



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

WHEN: Wednesday, August 17, 2022

TIME: 9:00 AM

WHERE: **TELECONFERENCE VIA Zoom** [Redacted]

<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
- Introduction of Guests

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.

- Approve Minutes from the July 20, 2022 Regular Meeting

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. BOARD AND STAFF REPORTS

- A.** Board of Director Matters
- B.** District Manager Report (enclosure)
- C.** Administrative Manager's Report (enclosure)
- D.** Director of Utilities Report (enclosure)

VI. FINANCIAL MATTERS

- A.** Review and approve the check register for the period ending August 17, 2022 (enclosure)

General	\$ 7,807.00
Capital	\$ 15,980.00
<u>Enterprise</u>	<u>\$ 45,106.65</u>
Total	\$ 68,893.65

B. Financial Summary (enclosure)

C. 2021Draft Audit (enclosure)

VII. **ELEMENT ENGINEERING - Draft Water and Sewer Master Plan Update (enclosure)**

VIII. **COMMUNICATION TOWER UPDATE**

IX. **LEGAL MATTERS**

A. A. Status of USFWS Discussions (adjourn to Executive Session if necessary)

B. Town of Crestone- Status of IGA (adjourn to Executive Session if necessary)

X. **EXECUTIVE SESSION**

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 potential purchase of improved real estate for administrative office space, the lease rate for the next 20-year term of the Water Service Agreement, the terms and conditions for continued provision of sewer service to the Town of Crestone as well as negotiations related thereto as well as negotiations related thereto, and pursuant to C.R.S. 24-6-402(4) (b) to receive legal advice on specific legal questions regarding Van Broekhoven correspondence.

XI. **OTHER BUSINESS**

XII. **ADJOURN**

NEXT REGULAR MEETING IS SCHEDULED FOR SEPTEMBER 21, 2022, at 9:00 AM

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

August 17, 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
Cathy Fromm, District Accountant (for a portion of the meeting)
JoAnn Slivka, District Manager
Gary Potter, District Director of Utilities
Natalie DeBon, District Administrative Services Manager
Nicholas Marcotte, District Engineer (for a portion of the meeting)

Community Members and Guests:

Tom McCracken
Parke Hess
Lynn Drake
Charles Whipple
dan gray
Mark Talbot

CALL TO ORDER

President Lawson opened the meeting at 9:00 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 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: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR SMITH,
SECONDED BY DIRECTOR HART AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE
AGENDA.

CONSENT AGENDA

The board considered the following consent agenda items:

- Approve Minutes from the July 20, 2022 Regular Meeting

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.

Mr. Gray, addressed the board with a list of issues he has with the district staff. President Lawson acknowledged his concerns.

BOARD AND STAFF REPORTS

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

Board Matters

There were no board matters for discussion this month.

Administration:

Ms. DeBon informed the Directors of new items she has added to the Administrative Manager's Report. Recent additions to the report include the various types of property transactions that occur and and Xpress Bill Pay data including costs associated with the program. The Directors are interested in understanding the AOS late fees and how many of those may go to certification because of delinquent status. Board members also expressed interest in the status of manually read meters and usage.

Operations:

Gary Potter reported that he is still working on the MHE lift station issues with Element Engineering; they will be considering expenditures for the 2023 budget.

The auto samplers are now in daily use.

Staff is installing new hookups without MXU's (the reading device on the meters). We are down to only four meters left in inventory.

FINANCIAL MATTERS

Check Register: The board considered approval of the check register through the period ending August 17, 2022 as follows:

General	\$ 7,807.00
Debt Services	\$ 15,980.00
<u>Enterprise</u>	<u>\$ 45,106.65</u>
	\$ 68,893.65

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LOLL,
SECONDED BY DIRECTOR SMITH, AND, UPON VOTE, UNANIMOUSLY CARRIED,
THE BOARD APPROVED THE CHECK REGISTER FOR THE PERIOD ENDING AUGUST 17, 2022.

Financial Statements:

Ms. Fromm reviewed the financial statements with the Board of Directors. We are 58% through the 2022 budget. ColoTrust continues to gain interest.

2021 Draft Audit:

Ms. Fromm reported that the draft audit is in a very rough form. It is provided today to give the Directors an opportunity to peruse the information to look ahead so that they will be prepared to ask questions of the Auditor at the September meeting. The Board members requested they receive the audit well in advance of the meeting (at least week before) so they can review the materials before the September 21 Board meeting.

Water - Wastewater Master Plan Update:

Nick Marcotte from Element Engineering presented the draft wastewater master plan update. He emphasized that this is a final draft not a final product and is open for questions and comments from the Directors.

Mr. Lock pointed out four key areas that should be noted.

1. Water Loss
2. Increasing the capacity of Well 17 and 18
4. Activating the Motel Well
5. Building a new wastewater plant

Following discussion, Director Loll requested the Board consider a Special Meeting to focus on understanding the details and financing of the plan.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULYMADE BY DIRECTOR LOLL,
SECONDED BY DIRECTOR HART, AND, UPON VOTE, UNANIMOUSLY CARRIED,
THE BOARD APPROVED HOLDING A SPECIAL MEETING ON SEPTEMBER 6, 2022 AT 10:00 A.M. TO DISCUSS
THE DRAFT MASTER PLAN UPDATE.

Mr. Marcotte encouraged the Directors to review the plan and to send comments, questions and thoughts to the District Manager so that we will be sure to cover those at the September meeting.

Communications Tower:

President Lawson shared her draft letter to the community regarding the proposed cell tower and community information meeting scheduled for August 24th. Discussion followed and Director Loll motioned to cancel the community meeting; Director Hart seconded but wanted clarification if the meeting is cancelled does that mean all discussions regarding the tower is cancelled or just the public information meeting. Public members in attendance were invited to comment.

President Lawson brought the Directors attention back to her draft letter as that was the original topic of discussion. After hearing all the discussion and comments, Director Lawson decided she would edit the letter and not cancel the meeting but rather move forward with the meeting and be the face of the meeting.

Discussion followed regarding the importance of establishing protocols, preparation and consideration of upgrading the District's Zoom account in order to handle the anticipated increased volume of attendees.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULYMADE BY DIRECTOR HART,
SECONDED BY DIRECTOR SMITH, AND, UPON VOTE, CARRIED, WITH DIRECTOR LOLL CLARIFYING HE IS STILL
OPPOSED TO HAVING THE PUBLIC INFORMATION MEETING BUT AGREES TO THE LETTER,

THE BOARD ADOPTED THE LETTER WRITTEN BY PRESIDENT LAWSON WITH THE CHANGES TO THE LAST SENTENCE TO STATE THE AUGUST 24, 2022 MEETING WILL COMMENCE AS PLANNED AND APPROVED IMMEDIATE DISTRIBUTION OF THE LETTER TO DISTRICT CUSTOMERS VIA EMAIL AND POSTING ON THE DISTRICT WEB SITE.

EXECUTIVE SESSION

MOTION: PURSUANT TO C.R.S. § 24-6-402(4) (A), (B), AND (E), UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR LOLL AND, UPON AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE QUORUM PRESENT, THE BOARD ADJOURNED TO EXECUTIVE SESSION AT 11:30 AM FOR THE PURPOSE OF DISCUSSING MATTERS SUBJECT TO NEGOTIATION REGARDING THE POTENTIAL PURCHASE OF IMPROVED REAL ESTATE FOR ADMINISTRATIVE OFFICE SPACE, THE TERMS AND CONDITIONS FOR CONTINUED PROVISION OF SEWER SERVICE TO THE TOWN OF CRESTONE AS WELL AS NEGOTIATIONS RELATED THERETO AS WELL AS NEGOTIATIONS RELATED THERETO, AND PURSUANT TO C.R.S. 24-6-402(4) (B) TO RECEIVE LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS REGARDING VAN BROEKHOVEN CORRESPONDENCE.

MOTION: DIRECTOR SMITH MOVED; DIRECTOR HART SECONDED TO RECONVENE TO REGULAR SESSION AT 12:30 PM.

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR LOLL, SECONDED BY DIRECTOR HART, AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED INVITING USFW FOR AN ONSITE VISIT ON OCTOBER 18, 2022.

