

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING OF THE
LA PLATA ARCHULETA WATER DISTRICT
HELD
January 13, 2022

The regular meeting of the Board of Directors (“Board”) of the La Plata Archuleta Water District and Sundance/Farraday Subdistrict No. 1, La Plata County, Colorado, (“District”) was held on January 13, 2022, at 9:06 a.m.

ATTENDANCE:

Directors in Attendance in Person Were:

Mark Williams
Ron Dent

Directors in Attendance by Telephone Were:

Dick Lunceford
Dan Lynn

In Attendance, Also, Were:

Ed Tolen, La Plata Archuleta Water District Manager
Yvonne Brunson, La Plata Archuleta Water District Customer Service Representative

In Attendance, Also, via Telephone, Were:

Micki Mills, Cockrel Ela Glesne Greher & Ruhland
David Greher, Cockrel Ela Glesne Greher & Ruhland
Steve Harris, Harris Water Engineering
Karmen King, Grayling LLC
Dave Henry, Harris Water Engineering
Barb Prose, FredrickZink & Associates
Cheryl Lynn, Secretary to the Board

CALL TO ORDER

Vice Chairman Lynn, at the request of Chairman Lunceford, called the meeting to order at 9:06a.m.

DISCLOSURE OF
POTENTIAL CONFLICTS
OF INTEREST

Disclosure of potential conflicts of interest will be a topic of discussion at every Board meeting to address potential conflicts of interests that may arise as new agenda items are introduced. District Directors who have disclosed potential conflicts of interest can vote as issues arise. Directors present and by telephone reported no conflicts of interest.

PUBLIC COMMENTS

No members of the public were present in person or by telephone.

APPROVAL OF
MINUTES

Upon motion duly made by Director Dent, seconded by Director Williams, and unanimously carried, the Minutes of the December 9, 2021 Regular Board Meeting were approved.

FINANCIAL REPORT

Approval and Payment of Invoices – Directors reviewed the January 2022 Accounts Payable Report and January 2022 Accountant’s Compilation Report. Directors clarified expenditures as necessary. Treasurer Williams requested and received clarification regarding the \$36,130.23 due the State of Colorado for Animas La Plata OM&R. This is the O&M assessment for the water for

which the District has contracted but not yet purchased. Upon motion duly made by Director Williams, seconded by Director Dent, and unanimously carried the Board approved payment of invoices as shown on the attached Accounts Payable statement dated January 12, 2022.

FINANCE COMMITTEE
REPORT

Consider Approving an Engagement Letter with Todd Beckstead for the 2021 Audit – Director Dent said he had read the proposed Engagement Letter and agreed with the contents. Upon motion duly made by Director Dent, seconded by Director Williams, and unanimously carried the Board approved the Engagement Letter with Todd Beckstead for preparation of the 2021 Audit.

Consider Approving an Engagement Letter with FredrickZink & Associates – Upon motion made by Director Dent, seconded by Director Williams, and unanimously carried the Board approved the Engagement Letter with Fredrick/Zink & Associates for 2022 Accounting Services.

PUBLIC RELATIONS
/COMMUNICATIONS
COMMITTEE REPORT

Mr. Tolen has almost completed the District newsletter. He has also verified names and addresses of District members. That said, he proposed that the newsletters be addressed to “Current Resident” at the specific addresses. Keeping up with property ownership and name changes is proving to be a challenge. The Board agreed with addressing the newsletters to “Current Resident.”

LEGAL REPORT

Consider a Petition for Inclusion of the Q Capital Holdings Property at 145 Bayfield Parkway – Ms. Mills advised the Board that Notice has been published in accordance with State Statutes. Vice Chairman Lynn opened the Public Hearing to hear comments for consideration regarding this inclusion. There being no public present the hearing was closed. Upon motion made by Director Dent, seconded by Director Williams, and unanimously carried the Board approved Inclusion of the Q Capital Holdings Property at 145 Bayfield Parkway, Bayfield, Colorado, 81122, into the La Plata Archuleta Water District.

