



## **Baca Grande Water & Sanitation District**

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### **NOTICE OF PROCEEDINGS BACA GRANDE WATER & SANITATION DISTRICT**

Chairman Clem Gasseling called the Regular Meeting of the Baca Grande Water & Sanitation District to order at 9:05 A.M. on Friday, December 14, 2007 at the District office in Crestone, Colorado. Directors present were Clem Gasseling, Philip Madonna, Chris Canaly, Lisa Cyriacks and Charles Grant. District employees Steve McDowell and Darla Tiernan were also present. Visitors in attendance were Jody Kern and Karla Willschau from Wall, Smith, Bateman and Associates.

#### **2006 AUDIT**

Karla Willschau and Jody Kern from Wall, Smith, Bateman & Associates presented the 2006 Audit to the Board. On a motion by Director Cyriacks, seconded by Director Grant, the Board unanimously accepted the 2006 Audit report. Mr. McDowell noted to the Board that the fixed assets inventory will begin in January since they are in need of major adjustments.

#### **MILL LEVY**

On a motion by Director Cyriacks, seconded by Director Canaly, the Board unanimously approved the Resolution to Set Mill Levies at 38.792.

#### **RESOLUTION 2007-04**

On a motion by Director Cyriacks, seconded by Director Grant, the Board unanimously approved Resolution 2007-04 Concerning Revision of Water Rates.

#### **RESOLUTION TO APPROPRIATE SUMS OF MONEY**

On a motion by Director Cyriacks, seconded by Director Madonna, the Board unanimously approved the Resolution to Appropriate Sums of Money for the 2008 Budget.

#### **2008 BUDGET**

On a motion by Director Cyriacks, seconded by Director Grant, the Board unanimously approved the Resolution to Adopt Budget with the following caveats: 1) Wait to execute the proposed 2008 Lease until the Fixed Asset Inventory is conducted; 2) Re-visit the Budget in March; and 3) Get advice from the State about funding alternatives.

#### **MINUTES**

The Minutes of the Regular Meeting of November 9, 2007 were unanimously approved on a motion by Director Grant, seconded by Director Cyriacks.

#### **TREASURERS REPORT**

The Treasurer's Report for the period ending November 30, 2007 was confirmed on a motion by Director Canaly, seconded by Director Cyriacks.

#### **LIST OF BILLS PAID**

The List of Bills Paid for the period of 11/10/07 – 12/14/07 was confirmed on a motion by Director Grant, seconded by Director Cyriacks, and approved unanimously.

#### **LEGAL REPORT**

Ms. Tiernan presented the Board with a Legal Report dated November 10 – December 14, 2007.

### **MANAGER'S REPORT**

Mr. McDowell presented the Board with a Manager's Report dated December 1 – 14, 2007.

### **PLAN REVIEW RATE**

Mr. McDowell recommended to the Board that the fee for reviewing site plans be set at \$85.00/hour. On a motion by Director Cyriacks, seconded by Director Canaly, the Board approved the Plan Review Rate for \$85.00/hour.

### **PILT PAYMENTS TO COUNTY**

Director Cyriacks requested that we find out if the District receives any percentage of the PILT payments that are paid directly to the Saguache County Treasurer.

### **ADMINISTRATIVE REPORT**

Ms. Tiernan presented the Board with an Administrative Report dated November 10 – December 14, 2007. In reference to the job opening for Receptionist/Bookkeeper, the Board recommended that we post ads at local businesses and possibly place an ad in the Valley Courier.

### **RESOLUTION 2007-05**

On a motion by Director Cyriacks, seconded by Director Madonna, the Board unanimously approved Resolution 2007-05, which authorized the District to certify usage accounts to the Saguache County Treasurer for collection under the same circumstances as vacant lots (balance of \$150.00 or more which is delinquent for six months or longer).

### **BOARD COMPENSATION**

On a motion by Director Madonna, seconded by Director Gasseling, the Board voted to approve additional compensation in the amount of \$400.00 to Directors Madonna, Cyriacks and Grant for additional meetings attended in 2007 pursuant to C.R.S. 32-1-902(3)(a)(II). Director Canaly voted no against this motion.

### **GENERAL COUNSEL**

The Board requested we add a search for general counsel to a future agenda, and possibly schedule a meeting with Mr. John Lubitz who is handling our PILT Agreements.

### **OLD BUSINESS**

#### **CRESTONE BACA LAND TRUST (CBLT)**

The Board had requested Ms. Tiernan to follow-up with CBLT in December. Upon follow-up with Ceal Smith, Ms. Tiernan reported that CBLT is still in the process of trying to obtain Open Space zoning on the lots which do not have Conservation Easement Deeds.

### **RACKY**

The Board was updated about the owner of Lots 1839-1840-1841-1843-1844 who has been building without a Saguache County Building Permit and without a District Water & Sewer Permit for the last two years. Mr. Racky visited our office and we discussed an alternative plan for him to bring water and sewer lines into his property from Lone Pine Way instead of Rocky View Way. His current structure will become a workshop and he will apply for a construction permit for the northern-most lot where the water and sewer lines are closest (1843 Lone Butte Overlook). We also advised him that he will need to consolidate his lots, and furthermore needs to install a portable toilet immediately on-site.

**OLD BUSINESS, CONTINUED:**

**MANITOU**

A meeting is being planned between representatives from the Manitou Foundation and the District to discuss Manitou properties which lie within District boundaries.