Other Business:

None.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR LOLL, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 12:35 PM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR
September 21, 2022

Respectfully submitted,

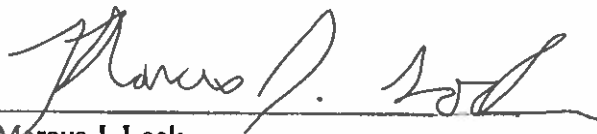


JoAnn Slivka
Secretary for the meeting

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 August 17, 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

THESE MINUTES ARE APPROVED AS THE OFFICIAL August 17, 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, August 17, 2022

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WHERE: **TELECONFERENCE VIA Zoom** [Redacted]

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John Loll	Vice-President	2025/May 2025
Mike Smith	Treasurer/Secretary	2023/May 2023
Rick Hart	Director	2025/May 2025

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- Board Roll Call
- Introduction of Guests

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B. Town of Crestone- Status of IGA (adjourn to Executive Session if necessary)

X. **EXECUTIVE SESSION**

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 potential purchase of improved real estate for administrative office space, the lease rate for the next 20-year term of the Water Service Agreement, the terms and conditions for continued provision of sewer service to the Town of Crestone as well as negotiations related thereto as well as negotiations related thereto, and pursuant to C.R.S. 24-6-402(4) (b) to receive legal advice on specific legal questions regarding Van Broekhoven correspondence.

XI. **OTHER BUSINESS**

XII. **ADJOURN**

NEXT REGULAR MEETING IS SCHEDULED FOR SEPTEMBER 21, 2022, at 9:00 AM

Join Zoom Meeting

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

July 20, 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
 Bill Peck

Also in Attendance:

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

Community Members and Guests:

Tom McKracken
 Parke Hess
 Vicki H.
 Michael Scully
 dan gray
 Elizabeth Namgyel
 Steve Smith
 JMH (Mike)
 Rachel H.
 Communist Party of China

CALL TO ORDER

President Lawson opened the meeting at 9:04 AM.

Board Roll Call: Directors Lawson, Loll, Smith, Hart and Peck 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 SMITH,
 SECONDED BY DIRECTOR LOLL AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE AGENDA.

Director Peck's Conduct: The Board entered into discussion regarding Director Peck's conduct.

MOTION: FOLLOWING DISCUSSION, DIRECTOR LOLL MOVED TO REQUEST MR. PECK RESIGN FROM THE BACA GRANDE WATER AND SANITATION DISTRICT BOARD OF DIRECTORS BASED ON MATERIALS PRESENTED IN THE JUNE BOARD PACKET. DIRECTOR SMITH SECONDED. UPON VOTE, FROM A MAJORITY OF THE BOARD, WITH DIRECTOR PECK OPPOSED, THE BOARD MOVED TO REQUEST MR. PECK RESIGNATION AS A BOARD DIRECTOR.

9:30 AM- Mr. Peck agreed to resign. The Directors took a five-minute recess to allow time for Mr. Peck to submit his written resignation.

9:35 AM – The Directors reconvened and accepted Mr. Peck's written resignation.

CONSENT AGENDA

The board considered the following consent agenda items:

- Approve Minutes from the June 15, 2022 Regular Meeting

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.

There were no public comments.

BOARD AND STAFF REPORTS

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

Board Matters**BGWSD Blog**

MOTION: FOLLOWING DISCUSSION, UPON MOTION DULY MADE BY DIRECTOR HART, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED INITIATION OF A DISTRICT BLOG AND APPROVED DIRECTOR LAWSON'S CONTRIBUTION TO BE SUBMITTED TO THE CRESTONE EAGLE FOR ITS AUGUST 2022 PUBLICATION.

Board Governance

Director Lawson led a discussion on the subject of conflicts of interest. Mr. Lock stated that this is a complicated part of the law and board members should always err on the side of caution. There are multiple Colorado statutes concerning conflicts of interest applicable to board members of a special district : If you feel that there is any possibility that you have a conflict of interest regarding any action or business of the district board, you should:

1. Within at least 72 hours prior to the meeting where the subject will be considered, give advance written notice to the district board and to the Colorado Secretary of State. The Secretary of State's website includes a form for filing notice of your potential conflict of interest, which should be completed and filed electronically. Your district manager or the district's attorney can assist you in filing this form. §18-8-308(1), C.R.S. Failure to follow these steps of disclosure is a class 2 misdemeanor. §18-8-308(3) C.R.S.
2. When the subject comes up for discussion, you should announce the existence of a conflict of interest, remove yourself from the discussion (physically or virtually as applicable), and abstain from voting on the issue. You should not do anything to influence the consideration or voting by other Board members.

Failure to disclose the conflict as described above is a criminal violation and can be prosecuted. Furthermore, any contract, vote, or other official act in which a Director had a potential conflict, not cured by disclosure, may result in the act or the contract being void.

OFFICE ADMINISTRATION

Industrial Tower West: Public notice of Community Meeting has been posted and published in three Valley newspapers. Other forms of communication regarding the meeting consist of billing inserts, posting on the District web site, the Crestone Eagle website and email communication to District customers. We asked for comments by August 1 and have already received a number of comments and have responded to these as we were able.

SDA Conference: The annual SDA conference will be held in Keystone, Colorado September 13-15. Director Hart is interested in learning more about the conference.

OPERATIONS

Compliance Inspection of Domestic Wastewater Treatment: Nick Marcotte reported on the report from CDPHE.

FINANCIAL MATTERS

Check Register: The board considered approval of the check register through the period ending June 20, 2022 as follows:

General	\$ 7,723.50
Debt Services	\$ -0-
<u>Enterprise</u>	<u>\$ 67,605.95</u>
	\$ 75,329.45

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 JULY 20, 2022.

Financial Statements:

Ms. Fromm reviewed the financial statements with the Board of Directors.

EXECUTIVE SESSION

MOTION: PURSUANT TO C.R.S. § 24-6-402(4) (A), (B), (E) AND (F), UPON MOTION DULY MADE BY DIRECTOR LOLL, SECONDED BY DIRECTOR HART AND, UPON AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE QUORUM PRESENT, THE BOARD ADJOURNED TO EXECUTIVE SESSION AT 10:58 AM FOR THE PURPOSE OF DISCUSSING THE PURCHASE OR LEASE OF REAL PROPERTY, RECEIVING SPECIFIC LEGAL ADVICE FROM COUNSEL, AND DETERMINING POSITIONS RELATIVE TO MATTERS THAT ARE SUBJECT TO NEGOTIATION CONCERNING THE LEASE RATE FOR THE NEXT 20-YEAR TERM OF THE WATER SERVICE AGREEMENT, THE PROVISION OF SEWER SERVICE TO THE TOWN OF CRESTONE, AND PERSONNEL MATTERS RELATED TO A MOTOR VEHICLE ACCIDENT INVOLVING A DISTRICT VEHICLE AND TRAILOR. PURSUANT TO C.R.S. § 24-6-402(2) (D.5), (II), (B), NO RECORDING 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 SMITH MOVED; DIRECTOR HART SECONDED TO RECONVENE TO REGULAR SESSION AT 12:15 PM.

Other Business:

None.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, UPON MOTION DULY MADE DIRECTOR LOLL, SECONDED BY DIRECTOR SMITH AND UPON VOTE, UNANIMOUSLY CARRIED, THE MEETING WAS ADJOURNED AT 12:05 PM.

THE NEXT REGULAR MEETING IS SCHEDULED FOR
August 17, 2022

Respectfully submitted,

JoAnn Slivka
Secretary for the meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL July 20, 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

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 July 20, 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



DISTRICT MANAGER REPORT

To: Baca Grande Water and Sanitation District Board of Directors

From: JoAnn Slivka, District Manager

Date: August 11, 2022

Agenda Action Items

VI.C 2021 Audit

September 30: Final date the audit may be filed
Ms. Fromm will present the draft audit for the year 2021.

VII. Element Engineering

Draft Water and Sewer Master Plan Update Nick Marcotte will present the draft plan for the Board of Directors at the August meeting. A copy will be provided before the meeting for your review.

