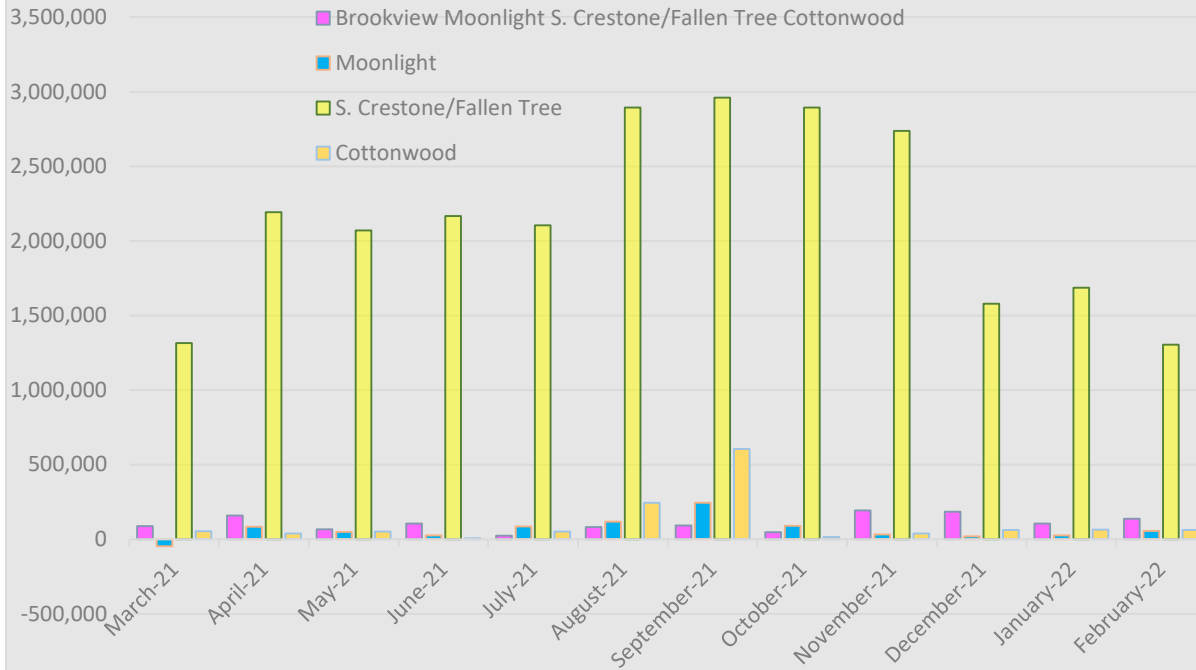
- Wells 17 and 18 produced 3,646,370 gallons of water in the month of February.
- The District sold its customers 1,972,000 gallons of water in the month of February, leaving 1,647,370 gallons unaccounted for.
- 46% of the water produced is unaccounted for in the month of February.

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

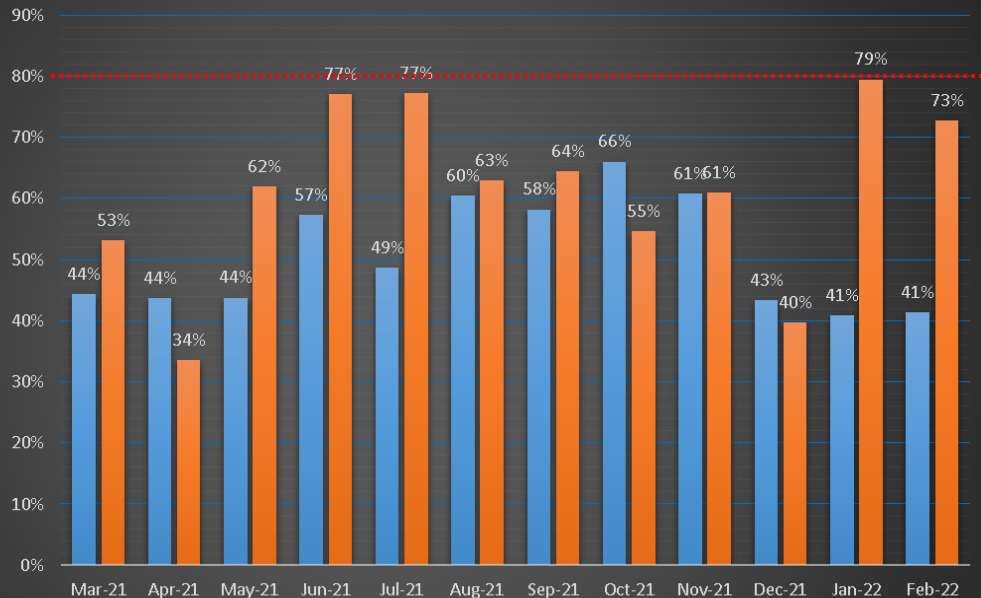
- Aspen WWTP averaged 41% of hydraulic loading capacity in the month of February, the Town of Crestone contributed an average of 26% of the treatment plants hydraulic load.
- Aspen WWTP averaged 73% of organic loading capacity in the month of February. The Town of Crestone contributed an average of 25% of the treatment plants organic load.



