

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING OF THE
LA PLATA ARCHULETA WATER DISTRICT
HELD
October 14, 2021

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 October 14, 2021, at 9:00 a.m.

ATTENDANCE: Directors in Attendance Were:
Dan Lynn
Ron Dent

Directors in Attendance by Telephone Were:
Dick Lunceford
Gregg Johnson

Director Absent Was:
Mark Williams, Whose Absence Was Excused

In Attendance, Also, Were:
Ed Tolen, La Plata Archuleta Water District Manager
Yvonne Brunson, La Plata Archuleta Water District Customer Service Representative
Cheryl Lynn, Secretary to the Board
Steve Harris, Harris Water Engineering
Dave Henry, Harris Water Engineering
Karmen King, Grayling LLC
Barb Prose, FredrickZink & Associates
John Mankins, District Member, Lariat Road/Concho Circle Potential Subdistrict
Elaine Chick, Water Information Program

In Attendance, Also, via Telephone, Were:
Micki Mills, Collins Cockrel and Cole
David Greher, Collins Cockrel and Cole

CALL TO ORDER Vice Chairman Lynn called the meeting to order at 9:02 a.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. Director Johnson disclosed a business relationship with Obie Bodioga who, with his wife Dorothy Bodioga, has submitted a Petition for Inclusion into the District.

PUBLIC COMMENTS John Mankins, District Member, was present to learn information about a potential subdistrict at Lariat Road/Concho Circle.

APPROVAL OF
MINUTES Upon motion duly made by Director Dent, seconded by Director Johnson, and unanimously carried, the Minutes of the September 14, 2021 Regular Board Meeting were approved.

FINANCIAL REPORT Approval and Payment of Invoices – Directors reviewed the September 2021 Accounts Payable Report and September 2021 Accountant's Compilation Report. Directors clarified expenditures as

necessary. Upon motion duly made by Director Dent, seconded by Director Lunceford, and unanimously carried the Board approved payment of invoices as shown on the attached Accounts Payable statement dated October 13, 2021.

FINANCE COMMITTEE
REPORT

Draft 2022 District Budget - Mr. Tolen presented the draft 2022 Budget, noting that projected revenue is \$250,000 less than the 2021 Budget. Another draft 2022 Budget will be reviewed at the November Board meeting. Director Lynn will accompany Mr. Tolen to the bank to make the loan payments due November 1, 2021.

PUBLIC RELATIONS
/COMMUNICATIONS
COMMITTEE REPORT

Elaine Chick, Program Manager of the Southwest Colorado area Water Information Program, presented detailed information about the partners involved in the program as well as the community involvement that is taking place. Of note are the Children's Water Festival, a Water Education Network, outreach to municipalities, and water education programs for realtors. The District provides a small amount of funding for the Water Information Program annually.

LEGAL REPORT

Petition for Inclusion of the Bodiroga Property – Vice Chairman Lynn opened a Public Hearing for the purpose of receiving public comment related to the Petition for Inclusion of the Bodiroga Property. No comments were received. The hearing was closed. Upon motion duly made by Director Dent, seconded by Director Johnson, and unanimously carried, the Board approved the Petition for Inclusion of the Bodiroga Property located at 141 Windmill Drive, Durango, CO 81301, into the District and thereupon issued the Order of Inclusion.

Petition for Inclusion into the Fox Fire Subdistrict of the Iverson Property – Vice Chairman Lynn opened a Public Hearing for the purpose of receiving public comment related to the Petition for Inclusion of the Iverson Property into the Fox Fire Subdistrict. The subject property is already within the boundaries of the District. No comments were received. The hearing was closed. Upon motion duly made by Director Johnson, seconded by Director Dent, and unanimously carried, the Board approved the Petition for Inclusion of the Iverson Property located at 1600 Holman Canyon Road, Bayfield, CO 81122, into the Fox Fire Subdistrict and adopted the Resolution including the subject property into the Fox Fire Subdistrict

District Election – Ms. Mills, Designated Election Official, will train Mr. Tolen and Ms. Brunson, Election Judges. Director Dent will serve on the Canvassing Board for the Subdistricts' November 2, 2021, elections.

ENGINEER REPORT

Funding – Mr. Harris reported that \$7.9 million in funding is available from sports betting in Colorado for water projects. He suggested the District may qualify for funding for an upcoming project. Mr. Tolen will explore opportunities.

Phase 2C Pipeline – Mr. Henry advised the Board that the advance work completed in conjunction with Ms. King on alignment and easement work will be helpful in moving the project forward. It should be ready for advertisement in early 2022.

American Rescue Plan Act Funding – Mr. Tolen attended the information meeting to learn more about the possibility of water project funding. Applications will be received once decisions are made on the proposed federal infrastructure legislation.

ENVIRONMENTAL
REPORT –

Ms. King advised the Board that the Baird property easement may have wetlands impacts. She also said that the Phase 2C environmental permitting is complete as the project stands now. In addition she advised the Board that the Southern Ute Indian Tribe gained primacy in the 401 permitting process. How this will impact permits remains to be determined.

GENERAL MANAGER
REPORT

American Rescue Plan Act Meeting – Mr. Tolen attended the American Rescue Plan Act meeting on Wednesday, September 15, 2021. Applications will be received following determination of federal infrastructure legislation now pending.

Lariat Road/Concho Circle Potential Subdistrict – Mr. Mankins outlined the preliminary subdistrict data for a proposed subdistrict involving nine properties. The location is in the vicinity of County Road 506 and Highway 160 north of Gem Village. He will return to discuss the discussed information with the potential subdistrict members, will gather additional information, and will return to the District when plans are more firm.

Request for Access Easement to 189 Big View Lane – The Board reviewed and considered the request of Catherine Marx for easement across District property. Board members expressed legal concerns, concerns for the future of the easement, and the time by which they were to decide. Without answers to these numerous questions Board members thought a hasty decision to be unwise. Upon motion duly made by Director Dent, seconded by Director Lunceford, and with three AYE votes and one NAY vote by Director Johnson, the Board tabled the easement request by Catherine Marx until the November 11, 2021, meeting to gather additional information.

Please refer to the October 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 – Director Lunceford provided a health update. He expects to return to full health soon and to attend the November Board meeting. In this time of COVID related illness, it is noted that Director Lunceford’s health concerns are not COVID related.

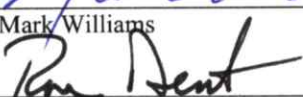
ADJOURNMENT

The meeting adjourned at 10:17 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, November 11, 2021, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado, unless it is necessary to meet on another matter to satisfy governmental requirements.


Secretary for the Meeting


APPROVED


Richard T. Lunceford

Mark Williams

Ron Dent

Gregg Johnson

Daniel R. Lynn, III