

Record of Proceedings
Minutes of the Meeting of the La Plata Archuleta Water District
Held July 13, 2023

The regular meeting of the Board of Directors (“Board”) of the La Plata Archuleta Water District, Sundance/Farraday Subdistrict, and Fox Fire Subdistrict, La Plata County, Colorado, (“District”) was held on July 13, 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

Director Whose Absence Was Excused Was:

Mark Williams

In Attendance, Also, Were:

Ed Tolen, La Plata Archuleta Water District Manager
Dave Henry, Harris Water Engineering
Barb Prose, FredrickZink and Associates
Cheryl Lynn, Secretary to the Board

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

There were no public comments.

Approval of Minutes

Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried, the Minutes of the June 8, 2023, Regular Board Meeting were approved as presented.

Financial Report

Approval and Payment of Invoices

Directors reviewed the July 12, 2023, Accounts Payable and the June 2023 Accountant's Compilation Reports. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried, payment of the invoices as shown on the attached Accounts Payable Statement dated July 12, 2023, were approved as submitted.

Transfer of Funds from TBK Bank to CSAFE

Ms. Prose advised the Board that she moved \$1,350,000 from the TBK Bank account to the CSAFE bank account to allow the District to benefit from a higher interest rate.

Finance Committee Report.

Consider Accepting the 2022 Audited Financial Statement

In response to the Board's questions regarding the 2022 La Plata Archuleta Water District Audit expense Ms. Prose reminded the Board that the hiring of an auditor is a new engagement every year. Further, if the auditor continues year after year audit expenditures are expected to decrease while expertise increases. While the 2022 Audit is more expensive than the 2021 Audit, that is to be expected for an auditor's first District audit. Ms. Prose's time spent on the audit increased, also, in working with the auditor.

Director Lynn inquired about the Other Audit Findings or Issues section recommending that a reporting process be implemented to accurately record and review subdivision lines and unissued tap fee credits to maintain current and accurate accounting records. Mr. Tolen and Ms. Prose have responded to that audit finding by already implementing a current process. Heretofore the process had been formally addressed during the annual audit. Board members agreed that a management response should be sent to the Auditor to address this audit recommendation.

Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Board accepted the 2022 LAPLAWD Audited Financial Statement.

Public Relations/Communications Committee Report

Mr. Tolen reported that there was nothing new to report.

Legal Report

Paralegal Mills advised the Board that she had nothing new to report.

Senate Bill 23-303

Counsel Greher reported that he will have a draft Resolution prepared for discussion in August regarding the proposed legislation Senate Bill 23-303. Proposition HH is scheduled to be on the Colorado General election ballot in November. Special District Budgets are impacted by the legislation and passage or failure of the legislation will impact budget structure.

County Road 509 Rights of Way

Counsel Greher advised the Board that he had talked with La Plata County staff regarding Rights of Way and prepared written documentation for them. This will be discussed in Executive Session.

Engineer Report

Fox Fire Pipeline

Mr. Henry discussed with the Board the 2 anticipated skid-mounted redundant pump stations, each sized for full capacity. Mr. Henry reminded the Board of the need to engineer and size the pumps so they are not constantly cycling on and off. He further noted that pumps made in America will offer more latitude for the District when it comes to reputable brands, local installation, and financing requirements.

Phase 2C Pipeline/Easements

Engineering has been completed for this phase of the pipeline. Cuts will be made across the Road and flow fill used to stabilize the roadway.

Phase 2D Pipeline

Mr. Henry reported that the surveyor is checking to ensure absolute accuracy.

Environmental Report

In Ms. King's absence Mr. Tolen advised the Board that policies and procedures regarding Waters of the United States indicate that they are reverting to the prior definition.

General Manager Report

Phase 2C Pipeline/Easements

Rights of Way are to be discussed in Executive Session.

Storage Facility at County Road 311

Mr. Tolen discussed with the Board the SGM Proposal for the Storage Facility at County Road 311. The proposal includes design, grading, layout, foundation, and geotechnical work. If the proposal is approved Mr. Tolen will request an immediate start with construction planned for 2024.

Upon motion made by Director Lynn, seconded by Director Dent, and unanimously carried the Board approved the Professional Services Agreement with SGM for the Storage Facility at County Road 311 in the amount of \$23,850.

Overhead Fill at County Road 311 Not in Operation

Mr. Tolen will continue to seek solutions to getting the overhead fill station back in operation.

Please see the June 2023 General Manager's Report for additional information.

Executive Session

Upon motion duly made by Director Curtis, seconded by Director Lynn, and unanimously carried the Board adjourned to Executive Session at 9:32 a.m. on July 13, 2023 for determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators (Section 24-6-402 (4) (e), C.R.S.) related to County Road 509 Rights of Way issues. The Board returned to their regular meeting at 9:58 a.m.

Any Other Matter Which May Come Before The Board

No other matter was discussed.

Adjournment

The meeting adjourned at 9:59 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, August 10, 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