**BAILEY WATER & SANITATION DISTRICT**

**PO BOX 422**

**BAILEY, CO 80421**

**Agenda of Meeting of the Board of Directors**

**Special Meeting of the Board of Directors**

**Tuesday, October 29, 2024**

**at PCCC at 6:00 P.M.**

1. Call to Order.
2. Approval of Minutes from September 24, 2024, Meeting Mins.
3. Approval of Agenda for October 29, 2024, Agenda.
4. Legal.
	1. Executive session to discuss negotiations with the Bezzants.
	2. Updates from Anita.
	3. Draft employee handbook.
	4. Draft aerial easement for power lines.
5. Guests.
6. Operator Reports.
	1. October.
7. Engineering.
	1. Updates from Will.
	2. Operator.
8. Administrative.
	1. Adjustments.
	2. Billing Register.
	3. Past Due Customers.
	4. System Totals Report.
	5. Sales and Receivables.
	6. Balance sheet.
	7. Transaction list by Vendor.
	8. Deposit detail.
9. Old Business.
	1. Budget.
	2. IC contracts.
10. New Business.
	1. Colotrust (5.29% to 5.33%) vs CSAFE (4.95% to 5.07%).
11. Adjournment.

**September 24, 2024, Meeting Minutes**

1. Call to Order (6:02 pm).
2. Attending.

|  |  |  |
| --- | --- | --- |
| John P | Chip T | Tom K |
| Miguel G | Darrel E |  |