## Total Monthly Unaccounted in Gallons



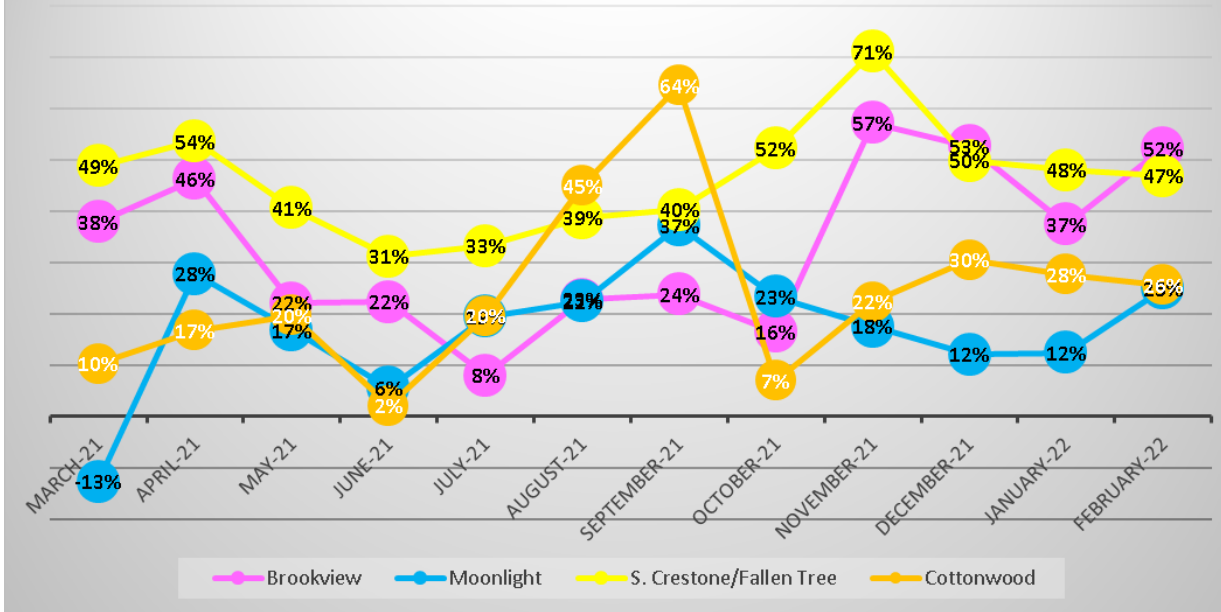
## Percentage of Plant Capacities by Month at Aspen Wastewater Treatment Plant



