

Record of Proceedings
Minutes of the Meeting of Tthe La Plata Archuleta Water District
Held June 8, 2023

The regular meeting of the Board of Directors (“Board”) of the La Plata Archuleta Water District, Sundance/Farraday Subdistrict No. 1, and Fox Fire Subdistrict, La Plata County, Colorado, (“District”) was held on June 8, 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

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

Dave Henry, Harris Water Engineering

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 May 11, 2023, Regular Board Meeting were approved as written.

Financial Report

Approval and Payment of Invoices

Directors reviewed the June 7, 2023, Accounts Payable Report and the May 2023 Accountant's Compilation Report. Upon motion duly made by Director Lynn, seconded by Director Williams, and unanimously carried, the payment of the invoices as shown on the attached Accounts Payable Statement dated June 7, 2023, were approved.

Finance Committee Report.

Audit

Ms. Prose reported that the draft 2022 La Plata Archuleta Water District Audit, the 2022 Fox Fire Subdistrict Audit, and the 2022 Sundance/Farraday Subdistrict No. 1 Audit have been completed and are currently being reviewed. They should be ready for Board review at the next meeting.

Public Relations/Communications Committee Report

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

Legal Report

Counsel Greher and Paralegal Mills advised the Board that there was nothing new to report.

Engineer Report

Mr. Harris reported that a study completed by Mountain Studies for the City of Durango recommended that the City of Durango should begin building a pipeline from Lake Nighthorse as soon as possible.

Fox Fire Pipeline

Mr. Henry reported that the Fox Fire Pipeline is close to being ready to be put out to bid.

Phase 2C Pipeline/Easements

Mr. Henry said that Mr. Tolen will report more detail but that, essentially the project is awaiting ownership determination and confirmation from the La Plata County Attorney. He noted the need to use flowfill where we open cut the road to install the pipe.

Phase 2D Pipeline

Mr. Henry noted that he continues work on drawings for the section of the Phase 2D Pipeline located along Highway 172 from the Baptist Church on the curve at County Road 509A to County Road 311 in Oxford.

Environmental Report

There was nothing new to report in Ms. King's absence.

General Manager Report

Phase 2C Pipeline/Easements

Mr. Tolen reported that he continues to work with La Plata County staff, this time the County Attorney, to have County Staff determine and confirm that La Plata County owns subsurface rights on County Road 509, per the Minutes from a 1906 La Plata County Commissioner meeting as well as Right of Way documentation from 1908 and 1909. To reiterate, Counsel Greher and Joseph W. Norris, have provided a letter validating the legality of La Plata County's subsurface rights on County Road 509 based on legal documents of record. Homestead Patents recorded in 1906 for the Baird family and 1914 for the Semler family do not interfere with the subsurface rights for County Road 509 by La Plata County. Mr. Tolen will continue to pursue these efforts until a decision is confirmed.

SB23-303

The legislation has referred Proposition HH to be included on the statewide ballot in November. It is currently being challenged in court by an organization arguing that it is not a single subject proposition. The District may need to develop two budgets, one if the ballot issue passes and one if it fails. Mr. Tolen will keep the Board advised of activity related to Proposition HH.

Storage Facility at County Road 311

Mr. Tolen advised the Board that he has not received a response from the architect recommended by Dave Henry, though he did initiate a conversation with them. He has received a response from SGM who submitted a proposal for development of a site plan on the District property on County Road 311. SGM is revising their scope of work and cost estimate for submission to Mr. Tolen.

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

Executive Session

An Executive Session was not conducted.

Any Other Matter Which May Come Before the Board

No other matter came before the Board.

Adjournment

The meeting adjourned at 9:11 a.m. The next regular meeting of the Board is scheduled for Thursday, July 13, 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