

**Record of Proceedings**  
**Minutes Of the Meeting of the La Plata Archuleta Water District**  
**Held January 12, 2023**

The regular meeting of the Board of Directors (“Board”) of the La Plata Archuleta Water District and Fox Fire Subdistrict, La Plata County, Colorado, (“District”) was held on January 12, 2023, at 9:00 a.m., at 255 Ute Street, Ignacio Colorado 81137.

**Attendance:**

**Directors in Attendance Were:**

Dick Lunceford  
Dan Lynn  
Ron Dent  
Kent Curtis  
Mark Williams

**In Attendance, Also, Were:**

Ed Tolen, La Plata Archuleta Water District Manager  
Steve Harris, Harris Water Engineering  
Dave Henry, Harris Water Engineering  
Barb Prose, FredrickZink and Associates  
Cheryl Lynn, Secretary to the Board  
Dewey Baird, District Member  
Jim Baird, District Member  
Wayne Semler, District Member

**In Attendance, Also, via Telephone, Were:**

David Greher, Cockrel Ela Glesne Greher & Ruhland  
Micki Mills, Cockrel Ela Glesne Greher & Ruhland

**Call to Order**

Chairman Lunceford called the meeting to order at 9:00 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. Directors present reported no conflicts of interest.

**Public Comments**

Dewey Baird, Jim Baird, and Wayne Semler met with the Board to discuss concerns regarding potential temporary and permanent easements should the District’s water pipeline cross their properties.

**Approval Of Minutes**

Upon motion duly made by Director Dent, seconded by Director Williams, and unanimously carried, the Minutes of the December 8, 2022, Regular Board Meeting were approved as presented.

## **Financial Report**

### **Approval and Payment of Invoices**

Directors reviewed the January 11, 2023, Accounts Payable Report and January 2023 Accountant's Compilation Report. Directors clarified expenditures as necessary. 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 11, 2023.

## **Finance Committee Report.**

### **Approval of an Engagement Letter with Haynie & Company for the 2022 La Plata Archuleta Water District Audit**

The District's former auditor, Todd Beckstead, has retired and has recommended Haynie & Company as the new District Auditor. Ms. Prose noted that Mr. Beckstead will transfer prior work papers to Haynie & Company to facilitate the transition from one auditor to the next. Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried the Board approved the Engagement Letter with Haynie & Company for preparation of the 2022 District Audit.

### **Approval of an Engagement Letter with FredrickZink & Associates**

Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried the Board approved the Engagement Letter with FredrickZink & Associates for the year ending December 31, 2023.

## **Public Relations/Communications Committee Report**

There is nothing to report.

## **Legal Report**

### **Adoption of a Resolution Designating a Location to Post Notice**

Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried the Board adopted the Resolution Designating a Location to Post Notice for calendar year 2023. Notices of meetings (regular, special, and work/study session) of the Board required pursuant to Section 24-6-402(c)(I) and 32-1-903(2)(a), C.R.S., shall be posted at least 24 hours prior to each meeting at: [www.laplawd.org](http://www.laplawd.org). In the event of an exigent or emergency circumstance such as a power outage or an interruption in internet service, the District will post notice of public meetings at least 24 hours prior to a meeting at the following physical location within the District: 255 Ute Street, Ignacio, Colorado.

## **Engineer Report**

### **Fox Fire Distribution System**

Mr. Henry advised the Board that he has received major edits from the drafter and plans are being refined.

### **Phase 2D Pipeline**

Mr. Henry notified the Board that electronic transfer of the complex and voluminous wetlands file has created a technical challenge that is being addressed. Mr. Henry reported that his work has benefitted from working collaboratively with Ms. King regarding environmental input.

## **Environmental Report**

In Ms. King's absence Mr. Tolen advised the Board that Ms. King has continued work on the 401 and 404 permitting processes with the Environmental Protection Agency and Southern Ute Indian Tribe for the Phase 2D Project.

## **General Manager Report**

### **Schedule of Board Meetings 2023**

Mr. Tolen presented the 2023 Schedule of District Board meetings to Directors. The meeting schedule will be used to schedule 2023 monthly District Board meetings.

### **Pine River Irrigation District Annual Meeting and Appointment of Proxy**

Director Williams will serve as the Proxy at the Pine River Irrigation District Annual Meeting to be held Saturday, January 28, 2023, at 1 p.m. at the Bayfield High School Auditorium.

### **Morrison Ditch Company Annual Meeting and Appointment of Proxy**

Mr. Tolen will serve as the Proxy at the Morrison Ditch Company Annual Meeting to be held Saturday, January 14, 2023, at 10 a.m. at the Oxford Grange.

## **Executive Session**

Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried the Board convened in Executive Session at 10:08 a.m. to confer with an attorney for the purpose of receiving legal advice on specific legal questions (Section 24-6-402(4)(b), C.R.S.) and for determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators (Section 24-6-402(4)(c), C.R.S.). The Board discussed easement negotiations for the Phase 2C Project. The Board adjourned to its regular meeting at 10:45 a.m.

Mr. Henry, as an independent third party, will meet at the site of the proposed easements with landowners Dewey Baird, Jim Baird, and Wayne Semler to hear their concerns and ascertain if negotiations are possible regarding the easements particularly related to potential pipeline alignment within the existing County Road 509 road easement. Mr. Henry will propose fact-based engineering information and recommendations related to the potential road alignment for placement of a water pipeline. The Board heard loud and clear the concerns raised by the property owners regarding water lines crossing their properties. As a result, Board members prefer that the pipeline stay in the County Road 509 easement rather than traversing the Baird Family LLC, James & Jana Baird, Wayne & Melody Semler, and Jack Semler properties. Upon motion duly made by Director Williams and seconded by Director Lynn and unanimously carried the Board's decision is that if Dewey Baird, Jim Baird, Wayne Semler, and Jack Semler cannot agree with Mr. Henry's fact-based engineering recommendations related to locating the water line easement in the County Road 509 easement, the Board will construct a pipeline in a completely different County road ROW so as to provide a loop in the existing pipeline for redundancy purposes related to consistent, reliable, and safe water delivery.

### **Any Other Matter Which May Come Before the Board**

No other matters were addressed.

### **Adjournment**

The meeting adjourned at 10:59 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, February 9, 2023, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado, unless it is necessary to meet in another matter to satisfy governmental requirements.

### **Prepared By**

Cheryl Lynn  
Secretary for the Meeting

### **Approved**

Richard T. Lunceford

Daniel R. Lynn, III

Mark Williams

Ron Dent

Kent Curtis