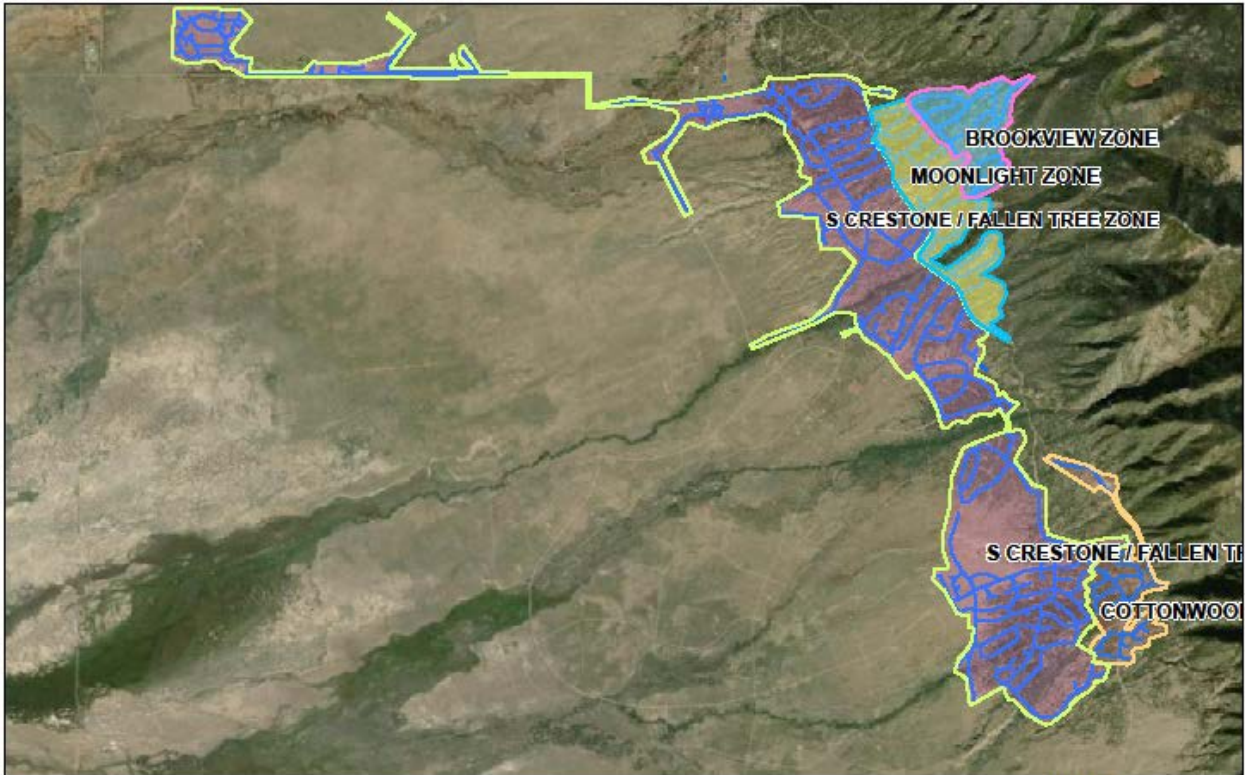
	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22
Plant % of Hydraulic Capacity	44%	44%	44%	57%	49%	60%	58%	66%	61%	43%	41%	41%
Plant % of Organic Capacity	53%	34%	62%	77%	77%	63%	64%	55%	61%	40%	79%	73%

Plant % of Hydraulic Capacity    Plant % of Organic Capacity

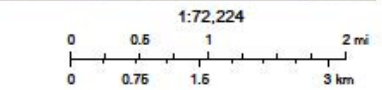
## Monthly Unaccounted Water By Pressure Zone