1. Approval of Minutes from July 30, 2024, Meeting Mins.
	1. Changes.
	2. Motion to approve the July 30, 2024, Meeting Mins.
		1. CT motion.
		2. TK seconded.
		3. Approved.
2. Approval of Minutes from August 28, 2024, Special Meeting Mins.
	1. Changes
	2. Motion to approve the August 28, 2024, Special Meeting Mins.
		1. MG motion.
		2. CT seconded.
		3. Approved.
3. Approval of Agenda for September 24, 2024, Agenda.
	1. Changes.
	2. Motion to approve the September 24, 2024, Agenda.
		1. MG motion.
		2. TK seconded.
		3. Approved.
4. Legal.
	1. Executive session to further negotiate with the Bezzants and their counsel.
		1. A motion was made to enter an Executive session for purpose of negotiations between BWSD and the Salzamar Properties, LLC for the purchase of real property pursuant to 24-6-402(4)(a).
			1. Motion.
				1. MG made motion.
				2. CT seconded.
				3. Unanimously approved.
			2. The Board entered executive session at 6:24pm. A recording was made via Zoom.
			3. Motion to leave executive session for purpose of negotiation.
				1. MG made motion.
				2. CT seconded.
				3. Unanimously approved.
			4. The board left executive session for the purpose of negotiation at 6:45 pm and the recording was stopped.
	2. There was a motion by Director JP to enter an executive session with the District’s attorney (Anita) for the purpose of receiving legal advice regarding acquisition of the Bezzant property. The motion was seconded by DE and unanimously approved by the Board. The District’s attorney (ALM) stated that, as the District’s attorney, it is her opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication, and that she, therefore, recommended no further record be kept until the executive session has been concluded. The purposes stated are proper purposes pursuant to C.R.S. §§ 24-6-402(4)(b).
		1. The board entered executive session at 6:45pm. No record was kept of the executive session pursuant to state law.
		2. The executive session concluded, and the board returned to the public meeting at 6:53pm.
		3. Motion to enter executive session for the purpose of receiving legal advice (6:45pm).
			1. JP motion.
			2. DE seconded.
			3. Approved.
		4. Motion to exit executive session (6:53pm).
			1. JP motion.
			2. MG seconded.
			3. Approved.
	3. There was a motion by director JP to enter an executive session with the District’s attorney (Anita) for the purpose of discussing personnel legal questions. The session starts (6:55pm).
		1. Discussion about work that is needed at the plant and who is currently doing the work. Discussion about expected work that is coming and expected hours. Discussion about requirements for anyone working on BWSD.
		2. Discussion about Mac’s Independent Contractor Agreement. He and Anita will draft a new one.
		3. Discussion about a possible operator that Mac has been talking with.
		4. Motion to exit executive session (7:09pm).
			1. MG motioned.
			2. DE seconded.
			3. Approved.
	4. Draft employee handbook.
		1. Still working on handbook.
	5. Draft aerial easement for power lines.
		1. Anita got it drafted. Will forward to Mac.
	6. SDA.
		1. John gave Anita a couple business cards that he got from SDA that could help with the bond work. Also, cards for loaning money to municipal projects. Discussion about what they offered and upcoming changes. Also a card for COsafe for interest building on money for SDA.
		2. Discussion about SDA conference.
5. Guests.
	1. Craig (Budget).
		1. Audit proposal.
			1. Discussion about the audit proposal request that will be going out tonight. Discussion about where Craig found these firms (9 different firms).
			2. Discussion about next steps for the audit proposal.
			3. December meeting should have options for the board on who they want to work with for the audit.
		2. Budget.
			1. Draft budget is based of numbers as of Aug 31, 2024.
			2. Discussion about R/M numbers. Increase from previous year. Discussion about Budget officer (Cami).
			3. Discussion with Will about expected expenditures on the engineering side. Will will reach out to Craig with estimates this week.
			4. Discussion about Colotrust and expected interest from them.
			5. Will firm up numbers by the 15th of October.
			6. Discussion about grant money and other “unexpected” money that comes in and how it will be reflected in our accounts.
6. Operator Reports.
	1. August (reviewed reports).
	2. September (review reports).
7. Engineering.
	1. Updates from Will.
		1. Additional water quality sampling and analysis is required to refine the treat process design.
		2. Working with PC regarding an upcoming project to replace the culvert on County Rd 64 and what is needed from the BWSD. Will will work on LWTF grant for this project. Discussion about how this project will effect our current lines.
		3. Draft PER has been completed for WWT project. Docs will then be submitted to USDA.
		4. Discussion about copper and zinc compliance deadline. Will submit a report documenting the progress on the facilities.
8. Administrative.
	1. Adjustments.
	2. Billing Register.
	3. Past Due Customers.
	4. System Totals Report.
	5. Sales and Receivables.
	6. Balance sheet.
	7. Transaction list by Vendor.
	8. Deposit detail.
9. Old Business.
	1. Leak.
		1. The leak was fixed by the Pot Shop. The water storage tanks are gaining water back.
10. New Business.
	1. Budget (Discussed above).
	2. Independent Contractor (Discussed above).
	3. B Operator Job description (Discussed above).
	4. SDA meeting (Discussed above).
11. Adjournment (7:54pm).
	1. TK motion.
	2. CT seconded.
	3. Approved.

**October 29, 2024**

1. Call to Order (6:05 pm).
2. Attending.

|  |  |  |
| --- | --- | --- |
| John P | Miguel G | Chip T |
| Tom K | Darrell E (zoom) |  |