VIII. Communication Tower

August: Public Meeting Notice A public meeting notice has been published again noticing the public meeting to be held August 24, 2022 via Zoom. The notice has been published in the July and August editions of the Eagle, in the Saguache Crescent, the Alamosa Courier and the Crestone Eagle and District web sites. Request for comments have been received. Email notices regarding the meeting announcement were also sent to District customers having an email address on file.

IX.B Town of Crestone IGA

July 19: Response from the Town of Crestone The Town sent a draft IGA back to the District. The Board will discuss this new draft at the August 17, 2022 Board meeting.

OTHER DISTRICT ACTIVITIES

Financial – Annual Budget

August 10: Budget Meeting The first 2023 budget planning meeting occurred. Director Hart joined Ms. DeBon and myself along with Ms. Fromm to discuss the process, review the budget calendar, and discuss our revenue and fund types. We also briefly reviewed the new upcoming property assessment changes. The preliminary AV should be delivered by the end of the month where we will see the impacts of these new rules.

Important Budget Dates

- Aug 25 - Preliminary assessed values available from county assessors
- October 15 - Budget Officer must present a Draft budget to the governing body.
- November - Budget Hearing is scheduled and draft is available for public review and comment.
- December 10 - Final assessed values
- 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.

Certification of Delinquent Accounts

August 8: Administrative staff and I attended training for the Tax Certification module in Caselle that we are implementing this year. Staff have been working hard to implement the changes and understand the program.

Following is the tentative schedule for this project

- September 1, 2022: Date of the letter to delinquent account holders
- October 19, 2022: Final date for Property Owner Response to the letter
- September 1, 2022: Certified letters get mailed to Property Owners

- October 19, 2022: BOARD MEETING
 - a. Property Owner Final Response and Hearing Date
 - b. Resolution prepared with the list of identified delinquent accounts
 - c. PAYMENTS WILL NO LONGER BE ACCEPTED
 - Last day to accept payments: by 9:00 A.M. October 19!
 - All future inquiries from property owners will get directed to the county
- October 31, 2022: PACKET GETS MAILED TO THE COUNTY
 - Packet includes the Final list of delinquent accounts along with the 2022 Executed Resolution
- November 1 through December 10, 2022: the Treasurer will accept certifications for inclusion on the tax rolls
- November 30, 2022: LAST DAY FOR CLOSING REQUESTS FROM TITLE COMPANIES!
 - Last day for a closing to occur for us to process the escrow payment, update the County Treasurer and perform Administrative updates to the account
- 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.

Covid

Latest trends- Saguache County

The community level of Covid-19 in Saguache County is **low** based on cases and hospitalizations, according to the most recent update from the C.D.C. on Aug. 11. The number of **hospitalized Covid patients** has fallen in the Saguache County area. **Deaths** have remained at about the same level.

The **test positivity rate** in Saguache County is very high, suggesting that cases are being significantly undercounted. An average of **2 cases per day** were reported in Saguache County, a **46 percent decrease** from the average two weeks ago. Since the beginning of the pandemic, at least **1 in 5** residents have been infected, a total of **1,375 reported cases**.

Insurance Claims

Worker Compensation May 2022 Claim. I am still awaiting the paperwork to close out the second Worker's Comp claim for 2022. The injured worker has received physical therapy and has been cleared to resume normal activities.

August 2 The two open claims for District vehicles are nearing completion. Both vehicles have been declared a total loss and documents ordering transport of the vehicles to the salvage yard have been completed.

OPERATIONS:

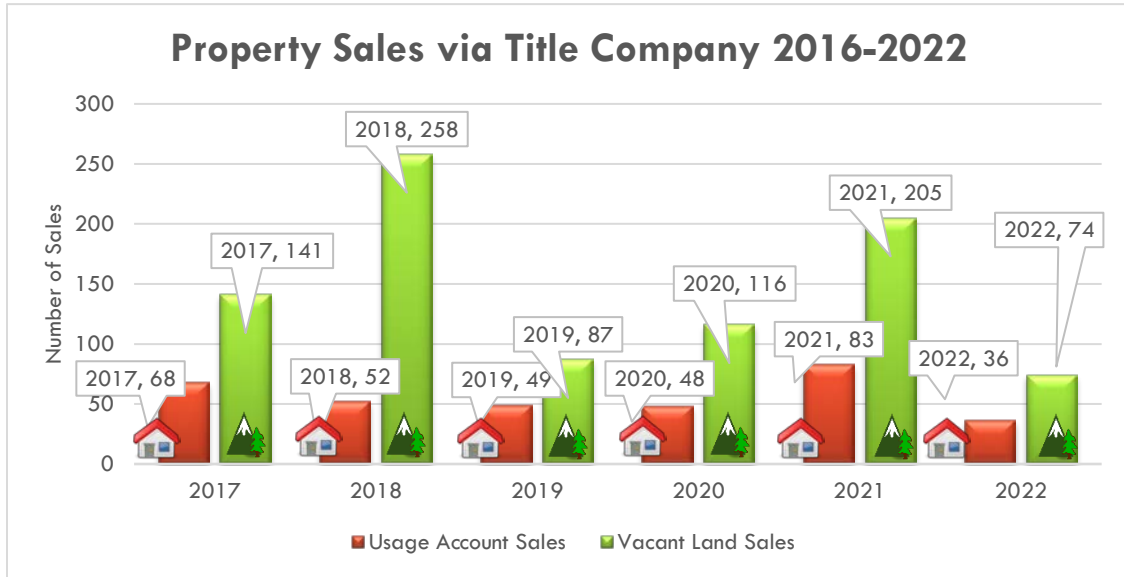
Colorado Water Loss Initiative- CWLI Phase II

August 22, 2022. The District will be receiving direct technical assistance from Kevin Burger of the CWLI to test the Well 18 meter.

ADMINISTRATIVE REPORT August 2022

UTILITY BILLING ACTIVITY		
Customer Utility Billing		
Billing Category	Number of Accts	Amount Billed
Late Fees	41	\$ 615.00
AOS Late Fees	229	\$3435.00
Usage Customers Billed - Water	810	61,975.75
Usage Customers Billed - Sewer	788	37,718.97
EQR Fees	27	785.75
Transfer Fees	17	\$4,500.00
On/Off Fees	4	\$150.00
Tap	1	10,000
Town of Crestone Sewer		
Month	Total Monthly Flow (gallons)	Amount Billed
January	461,135	\$2,425.57
February	427,186	\$2,247.00
March	444,100	\$4,698.59
April	526,408	\$5,679.94
May	636,580	\$7,008.75 + \$15.00 LC
June	613,995	\$6,895.16 + \$15.00 LC
July	583,776	\$6,684.24
August		
September		
October		
November		
December		
Totals	3,693,180	\$35,669.25