## BGWS D Unaccounted Water Zone's



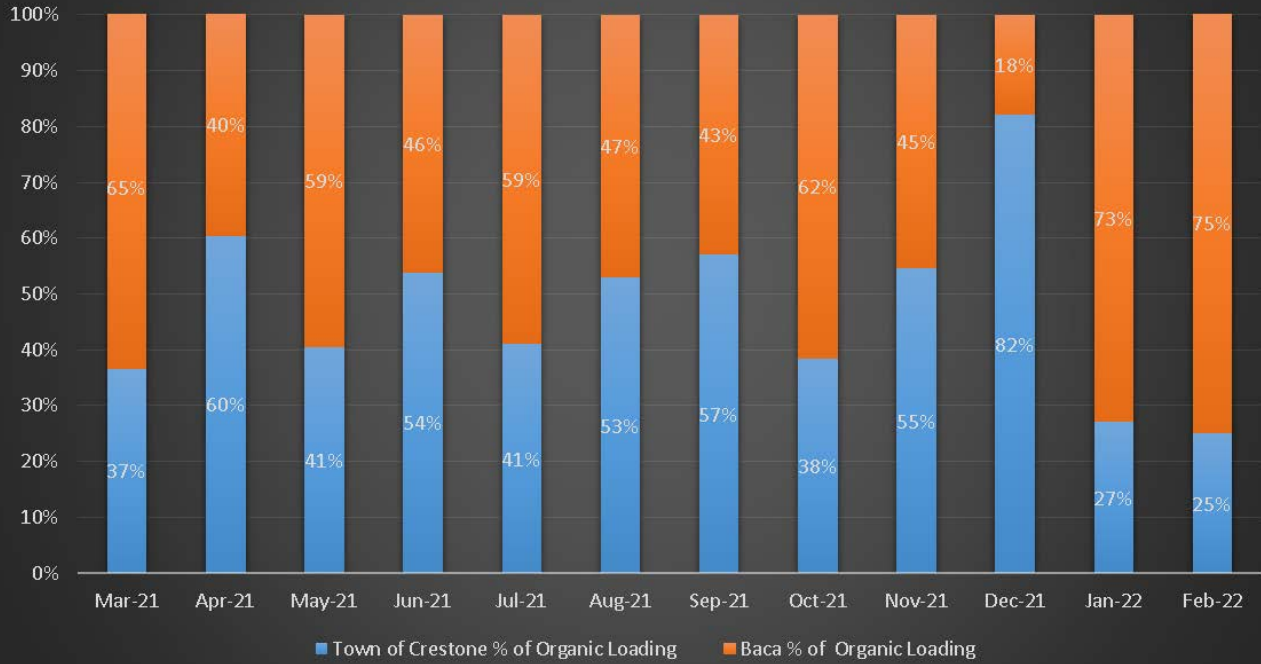
12/10/2020, 3:43:14 PM



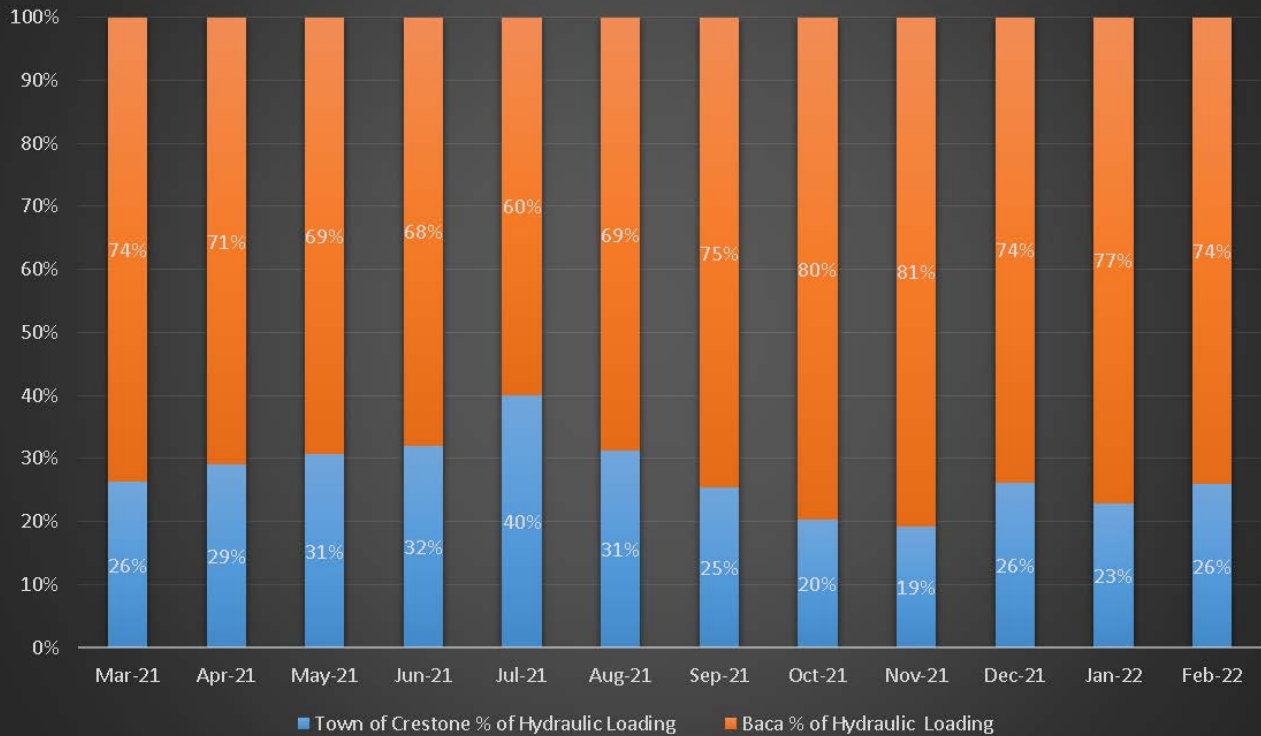
Earthstar Geographics

Beck Grande Water and Sanitation  
Earthstar Geographics |

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



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



Baca Grande Water  
and Sanitation DistrictCheck Register - BGWSD new  
Check Issue Dates: 3/1/2022 - 3/31/2022Page: 1  
Mar 14, 2022 09:14AM

