

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
**BACA GRANDE WATER AND SANITATION DISTRICT**  
**FEBRUARY 15, 2019**

9:00 A.M.

District Office - 57 Baca Grant Way South  
 Crestone, Colorado 81131

ATTENDANCE

Directors in Attendance:

Lynn Drake  
 John Loll  
 Michael Scully  
 Robert Salmi (via  
 speakerphone)

Also in Attendance:

Marcus Lock; Law of the Rockies (via speakerphone)  
 JoAnn Slivka; District Manager  
 Josh Cichocki; Utility Superintendent  
 Cathy Fromm; Fromm and Associates (via speakerphone for  
 a portion of the meeting)

Members of the Public:

Janie Thomas  
 Dan Gray

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 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.

AGENDA

President Drake opened the meeting with a review of the agenda.

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*Following discussion, upon motion duly made by Director Scully, seconded by President Drake, and upon vote, unanimously carried, the Agenda was approved as amended.*

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CONSENT AGENDA – The Board considered the following Consent Agenda items:

- Approve Minutes from the December 14, 2018 Regular Meeting
- Approve Minutes from the January 18, 2019 Regular Meeting
- Approve Minutes from the January 25, 2019 Work Session Meeting
- Review and accept the unaudited Financial statements for the period ending January 31, 2019

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*Following discussion, upon motion duly made by Director Scully, seconded by Director Loll and upon vote, unanimously carried, the Board approved the consent agenda.*

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PUBLIC COMMENT (ITEMS **NOT** ON THE AGENDA ONLY. COMMENTS LIMITED TO **THREE MINUTES** PER PERSON AND TAKEN IN ORDER LISTED ON SIGN IN SHEET).

- Ms. Thomas asked about the rates; President Drake explained that we are still evaluating the usage information and no decision has been finalized for a rate increase at this time.
- Mr. Gray reported that he has been talking to the local excavators and complimented the operations staff on their professionalism and the good job they are doing on the locates.

- Mr. Gray also reported that he was told he needed to submit a public records request for previous month’s board packets. Ms. Slivka explained that the minutes are available on the district web site. Mr. Gray would like to see the packets ahead of time. Ms. Thomas commented that she understands how submitting the Board packets ahead of time is helpful if the public is interested in contributing to the meetings but also understands the need to have the most accurate, up to date information in the packets when they go out to the public.

**BOARD AND STAFF REPORTS**

The Board reviewed and discussed the staff reports that are attached and incorporated herein by this reference.

Board Vacancy:

Ms. Slivka presented the vacancy announcement for publication in the March and April editions of the Crestone Eagle. letters of interest are due to the District no later than 4:30 P.M., May 6, 2019. Director Loll has volunteered to draft a letter about the vacancy for consideration in the April edition of the Crestone Eagle.

**FINANCIAL MATTERS**

Claims: The Board considered approval of the check register for the period ending January 18, 2019, as follows:

General Fund:	\$	5401.00
Debt Service Fund:	\$	400.00
Enterprise Fund:	\$	45,847.83
Capital Project Fund:	\$	<u>25,497.55</u>
<b>Total:</b>	<b>\$</b>	<b>77,146.38</b>

Financial Summary: Ms. Fromm presented areas of interest contained within the check register and the January 31, 2019 Financial statements.

*Following discussion, upon motion duly made by Director Scully, seconded by Director Loll, and upon vote, unanimously carried, the Check Register was approved.*

**LEGAL MATTERS**

Status of Ciello Telecommunications Site Lease

Mr. Lock reported that we have received a fully executed agreement for the telecommunications site lease but Mr. Howard may have additional language he would like to add. Ms. Slivka will reach out to inquire as to the status of those additions.

EXECUTIVE SESSION MATTERS - §24-6-402(4) (a), (b), (e)(I), and (f)(I), C.R..S.