July - 2022 - Property Sales: 2 Homes, 9 Lots



July 2022 - Person to Person and Quit Claim Deeds Property Sales –

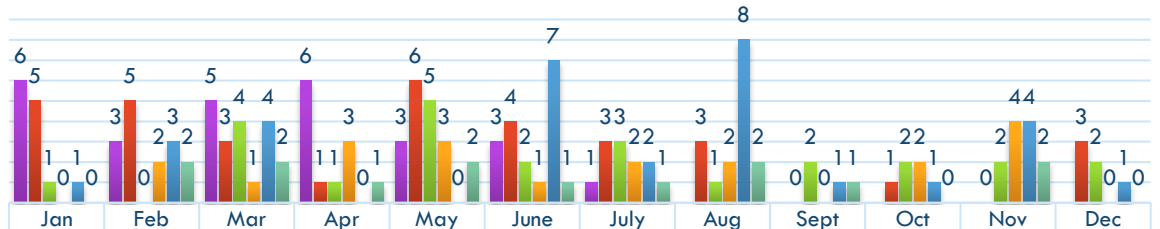
1 Home and 3 Lots

2022 WATER-SEWER HOOKUP APPLICATIONS

1 - APPLICATION(S) RECEIVED IN JULY

- 2703 Holiday Way

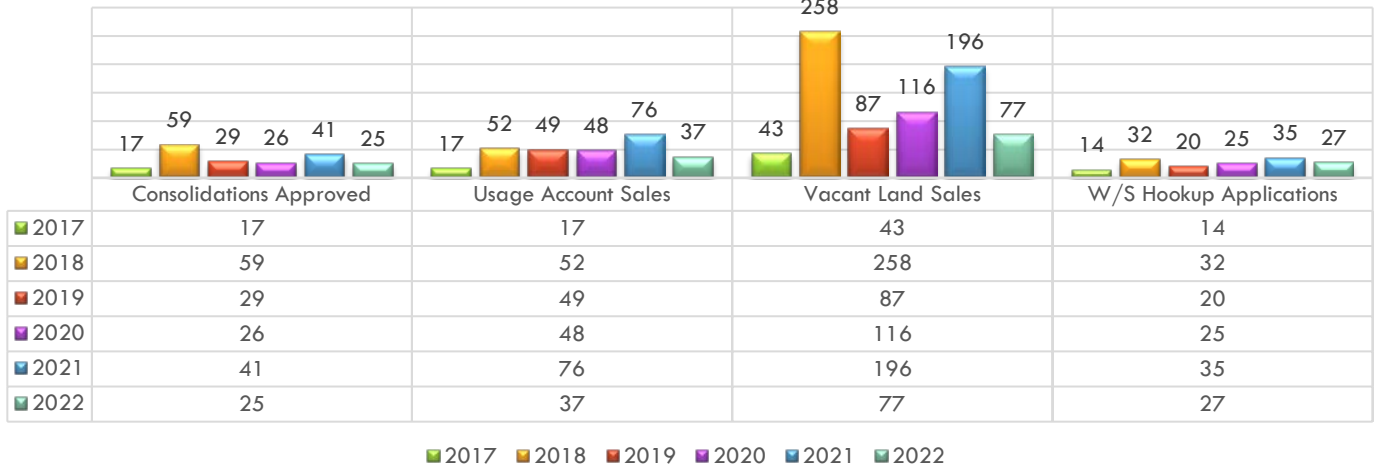
Water-Sewer Hookups 2016-2022



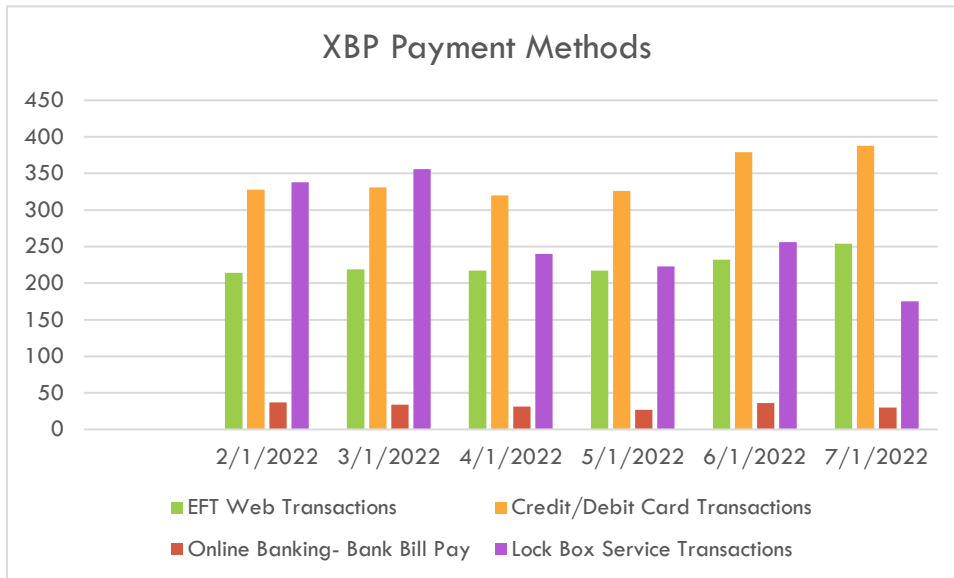
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2022=27 hookups	6	3	5	6	3	3	1					
2021=35 hookups	5	5	3	1	6	4	3	3	0	1	0	3
2020=25 hookups	1	0	4	1	5	2	3	1	2	2	2	2
2019 = 20 hookups	0	2	1	3	3	1	2	2	0	2	4	0
2018= 32 hookups	1	3	4	0	0	7	2	8	1	1	4	1
2017= 14 hookups	0	2	2	1	2	1	1	2	1	0	2	0

2022 PROPERTY TRENDS AND XBP PAYMENT METHODS

District Property Trends 2016-2022



XBP Payment Methods



JULY XPRESS BILL PAY TRANSACTION COST FOR THE DISTRICT

Product / Service Description	Qty	Unit Price	Line Total
EFT Web Transactions	254	0.49	124.46
Credit/Debit Card Web Transactions	388	0.39	151.32
Online Banking - Bank Bill Pay Transactions	30	0.25	7.50
Lock Box Service Transactions	175	0.48	84.00
Support, Maintenance, Hosting - Fee	1	75.00	75.00
Post Office Box - Annual Fee	1	350.00	350.00

Baca Grande Water and Sanitation District Monthly Operations Report

August 17th, 2022



Picture of the water main break and repair on Camino Del
Rel July 19th, 2022.

Facilities 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**
 - Well 17's VFD has failed. We are evaluating replacement parts vs. the cost of a new drive.
 - New VFD Cost less that repair of the old VFD. Parts are on order.

- **MHE Lift Station**
 - After further analysis by Element Engineering, it was determined that the current pumps being used at MHE Lift Station are not well suited for this installation.
 - New pumps are recommended, I will work on cost for 2023 budget
- **Wagon Wheel Lift Station**
 - Pump 2 is currently being evaluated by Denver Industrial Pumps
- **Ridgeview Transfer Station**
 - Ridgeview Transfer Station pump 2 had a mechanical seal fail.
 - Seal was replaced by district staff.
- **Truck 1**
 - Truck 1 went in for new tires.

Operations Updates

- **Colorado Water Loss Initiative (CWLI) Update**
 - Well 18 Meter Test is scheduled for August 22nd.
 - Still working on the 2021 Water Audit
- **AWWTP**
 - Enaqua service tech came to service UV System
 - He was impressed with how well maintained the system is. Great job staff!
- **Meter Pit Issues**
 - 18 new service connections in 2022
 - 21 active application
 - Currently out of stock on radio read device for meters (56 on order)
 - 4 water meters left in stock. (36 on order)
 - 20 more meter pit ordered 4/11/22
 - Some parts are still difficult to get and are on backorder
- **Auto Sampling Equipment**
 - Happy to report the auto samplers are operational and in use.
- **Water and Sewer Mainline Extensions**
 - Lovers Way Line Extension nearing completion only a few close out items are remaining.
- **Road repair from water main breaks**
 - 2 of the 3 patches has been repaired.
 - We are working on scheduling the repair of the last one.