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
<b>92414</b>					
03/16/2022	A&M Pest & Termite Control,Inc	729977	4-503000	Repair & Maint	75.00
Total 92414:					75.00
<b>92415</b>					
03/16/2022	Centratel, LLC	2203022091	4-500406	Phone Answering Service	337.01
Total 92415:					337.01
<b>92416</b>					
03/16/2022	Consolidated Communications	CC-22-03	4-505027	Office / Cell Phones	475.20
Total 92416:					475.20
<b>92417</b>					
03/16/2022	Deluca Gas Company, Inc.	U0480364	4-505026	Shop, Yard, Office-Propane	525.35
03/16/2022	Deluca Gas Company, Inc.	U0480365	4-505020	Aspen TP-Propane	410.87
03/16/2022	Deluca Gas Company, Inc.	UO120162	4-505020	Aspen TP-Propane	234.01
Total 92417:					1,170.23
<b>92418</b>					
03/16/2022	Denver Industrial Pumps, Inc.	99951	4-503022	Repair & Maint-Lift Stations	10,065.94
Total 92418:					10,065.94
<b>92419</b>					
03/16/2022	Ecklund, Kristin Marie	EK-22-02	4-120070	Accounts Receivable	31.72
Total 92419:					31.72
<b>92420</b>					
03/16/2022	FirstBank	FB-22-02	4-503019	Repair & Maint-Aspen TP	1.39
03/16/2022	FirstBank	FB-22-02	4-500451	Supplies	8.26
03/16/2022	FirstBank	FB-22-02	4-503019	Repair & Maint-Aspen TP	40.35
03/16/2022	FirstBank	FB-22-02	4-503001	Repairs & Maint-Water Mains	42.90
03/16/2022	FirstBank	FB-22-02	4-500662	Vehicle-Repairs and Maint	20.69
03/16/2022	FirstBank	FB-22-02	4-500500	Training and Education	399.00
03/16/2022	FirstBank	FB-22-02	4-500451	Supplies	56.04
03/16/2022	FirstBank	FB-22-02	4-500662	Vehicle-Repairs and Maint	41.98
03/16/2022	FirstBank	FB-22-02	4-500403	Office Supplies	100.88
03/16/2022	FirstBank	FB-22-02	4-500403	Office Supplies	166.37
03/16/2022	FirstBank	FB-22-02	4-500450	Utility Maintenance Tools	86.43
03/16/2022	FirstBank	FB-22-02	4-500550	Meals and Lodging	36.13
03/16/2022	FirstBank	FB-22-02	4-500451	Supplies	31.97
03/16/2022	FirstBank	FB-22-02	4-503019	Repair & Maint-Aspen TP	4.96
03/16/2022	FirstBank	FB-22-02	4-503019	Repair & Maint-Aspen TP	10.99
03/16/2022	FirstBank	FB-22-02	4-500662	Vehicle-Repairs and Maint	17.99
03/16/2022	FirstBank	FB-22-02	4-503019	Repair & Maint-Aspen TP	4.93
03/16/2022	FirstBank	FB-22-02	4-500500	Training and Education	85.00
03/16/2022	FirstBank	FB-22-02	4-500550	Meals and Lodging	10.23
03/16/2022	FirstBank	FB-22-02	4-500451	Supplies	132.47
03/16/2022	FirstBank	FB-22-02	4-500450	Utility Maintenance Tools	47.97
03/16/2022	FirstBank	FB-22-02	4-500451	Supplies	281.85
03/16/2022	FirstBank	FB-22-02	4-500408	Computer Support	14.00
03/16/2022	FirstBank	FB-22-02	4-500408	Computer Support	59.97