Consider Approving the Revised 2022 Election Resolution – Ms. Mills advised the Board that, upon confirmation that former Director Gregg Johnson had moved out of the District and, therefore, was no longer an eligible elector of the District, the Election Resolution was revised to add text regarding the vacant position to the Resolution. At the May 3, 2022, District election, two Directors will be elected to serve a three-year term in Director District Numbers 2 and 4, and one Director will be elected to serve a one-year term in Director District Number 3. Upon motion made by Director Dent, seconded by Director Williams, and unanimously carried, the Board approved the Revised 2022 Election Resolution.

Consider Adopting a Resolution Designating a Location to Post Notice – Ms. Mills advised the Board that by approving this Resolution they will be designating Notices of meetings of the Board to be posted at least 24 hours prior to each meeting at the District website, www.laplwd.org. And, in the event of an emergency situation in which notice is unable to be published on the website Notice of meetings of the Board will be posted at least 24 hours prior to a meeting at the District Office, 255 Ute Street, Ignacio, Colorado. Upon motion duly made by Director Dent, seconded by Director Williams, and unanimously carried the Board adopted the Resolution Designating a Location to Post Notice.

ENGINEER REPORT

Phase 2C - Mr. Henry advised the Board that the last of the alignment and easement conflicts are being addressed and what he anticipates will be the last revision of Final Design is pending.

ENVIRONMENTAL

REPORT –

Ms. King advised the Board that she has attended five meetings related to the redefinition of Waters of State Significance. These waters include stormwaters, stock water ponds, and irrigation canals, among others. However, these three waters may become permissible in the future. She will continue her involvement in these discussions. She added that repercussions to the permitting processes by various agencies and utilized by the District appear to be minimal.

GENERAL MANAGER
REPORT

Easement for 189 Big View Lane – Chairman Lunceford asked if the conditional granting of the easement negates the County’s requirement for access to the property. Counsel Greher said it didn’t and Mr. Tolen reminded all that the property owners have a deeded legal easement on the property to the north should they choose to use it. Upon motion duly made by Director Dent, seconded by Director Williams, and carried, the Board approved the easement for 189 Big View Lane as written. Director Lynn abstained from the vote.

Pine River Irrigation District Annual Meeting and Appointment of Proxy – The Pine River Irrigation District meets on Saturday, January 15, 2022, at 1 p.m. Mr. Tolen accepted appointment as proxy.

Consider Approving an Agreement with the Colorado Water/Wastewater Agency Response Network (CoWARN) – Mr. Tolen advised the Board that this is an organization of wastewater providers that might work together to provide mutual assistance in a time of emergency. While there is no requirement to assist, if assistance is required the recipient is expected to pay time and materials. Counsel Greher noted that this document creates a framework for networkers for how to respond. Mr. Henry told the Board that he has worked as a part of such a system in the past and considers this to be a very good idea. He particularly spoke to coordinating with other utilities to stockpile materials.

Please refer to the January General Manager’s Report for additional detail regarding District operations.

EXECUTIVE SESSION – An Executive Session was not conducted.

ANY OTHER MATTER
WHICH MAY COME

BEFORE THE BOARD – Filling the Vacant Director Position - As the Board moves forward to fill the Director vacancy created by Mr. Johnson’s leaving residency in the District, Mr. Tolen has talked with members of the District who have indicated an interest in serving on the Board. After discussion, the Board decided that the next step would be to have anyone interested in serving as a Board member submit Letter of Interest to Mr. Tolen.

Colorado Water Congress Funding – Mr. Tolen advised the Board that he has been working to learn of any funding that might be or become available to the District for use in water projects. Funding is made available through the Revolving Fund and Water and Power Authority. A stipulation is that 48% of the available funding must be used as a grant in low income areas. Mr. Tolen attended a Pre-Qualification meeting for obtaining a loan from Water & Power Authority for the Fox Fire Subdistrict on January 11, 2022, thinking that funding could assist in installation of water lines in this area, though with La Plata County’s use of census blocks serving to define income levels in the county, none qualify as low income.

ADJOURNMENT

The meeting adjourned at 9:32 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, February 10, 2022 at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado, unless it is necessary to meet in another matter to satisfy governmental requirements.

APPROVED

Richard T Lunceford
Richard T. Lunceford

Mark Williams
Mark Williams

Ron Dent
Ron Dent

Cheryl Lynn
Secretary for the Meeting

Daniel R. Lynn, III
Daniel R. Lynn, III