➤ **Summer Projects**

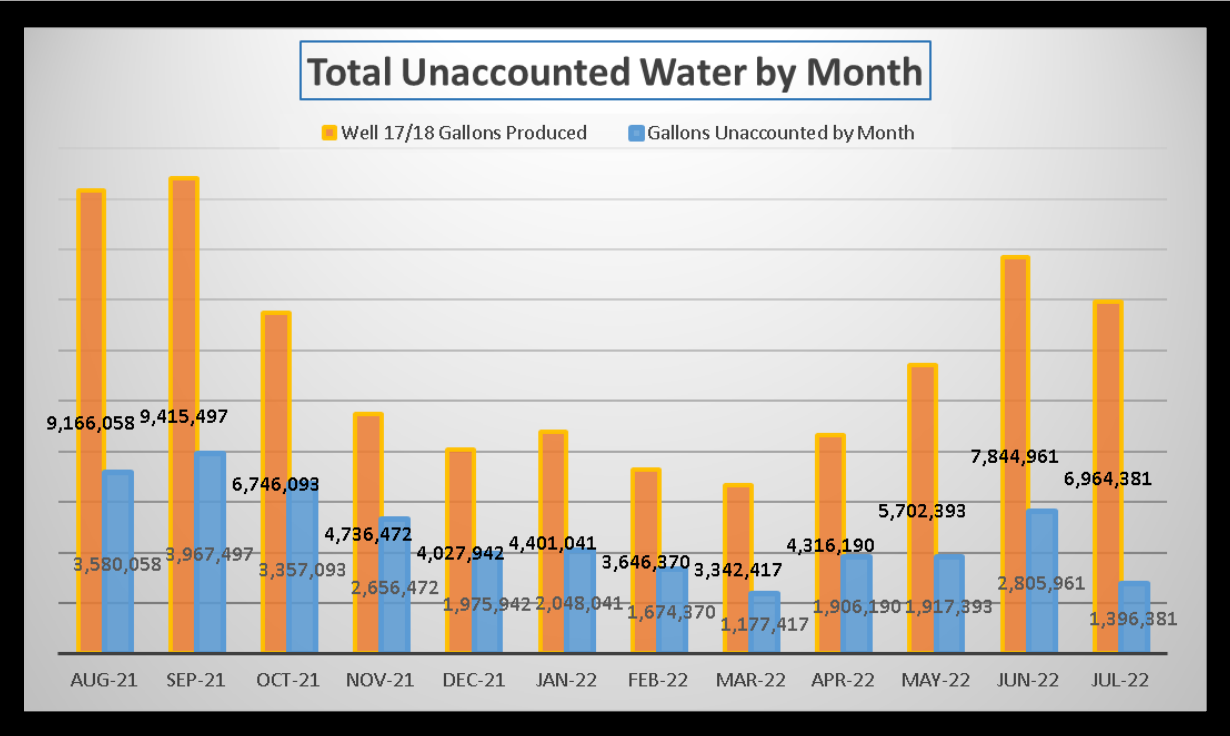
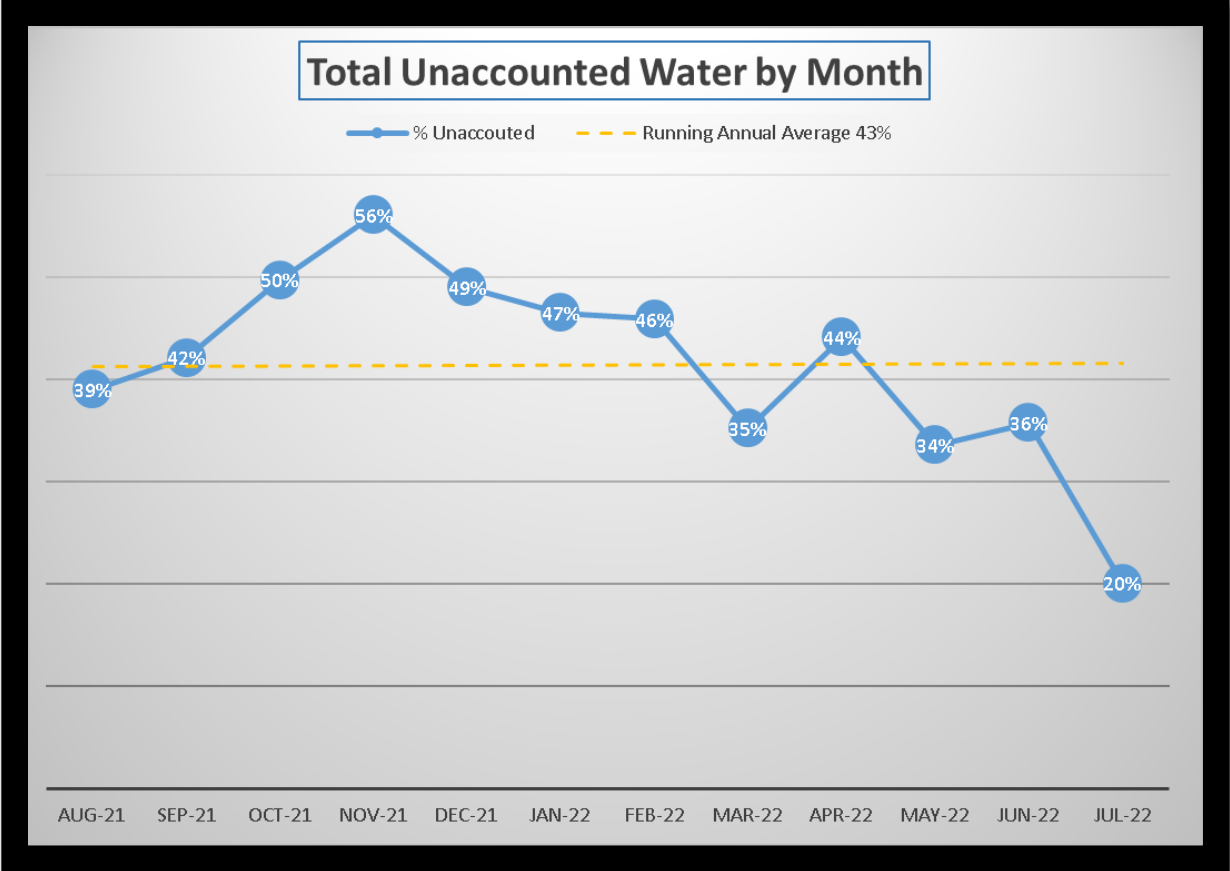
- Fire hydrant maintenance has been completed
- 2 Hydrant currently out of service. Hydrants are in the process of being ordered.
- Operations main focus is now on cleaning and camera inspection of the sewer mainlines in Basin 4 (Chalet 2 and 3)
- Still looking for two summer temporary employee's to help with summer projects

➤ **Unaccounted Water**

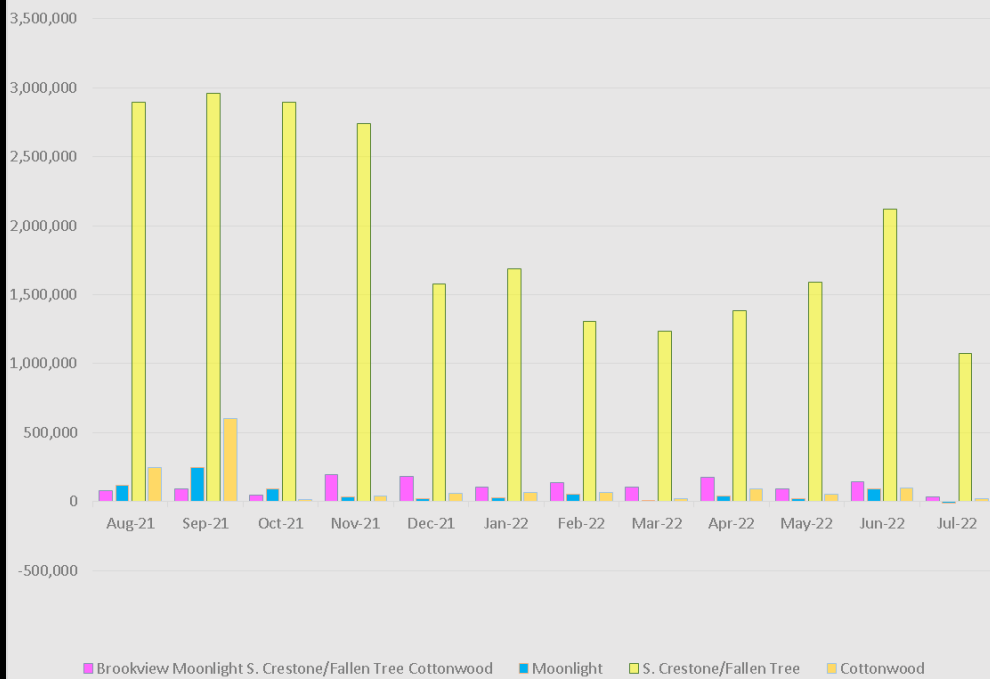
- Wells 17 and 18 produced 6,964,381 gallons of water in the month of July
- The District sold its customers 5,586,000 gallons of water in the month of July, leaving 1,396,381 gallons unaccounted for.
- 20% of the water produced is unaccounted for in the month of July.