*Director Loll moved, Director Scully seconded, that the Board of Directors enter into Executive Session for the purposes of receiving legal advice regarding the Rocky View Extension and Personnel matters. The motion carried unanimously and the Board entered into Executive Session at 10:15 A.M.*

*Following discussion, upon motion duly made by Director Scully, seconded by Director Loll, and upon vote, unanimously carried, the board reconvened to regular session at 12:04 P.M.*

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The Board directed Attorney Lock and Ms. Slivka to provide the Draft Resolution Concerning the Rocky View Line Extension to the Rocky View property owners and request feedback.

#### OTHER BUSINESS

**Paid Time Off:** Director Loll reported that it came to his attention that staff do not have sufficient time to utilize their paid time off benefit. The Board directed Ms. Slivka to review the current policy and investigate other paid time off options.

**Renewable Water Resources (RWR):** It was noted that there will be a water export proposal presentation by Sean Tonner from RWR. The Listening Work Session will be held 6:30 P.M., March 12, 2019 at the Saguache County Road and Bridge building.

**New Agenda Item:** Director Loll suggested that an item be added to the monthly meeting agenda that includes an area for “Director Comments”. Following discussion, it was agreed to try it out for a while to see if this would be useful for the meetings. It was agreed upon, that to the extent possible, Directors will send specific agenda items to Ms. Slivka the week before the meeting for inclusion in the agenda and meeting packet.

**Solar Proposal:** The Board reviewed an idea presented by Director Loll regarding a proposal from Base Energy for the design and installation of a solar/storage system to offset District electrical usage. Director Scully would like to see more detail and possible scenarios.

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*Following discussion, upon motion duly made by Director Scully, seconded by President Drake and upon vote, unanimously carried, the Board approved Director Loll continuing communication with the Base Energy Group.*

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**March 15, 2019 meeting date:** Due to Director’s planned absence during the month of March, the Board will postpone the March 15 meeting.

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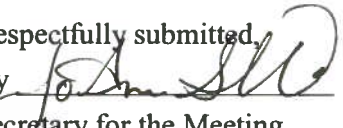
*There being no further business to discuss, upon motion duly made by Director Scully, seconded by President Drake and upon vote, unanimously carried, the Board adjourned the meeting at 12:10 P.M.*

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ADJOURNMENT


**THE NEXT REGULAR MEETING IS SCHEDULED FOR  
April 19, 2019**

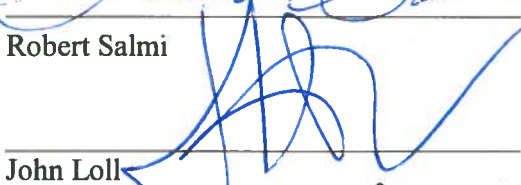
Respectfully submitted,

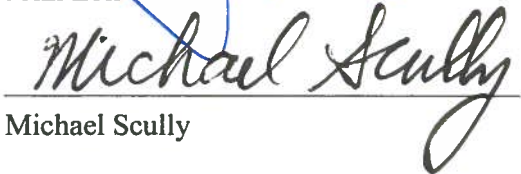
By   
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL February 15, 2019 MINUTES OF THE BACA GRANDE WATER AND SANITATION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
Lynn Drake

  
Robert Salmi

  
John Loll

  
Michael Scully

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 session on February 15, 2019, and it is my opinion that the portion of the executive session that was not recorded constituted attorney-client privileged communications.



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Marcus J. Lock

General Counsel

Baca Grande Water and Sanitation District



Baca Grande Water and Sanitation District  
P.O. Box 520 | 57 Baca Grant Way S  
Crestone, CO 81131-0520

February 15, 2019  
Board Meeting

Board of Directors Sign-in

Lynn Drake:

*Lynn Drake*

Bob Salmi:

*Via speaker phone*

John Loll:

*[Signature]*

Michael Scully:

*Michael Scully*



Baca Grande Water and Sanitation District  
 P.O. Box 520 | 57 Baca Grant Way S  
 Crestone, CO 81131-0520

February 15, 2019  
 Board Meeting

Please print your name, address and contact information along with any issues you are interested in addressing at today's Board Meeting.

Name	Address	Telephone/Email	Would you like to speak?	Issues to be addressed
Janie Thomas	203 Camino del Oro West	719 256 5910	maybe	
daniel gray	389 - Ravinity	977-497-6000		