**NEW BUSINESS**

**BONUS**

On a motion by Director Grant, seconded by Director Cyriacks, the Board voted to award a \$100 Christmas bonus to each District staff member, as well as to Deb Phenicie. Director Canaly voted No to this motion.

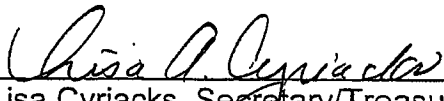
**NEXT MEETING**

The next Regular Meeting was set for 9:00 A.M. on Friday, January 18, 2008 at the District Office in Crestone, Colorado.

**ADJOURNMENT**

On a motion by Director Cyriacks, seconded by Director Madonna, the Board adjourned at 12:29 p.m.

  
Clem Gasseling, Chairman

  
Lisa Cyriacks, Secretary/Treasurer



**BOARD OF DIRECTORS  
OF THE BACA GRANDE WATER AND SANITATION DISTRICT**

**RESOLUTION NO. 2007-04**

**CONCERNING REVISION OF WATER RATES**

Director Cyriacks moved the adoption of the following Resolution

2007-04, seconded by Director Grant this 14<sup>th</sup> day of December, 2007:

WHEREAS the Baca Grande Water and Sanitation District is a District formed under the Special District Act, Colorado Revised Statute 32-1-101 et seq; and

WHEREAS the Baca Grande Water and Sanitation District has the authority to adopt rates, fees, tolls, penalties, assessments and charges for water, sewer or water and sewer services furnished, or to be furnished; and the further power to adopt such rules and regulations as are necessary to the proper functioning of the District; and

WHEREAS the costs of operation of the Baca Grande Water and Sanitation District water system have increased substantially over the past several years; and

WHEREAS the recent drought has made it more imperative than ever that the District maintain and increase its existing water rights; and

WHEREAS the recent drought has increased the need to encourage water conservation among the users of the District's water;

IT IS THEREFORE RESOLVED by the Board of Directors of the Baca Grande Water and Sanitation District, that

1. The monthly base charge for an irrigation customer within the District boundaries shall be as follows, based upon the size of the service line:

3/4" Line	\$ 22.00
1" Line	\$ 25.00
1 1/4" Line	\$ 29.00
1 1/2" Line	\$ 33.00
2" Line	\$ 44.00
3" Line	\$ 66.00
4" Line	\$ 88.00
6" Line	\$ 132.00
8" Line	\$ 176.00

2. Irrigation customers shall also be subject to a usage charge per 1,000 gallons or fraction thereof, which shall increase as usage increases, as follows:

1,000 - 10,000 gallons	\$ 1.50 per 1,000 gallons
10,001 - 20,000 gallons	\$ 1.75
20,001 - 30,000 gallons	\$ 2.00
30,000 - 40,000 gallons	\$ 2.25
40,000 gallons or more	\$ 2.50

3. The Application fee for Hook-Up shall be as follows based upon the size of the service line:

3/4" Line	\$ 1,200.00
1" Line	\$ 1,700.00
1 1/2" Line	\$ 2,728.00
2" Line	\$ 3,070.00
3" Line	\$ 4,885.00
4" Line	\$ 6,640.00
6" Line	\$ 10,642.00

4. The monthly late charge for all usage accounts shall be 5% of the total balance due.

ADOPTED this 14<sup>th</sup> day of December, 2007, by a vote of 5 in favor, 0 opposed.

BACA GRANDE WATER AND SANITATION DISTRICT

By Clem Gasseling  
Clem Gasseling, Chairman

By Lisa Cyriacks  
Lisa Cyriacks, Secretary



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## BOARD OF DIRECTORS OF THE BACA GRANDE WATER AND SANITATION DISTRICT

### RESOLUTION NO. 2007-05

#### CERTIFYING DELINQUENT USAGE ACCOUNTS TO THE SAGUACHE COUNTY TREASURER

Director Cyriacks moved the adoption of the following Resolution

2007-05, seconded by Director Madonna:

WHEREAS the Baca Grande Water and Sanitation District is a District formed under the Special District Act, Colorado Revised Statute 32-1-101 et seq; and

WHEREAS the Baca Grande Water and Sanitation District has adopted rates, fees, tolls, penalties, assessments and charges for water, sewer or water and sewer services furnished, or to be furnished; and

WHEREAS the Baca Grande Water and Sanitation District is empowered by Section 32-1-1101(1)(e) of the Special District Act to collect such delinquent fees and charges by certification to the County Treasurer; and

WHEREAS proper notice of public meeting shall be given to the property owner and all affected parties; and

WHEREAS the adoption of this resolution will serve a public use and promote the health, safety and general welfare of the inhabitants of the Baca Grande Water and Sanitation District and the people of the State of Colorado;

IT IS THEREFORE RESOLVED by the Board of Directors of the Baca Grande Water and Sanitation District that the District certify to the County Treasurer any amounts for fees, rates, tolls, penalties, charges or assessments levied solely for water, sewer, or water and sewer services, including charges for availability of such service, of which such accounts have been delinquent for at least six months and are in excess of \$150.00 per account. The District shall request that the County Treasurer collect these delinquent amounts at the earliest possible date in the same manner as property taxes and pursuant to Colorado Revised Statute 32-1-1101(1)(e), and add to such amount an additional penalty to be paid by the property owner or affected party to defray the costs of collection.

BACA GRANDE WATER AND SANITATION DISTRICT

By Clem Gasseling  
Clem Gasseling, Chairman

By Lisa Cyriacks  
Lisa Cyriacks, Secretary

Date 12/14/2007