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

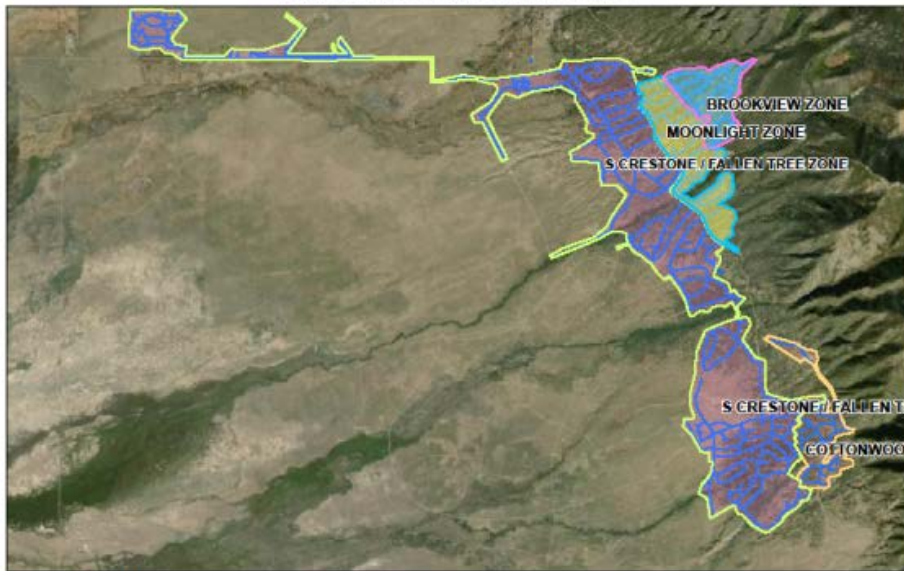
- Aspen WWTP averaged 46% of hydraulic loading capacity in the month of July, the Town of Crestone contributed and average of 27% of the treatment plants hydraulic load.
- Aspen WWTP averaged 56% of organic loading capacity in the month of July. The Town of Crestone contributed an average of 37% of the treatment plants organic load.



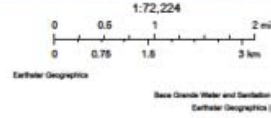
Total Monthly Unaccounted in Gallons by Pressure Zone



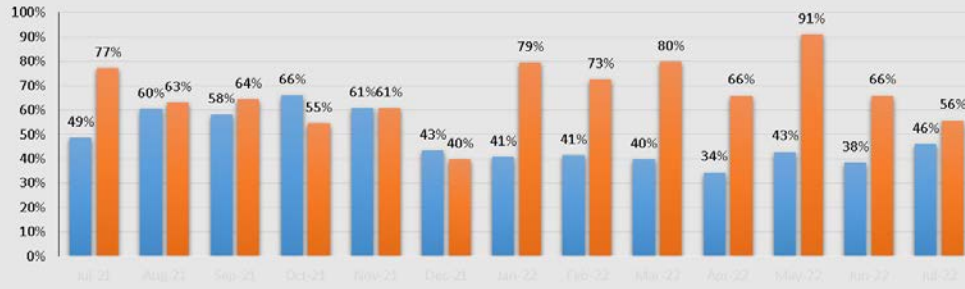
BGWSD Unaccounted Water Zone's



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



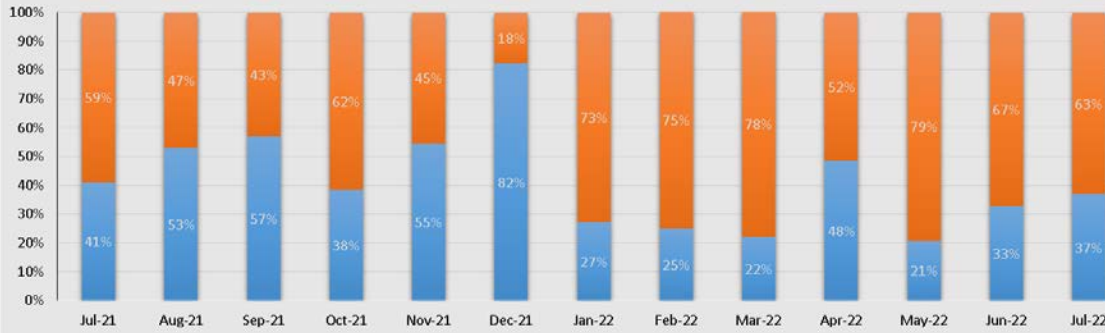
Percentage of Plant Capacities by Month at Aspen Wastewater Treatment Plant



	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22
Plant % of Hydraulic Capacity	49%	60%	58%	66%	61%	43%	41%	41%	40%	34%	43%	38%	46%
Plant % of Organic Capacity	77%	63%	64%	55%	61%	40%	79%	73%	80%	66%	91%	66%	56%

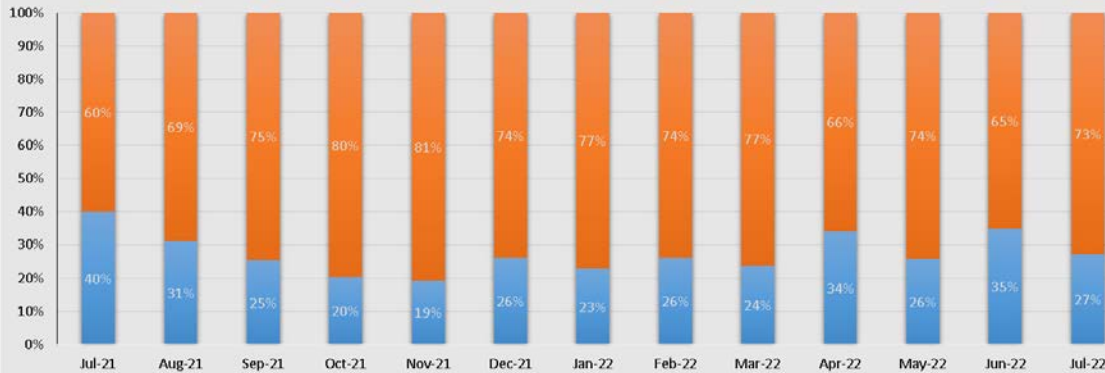
■ Plant % of Hydraulic Capacity ■ Plant % of Organic Capacity

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

Baca Grande Water
and Sanitation DistrictCheck Register - BGWSD new
Check Issue Dates: 8/1/2022 - 8/31/2022Page: 1
Aug 10, 2022 12:23PM

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
92570					
08/17/2022	A&M Pest & Termite Control,Inc	731318	4-503000	Repair & Maint	75.00
Total 92570:					75.00
92571					
08/17/2022	CDPHE	FGD2022082	4-500250	Testing	310.00
08/17/2022	CDPHE	WU23112379	4-500250	Testing	2,733.00
08/17/2022	CDPHE	WU23113341	4-500250	Testing	92.00
Total 92571:					3,135.00
92572					
08/17/2022	CEBT	INV0050135	4-530500	Health Insurance	5,367.13
Total 92572:					5,367.13
92573					
08/17/2022	Center Tire Store	15580	4-500662	Vehicle-Repairs and Maint	1,128.24
Total 92573:					1,128.24
92574					
08/17/2022	Centratel, LLC	2208022091	4-500406	Phone Answering Service	259.76
Total 92574:					259.76
92575					
08/17/2022	Consolidated Communications	CC-22-08	4-505027	Office / Cell Phones	480.97
Total 92575:					480.97
92576					
08/17/2022	DPC Industries, Inc.	737003293-2	4-503300	Chemicals Maintenance	2,765.51
08/17/2022	DPC Industries, Inc.	737003298-2	4-503300	Chemicals Maintenance	808.50
Total 92576:					3,574.01
92577					
08/17/2022	Element Engineering, LLC	EE-22-08-00	4-506020	Professional Fees	280.00
08/17/2022	Element Engineering, LLC	EE-22-08-00	3-516000	Master Plan	15,980.00
Total 92577:					16,260.00
92578					
08/17/2022	Fastenal Company	COALA8588	4-500451	Supplies	31.45
Total 92578:					31.45
92579					
08/17/2022	FirstBank	FB-22-07	4-500403	Office Supplies	94.12
08/17/2022	FirstBank	FB-22-07	4-500403	Office Supplies	12.99-
08/17/2022	FirstBank	FB-22-07	4-503300	Chemicals Maintenance	1,470.93
08/17/2022	FirstBank	FB-22-07	4-503300	Chemicals Maintenance	1,491.73
08/17/2022	FirstBank	FB-22-07	4-503300	Chemicals Maintenance	1,095.73-
08/17/2022	FirstBank	FB-22-07	4-500451	Supplies	205.77
08/17/2022	FirstBank	FB-22-07	4-500550	Meals and Lodging	8.98