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
03/16/2022	FirstBank	FB-22-02	4-500460	Utility Billing	2.75
03/16/2022	FirstBank	FB-22-02	4-500401	Postage	100.00
03/16/2022	FirstBank	FB-22-02	4-500500	Training and Education	10.00
03/16/2022	FirstBank	FB-22-02	4-505027	Office / Cell Phones	358.30
03/16/2022	FirstBank	FB-22-02	4-505027	Office / Cell Phones	358.30
03/16/2022	FirstBank	FB-22-02	4-505029	Trash and Recycling Services	106.70
03/16/2022	FirstBank	FB-22-02	4-505029	Trash and Recycling Services	71.81
03/16/2022	FirstBank	FB-22-02	4-500550	Meals and Lodging	12.66
Total 92420:					2,639.31
<b>92421</b>					
03/16/2022	Freedom Mailing Services, INC	42451	4-500460	Utility Billing	804.60
Total 92421:					804.60
<b>92422</b>					
03/16/2022	Front Range Win Water Works Co	07294800	4-503331	Retail Water Meter Parts	10,489.44
03/16/2022	Front Range Win Water Works Co	07382700	4-503331	Retail Water Meter Parts	795.00
Total 92422:					11,284.44
<b>92423</b>					
03/16/2022	Haynies Inc	353810	4-500662	Vehicle-Repairs and Maint	56.97
Total 92423:					56.97
<b>92424</b>					
03/16/2022	John Deere Financial	A99521	4-503000	Repair & Maint	29.99
03/16/2022	John Deere Financial	B04549	4-503019	Repair & Maint-Aspen TP	1.79
03/16/2022	John Deere Financial	B04549	4-500450	Utility Maintenance Tools	33.97
Total 92424:					65.75
<b>92425</b>					
03/16/2022	Law of the Rockies	LOR-22-02	1-506030	Legal	1,916.74
Total 92425:					1,916.74
<b>92426</b>					
03/16/2022	North Line GIS, LLC	2809	4-506022	Professional Fees-GIS	150.00
Total 92426:					150.00
<b>92427</b>					
03/16/2022	Peregrino, Dora	220222-PER	4-503025	Repair & Maint-Office	120.00
03/16/2022	Peregrino, Dora	220308-PER	4-503025	Repair & Maint-Office	120.00
Total 92427:					240.00
<b>92428</b>					
03/16/2022	Pinnacol Assurance	20804141	4-530600	Worker's Compensation Insur	908.00
Total 92428:					908.00
<b>92429</b>					
03/16/2022	Pitney Bowes Global Financial Se	1020124157	4-500401	Postage	87.98

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
Total 92429:					87.98
<b>92430</b>					
03/16/2022	Saguache County Assessors Offic	02	1-506050	Elections	300.00
Total 92430:					300.00
<b>92431</b>					
03/16/2022	Sangre De Cristo Lab, Inc.	23653	4-500250	Testing	240.00
Total 92431:					240.00
<b>92432</b>					
03/16/2022	Special District Association	SDA-22-02	4-500520	Memberships	802.25
Total 92432:					802.25
<b>92433</b>					
03/16/2022	UMB Bank N.A.	914219	2-552500	Trustee / Paying Agent Fees	400.00
Total 92433:					400.00
<b>92434</b>					
03/16/2022	UNCC	222020104	4-500530	Locates	16.90
Total 92434:					16.90
<b>92435</b>					
03/16/2022	US Fish and Wildlife Service	USFW-22-03	4-500100	Raw Water USFSWS	2,442.70
Total 92435:					2,442.70
<b>92436</b>					
03/16/2022	USA BlueBook	882773	4-503019	Repair & Maint-Aspen TP	891.30
Total 92436:					891.30
<b>92437</b>					
03/16/2022	Valley Courier	INV109799	4-500510	Advertising	81.00
Total 92437:					81.00
<b>92438</b>					
03/16/2022	World Fuel Service, Inc. Land	1946150-415	4-500661	Gas and Oil	1,145.64
03/16/2022	World Fuel Service, Inc. Land	1966364-415	4-500661	Gas and Oil	650.52
Total 92438:					1,796.16
<b>92439</b>					
03/16/2022	WSB Computer Services, Inc.	82755	4-500409	Software Maintenance	464.00
03/16/2022	WSB Computer Services, Inc.	82756	4-500407	Computers and Media	10,376.22
03/16/2022	WSB Computer Services, Inc.	82906	4-500407	Computers and Media	2,851.40
Total 92439:					13,691.62



Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
<b>92440</b>					
03/16/2022	Xerox Corp.	015700108	4-500402	Copier Lease and Equipment	130.59
03/16/2022	Xerox Corp.	015781737	4-500402	Copier Lease and Equipment	214.51
Total 92440:					<u>345.10</u>
Grand Totals:					<u><u>51,315.92</u></u>