1. Approval of Minutes from September 24, 2024, Meeting Mins.
	1. CT motion.
	2. TK seconded.
	3. Approved.
2. Approval of Agenda for October 29, 2024, Agenda.
	1. TK motion.
	2. CT seconded.
	3. Approved.
3. Legal.
	1. Executive session to discuss negotiations with the Bezzants.
		1. Executive Session (held at the end of the meeting to accommodate guests).
			1. There was a motion by Director JP to enter an executive session with the District’s attorney (Anita) for the purpose of receiving legal advice regarding acquisition of the Bezzant property. The motion was seconded by CT and unanimously approved by the Board.
			2. The District’s attorney (ALM) stated that, as the District’s attorney, it is her opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication, and that she, therefore, recommended no further record be kept until the executive session has been concluded. The purposes stated are proper purposes pursuant to C.R.S. §§ 24-6-402(4)(b).
				1. The Board entered executive session at **6:50 pm**. No record was kept of the executive session pursuant to state law.
				2. The executive session concluded, and the Board returned to the public meeting at **7:11 pm**.
		2. Executive Session (held at the end of the meeting to accommodate guests).
			1. There was a motion by Director CT to enter an executive session with the District’s attorney (Anita) for the purpose of discussing personnel motion was seconded by MG and unanimously approved by the Board.
			2. The District’s attorney (ALM) stated that, as the District’s attorney, it is her opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication, and that she, therefore, recommended no further record be kept until the executive session has been concluded. The purposes stated are proper purposes pursuant to C.R.S. §§ 24-6-402(4)(b).
				1. The Board entered executive session at **7:12 pm**. No record was kept of the executive session pursuant to state law.
				2. The executive session concluded, and the Board returned to the public meeting at **8:06 pm**.
4. Guests.
	1. Peter.
		1. Peter is here to see what the process is to purchase a tap and what the regulations are.
		2. Discussion about what he has planned for the land and the taps that he needs.
			1. Make a check out to BWSD and get to admin when ready.
			2. Anita will review the Rules and Regulations regarding the taps per units.
			3. Will touch base with Peter after attorney review.
	2. Eliah.
		1. He is here to introduce himself to the board. He is familiar with water treatment processes and is interested in BWSD.
5. Operator Reports.
	1. October.
		1. Water system.
			1. Water pumped: 37,500 gal/day.
			2. Water sales: 0
			3. Maintenance: clear well pumps at WTP clogging with leaves from river. Blackwashing pumps 1 or 2 times a day.
			4. Comments: water quality parameters were within limits during the month. Turbidity was .030 to .054 NTU. Chlorine was 1.10 to 1.69 mg/l.
		2. Wastewater system.
			1. Wastewater influent: 25,000 gal/day.
			2. Maintenance: heavy foam and a loss of bioactivity in the reactor. Treating with washing to break up foam and bio stimulants to treat bacterial loss.
			3. Comments: Effluent quality was acceptable.
			4. There was a drop in the bacterial levels in the sewer plant. They are working their way out of it.
6. Engineering.
	1. Updates from Will.
		1. Mac gathered extra samples. They received the second set of samples but are waiting on the rest of the results.
		2. Motion to approve of the pilot test.
			1. JP motion
			2. MG seconded.
			3. Approved.
		3. CMAR bid documents have been prepared. Would like to issue the request for proposals due on the 22nd of November. Hold a nonmandatory bid meeting.
			1. Anita: 5% bid bond is not required but recommended.
		4. Updated parcel and easement layout. More refined and based on the new layout.
		5. Country Rd 64 project.
			1. Geotechnical investigation.
			2. Survey and utility locate.
			3. Coordination with Denver Water and USACE.
			4. He would put together a proposal and pursue a grant through LWTF.
			5. Will would like to know if he can submit a grant for the project.
				1. John said that is fine as long as the request is high enough to cover what is needed.
				2. Will agrees and is going to see what the level of matching is.
				3. This project is to help PC complete the bridge replacement project. It would benefit the county.
				4. This would just be the work needed to cut off our line and update the cross-over.
			6. WWT.
				1. PER and ER were submitted this week and are under review. Should receive comments anytime now.
				2. Have a new representative with USDA.
				3. Permit narrative conditions report completed.
				4. Request for reimbursement #2 was submitted to DOLA.
				5. Request for reimbursement for #3 will be submitted once RFR #2 is accepted.
	2. Operator.
		1. Reached out to some operations companies.
		2. Waiting on a proposal from the company that came out on site.
7. Administrative.
	1. Adjustments.
	2. Billing Register.
	3. Past Due Customers.
	4. System Totals Report.
	5. Sales and Receivables.
	6. Balance sheet.
	7. Transaction list by Vendor.
	8. Deposit detail.
8. Old Business.
9. New Business.
	1. Colotrust (5.29% to 5.33%) vs CSAFE (4.95% to 5.07%).
10. Adjournment (8:17 pm).
	1. MG motion.
	2. TK seconded.
	3. Approved.