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
08/17/2022	FirstBank	FB-22-07	4-500550	Meals and Lodging	15.05
08/17/2022	FirstBank	FB-22-07	4-500661	Gas and Oil	130.40
08/17/2022	FirstBank	FB-22-07	4-500500	Training and Education	600.00
08/17/2022	FirstBank	FB-22-07	4-500661	Gas and Oil	42.01
08/17/2022	FirstBank	FB-22-07	4-500500	Training and Education	50.08
08/17/2022	FirstBank	FB-22-07	4-500408	Computer Support	14.00
08/17/2022	FirstBank	FB-22-07	4-500408	Computer Support	1.50
08/17/2022	FirstBank	FB-22-07	4-500408	Computer Support	15.00
08/17/2022	FirstBank	FB-22-07	4-500408	Computer Support	15.00
08/17/2022	FirstBank	FB-22-07	4-505029	Trash and Recycling Services	107.45
08/17/2022	FirstBank	FB-22-07	4-505029	Trash and Recycling Services	300.55
08/17/2022	FirstBank	FB-22-07	4-505027	Office / Cell Phones	368.96
Total 92579:					3,822.81
92580					
08/17/2022	Freedom Mailing Services, INC	43432	4-500460	Utility Billing	479.33
Total 92580:					479.33
92581					
08/17/2022	Fromm & Company LLC	2022-7	1-506045	Accounting	3,879.00
Total 92581:					3,879.00
92582					
08/17/2022	Front Range Win Water Works Co	07586700	4-503008	Repairs & Maint-Well No. 18	271.81
Total 92582:					271.81
92583					
08/17/2022	Grand Junction Pipe/Ferguson W	1345177	4-503028	Repair-Meters	1,603.89
Total 92583:					1,603.89
92584					
08/17/2022	Great America Financial Svcs	32168725	4-500402	Copier Lease and Equipment	211.73
Total 92584:					211.73
92585					
08/17/2022	Haynies Inc	370559	4-500662	Vehicle-Repairs and Maint	415.98
08/17/2022	Haynies Inc	372428	4-500662	Vehicle-Repairs and Maint	249.99
Total 92585:					665.97
92586					
08/17/2022	IMEG	22002079.00	4-506022	Professional Fees-GIS	600.00
Total 92586:					600.00
92587					
08/17/2022	John Deere Financial	B72718	4-500450	Utility Maintenance Tools	176.97
Total 92587:					176.97

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
92588					
08/17/2022	Law of the Rockies	LOR-22-07	1-506030	Legal	3,928.00
Total 92588:					3,928.00
92589					
08/17/2022	Peregrino, Dora	220712-PER	4-503025	Repair & Maint-Office	60.00
08/17/2022	Peregrino, Dora	220727-PER	4-503025	Repair & Maint-Office	120.00
08/17/2022	Peregrino, Dora	220808-PER	4-503025	Repair & Maint-Office	120.00
Total 92589:					300.00
92590					
08/17/2022	Pinnacol Assurance	20977106	4-530600	Worker's Compensation Insur	908.00
Total 92590:					908.00
92591					
08/17/2022	Pitney Bowes Global Financial Se	3316079315	4-500401	Postage	80.01
Total 92591:					80.01
92592					
08/17/2022	Quill	26646867	4-500403	Office Supplies	175.96
Total 92592:					175.96
92593					
08/17/2022	Saguache Crescent	SC-22-08	4-500510	Advertising	20.63
Total 92593:					20.63
92594					
08/17/2022	Sangre De Cristo Lab, Inc.	23881	4-500250	Testing	120.00
Total 92594:					120.00
92595					
08/17/2022	Skoglund Excavating Inc	SE-22-08	4-503001	Repairs & Maint-Water Mains	960.00
Total 92595:					960.00
92596					
08/17/2022	Smith, Mark	SM-22-09	4-120070	Accounts Receivable	250.00
08/17/2022	Smith, Mark	SM-22-09	4-120070	Accounts Receivable	250.00
08/17/2022	Smith, Mark	SM-22-09	4-120070	Accounts Receivable	200.00
08/17/2022	Smith, Mark	SM-22-09	4-120070	Accounts Receivable	200.00
Total 92596:					900.00
92597					
08/17/2022	Timber Line Electric & Control	6995	4-503022	Repair & Maint-Lift Stations	1,778.30
Total 92597:					1,778.30
92598					
08/17/2022	UNCC	222070114	4-500530	Locates	36.40

Check Issue Date	Payee	Invoice Number	Invoice GL Account	Account Title	Check Amount
Total 92598:					36.40
92599					
08/17/2022	US Fish and Wildlife Service	USFW-22-08	4-500100	Raw Water USFSWS	12,946.31
Total 92599:					12,946.31
92600					
08/17/2022	USA BlueBook	040760	4-503018	Repair & Maint-Fire Hydrants	55.95
08/17/2022	USA BlueBook	040760	4-503019	Repair & Maint-Aspen TP	58.48
08/17/2022	USA BlueBook	046938	4-503019	Repair & Maint-Aspen TP	562.99
08/17/2022	USA BlueBook	062311	4-503019	Repair & Maint-Aspen TP	27.60
Total 92600:					705.02
92601					
08/17/2022	Valley Electric	33842	4-503008	Repairs & Maint-Well No. 18	359.13
Total 92601:					359.13
92602					
08/17/2022	Wagners Truck and Tire	1009	4-500662	Vehicle-Repairs and Maint	1,275.49
08/17/2022	Wagners Truck and Tire	1018	4-500662	Vehicle-Repairs and Maint	325.00
Total 92602:					1,600.49
92603					
08/17/2022	Wingard Mark	WM-22-09	4-120070	Accounts Receivable	150.00
Total 92603:					150.00
92604					
08/17/2022	World Fuel Service, Inc. Land	2120860-415	4-500661	Gas and Oil	1,180.39
08/17/2022	World Fuel Service, Inc. Land	2120860-415	4-500663	Diesel Fuel	450.42
Total 92604:					1,630.81
92605					
08/17/2022	WSB Computer Services, Inc.	84723	4-500408	Computer Support	62.50
Total 92605:					62.50
92606					
08/17/2022	Xerox Corp.	016695521	4-500402	Copier Lease and Equipment	203.47
08/17/2022	Xerox Corp.	016846798	4-500402	Copier Lease and Equipment	5.55
Total 92606:					209.02
Grand Totals:					68,893.65

Baca Grande Water and Sanitation District ("District") Board Statement Regarding Proposed Cell Tower From The Board President

Dear Community Members and Members of the District,

This letter is to address community conversations around local cell phone service and the potential role of the Baca Grande Water and Sanitation District in improving that service. I am writing personally, though also as board president, because the issue has become surprisingly controversial. I feel it will be helpful both to share the facts as I know them, and to respond about how this issue engages us as individual community members.

The request to provide land for a cell tower came to the District board in the spring of this year. A cell tower company, Industrial Communications West, was approached by our County Commissioner Tom McCracken, because Commissioner McCracken knew that federal funds (ARPA) could be used for the expansion of broadband access and emergency services. Improving cell service was one of the few ways these funds could be used. Commissioner McCracken knew, especially as a result of Covid, that when children are at home needing to do schoolwork, some may not have access to internet service, but most every home today has access to a cell phone. Improved cell service in our communities will allow these children to do their homework if they have a phone in the house, which they were likely to have.

Also, during this research it became clear that more and more homes have discontinued their landline service, and cell phone is the only way to reach many households. As a result, the county Sheriff's office, emergency dispatch, and similar public entities support improved cell service in our area. Additionally, some people believe that, with the steep decline in landline use, it is only a matter of time before Consolidated Communications will discontinue area landline service entirely because of the limited number of subscribers in our community.

The cell company driving the tower under consideration by the District is Viaero. Industrial West specializes in low elevation towers that serve Viaero's rural network. The Viaero technology would also improve service for AT&T users. For Verizon service to be improved, a separate Verizon antenna would have to be collocated on the tower. This presumably would happen at a later date after the Viaero antenna is installed.

The proposed tower is to be 195 feet tall. At this height it does not require lighting, but it is high enough to offer significant improvement of service quality in our area. Additional antennas, such as a Verizon antenna, would be placed lower on the tower than the first antenna. The District has a precedent of providing land for towers, most notably the Ciello tower, also located at the Aspen Treatment plant property.

Many people have raised objections to the possibility of a cell tower and have objected to even having this community conversation. I believe this is an important conversation for us to have collectively. I believe that we can also use this conversation as an opportunity to build trust and collective problem-solving skills for future questions. We need to plan our future, and we

should prepare for a future of increasingly diverse perspectives and increasingly complex needs. If we do not accept that change is happening, we cannot prepare for it.

One objection to a cell tower is that it will bring 5G to our area. Areas with a rural profile like ours are not candidates for 5G at this time.

Another objection that has been raised is that cell towers emit dangerous radiation that is especially harmful to children. I have read some of the reference materials that individuals have posted to support this concern. What I am reading is that cell towers within $\frac{1}{4}$ mile of a residence may be harmful to children. At the Aspen Treatment Plant site, by my own calculations using the Saguache County Parcel Viewer, the proposed tower will be approximately the following distances from residential areas:

Colorado College Dorms	0.4 miles
Townhouses.	0.66 miles
Closest point of Chalet I	0.96 miles (e.g. near Nada)
Town of Crestone	1.5 miles
Closest Grants location	1.48 miles
Closest Chalet II location	2.92 miles
Closest Casita Park location	3.16 miles
Farthest south end of the Baca	4.9 miles

After looking at various options, Industrial West felt that the location at the Baca Water Aspen Treatment plant would best serve the overall community because of its location in relation to residences and populations. This location is close enough and centrally located enough to substantively improve cell service to all areas of the Baca Grande, and to the Town of Crestone, while also distant enough to allay concerns about health and visibility. According to Industrial West, the other proposed location near the POA on the McDowell property is less ideal because it is considerably farther away from the needed coverage areas, and will not provide as consistently reliable service to the greatest number of residents.

A third objection to a cell tower has been destruction of our natural views. The current tower at the Aspen location is not readily visible from County Road T or other parts of the Baca Grande or town. I expect we can have a conversation about how to minimize the visual impact of a tower at this location. I expect that we can also create simulations of the proposed visual profile and make an informed decision about the visual impact. My own evaluations suggest that the tower at the proposed location will not substantially impact the viewshed for most residents and visitors.

A fourth objection to the cell tower is that the District should not be operating outside of its purview as a provider of water and sewer services by moving into the business of cell towers. The objection is that this endeavor would be or is already a distraction from our primary mission. The District is acting here as the property owner only, with an opportunity to have a revenue benefit that will extend to every member of the District. The questions and comments

received by the District in the last month suggest that people do not trust that the District is a service entity that works in the public interest. I can assure you that we are exploring this request solely as it will benefit our membership and the District. We are a volunteer board and your fellow community members. We work rigorously to ensure that the District is doing its very best for its customers and keeping rates as low as possible. The District is looking at future expenses for infrastructure improvements in the millions of dollars. Our low population density means that we must look at every opportunity to deliver essential services in a cash poor environment. This budget management priority will be a concern for decades, not just a few years. Admittedly, the tower itself is not likely to bring substantial revenue to the district, but if we can use this opportunity to come together as a community and have a conversation that addresses the complex realities of your future, the process will create pathways that will benefit us moving forward.

A fifth objection we received was the chosen format of Zoom for the public information session. The objection was that Zoom is not available to certain members of the community, or that people cannot as freely communicate on that forum. The District chose Zoom for a number of reasons: The District does not have facilities to accommodate large groups, especially in the age of Covid. Also Covid has been a persistent problem affecting the District work force, and staff safety is a primary concern of the District. It did not seem prudent or within our expertise to organize a large in-person group gathering. We will continue to engage in the information gathering and dissemination process while avoiding large in-person gatherings, and we will use all productive information exchange processes reasonably available to us and that do not unreasonably tax our staff and resources.

One consideration that has not been raised in the conversation around health concerns is that our community currently receives cell service from Moffat, where the only tower is located a few hundred feet from the Moffat School. There has been no discussion about whether this Moffat tower should be disabled or altered to reduce risk to our children. Cell service to our community rightly should not add health risks in our neighbor communities and to our own children. Long-term community planning should involve phasing out such placements if they are a health risk. It is my understanding that the Moffat tower is also 195 feet tall. It is an example of the proposed height. Increased use of the Moffat tower by an expanding population will and has already led to a decline in service availability in outlying areas. If we do not improve local service, we can expect a decline in coverage in our area.

This industry is highly regulated. Any tower will require National Environmental Policy Act (NEPA), Federal, and local approvals, and will need to undergo foundation & structural analyses- to include soils testing, surveys, FAA determinations, etc., before carriers will collocate on any tower. Industrial West is experienced in gaining these approvals and building these structures. This approach to hire an expert in the field of cell tower construction and management has a high likelihood of success if chosen, with a likelihood of the best possible service, the greatest number of options in terms of location, and the greatest likelihood of achieving required certifications and collocation of several providers on the tower, and construction in a timely manner.

I have to admit that I was taken aback, perhaps naively so, by the suspicion and adversarial energy behind responses to the announcement by the District of the possibility of the tower. It does not feel good to be personally maligned on Facebook by people who do not know me, but who I consider to be my neighbors. Please remember that we are together in this, all doing our best. Please talk to us before accusing us. And please re-read your words before pressing send. Ask yourself whether your intentions are straightforward and kind. Please know that your public servants and service providers strive to choose the path of kindness, and that we are human, too. As board president, I believe the District needs to focus on communication and community engagement to increase trust with our membership. Trust and communication are essential to problem solving, and to the effective management of our community systems.

There is considerable misinformation about the role of the county in considering a cell tower. Commissioner McCracken is deeply committed to this community and has been working hard to create opportunities for residents of our county. Again, please ask questions before attacking his intentions and integrity.

Those of us who live in the Crestone/Baca Grande community have adapted our lives and probably overwhelmingly are okay with either decision, whether to have a tower or not to have a tower if that is the right decision for our community. Virtually every one of us has moved here to make a better life for ourselves. We came rejecting certain values, and believing in a better future. Many of us consciously came for peace and healing. Others have subconsciously benefited from the peace and healing afforded by this place. We bring our dreams and ideals. We come here to make a better world.

This board respects and admires the diverse people and passions that come together in the Crestone/Baca Grande community. We strive to listen, to make decisions that are reasonable, realistic, practical, and with the best interests of the widest swath of the community in mind. The approach of the District is to look at the big picture, and to try to bring the community to a considered decision, taking into account both individual community member desires and critical long-term infrastructure needs.

The decision of whether the Water District will participate in a cell tower plan was to start with a community information session. Many people seemed to think that the public information session was an indication that the District had already made a decision on the issue. This is not the case. We set the meeting as part of an information exchange process. The ensuing calls, emails, letters to the District, conversations on Facebook, and petitions have given the District a clear sense of the need for increased trust and for continued conversation. I do not believe that the August 24th community information session is the best forum to continue this conversation, and I have asked that this meeting be postponed to such time as we feel equipped to lead a productive conversation. We will continue to create opportunities to engage diverse sectors of the community around this issue.

Ultimately, the District Board will vote on whether to enter an agreement with Industrial West to place a cell tower on District property. This is not a decision that should be made as a result of public pressure or lobbying of interest groups representing a small segment of our population. The best plan will come as a result of civil discourse. I encourage members of the District to be open to the many options for our future, to work together, and to listen before passing judgment. Please attend our meetings. We need members of the community willing to give their time and to learn about the issues facing the District.

I hope this letter answers some of your questions, and opens the door for continued conversations about how to build a better community. Thank you to each of you for your care for Crestone, and for the hope that you bring for our collective future.

Sincerely,

Vivia Lawson
President
Board of Directors
Baca Grande Water & Sanitation District