

## **Record Of Proceedings Minutes Of the Meeting of the La Plata Archuleta Water District Held November 9, 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 November 9, 2023, at 9:00 a.m., at 255 Ute Street, Ignacio Colorado 81137.

### **Attendance**

#### **Directors in Attendance**

Dan Lynn  
Ron Dent  
Kent Curtis  
Mark Williams

#### **Director Absent**

Dick Lunceford, whose absence was excused

#### **Also In Attendance**

Ed Tolen, La Plata Archuleta Water District Manager  
Yvonne Brunson, La Plata Archuleta Water District Customer Service Representative  
Steve Harris, Harris Water Engineering  
Barb Prose, FredrickZink and Associates  
Cheryl Lynn, Secretary to the Board

#### **In Attendance via Telephone**

David Greher, Cockrel Ela Glesne Greher & Ruhland  
Micki Mills, Cockrel Ela Glesne Greher & Ruhland  
Karmen King, Grayling

### **Call to Order**

Vice-Chairman Lynn 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 interest 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 Williams, seconded by Director Dent, and unanimously carried, the Minutes of the October 12, 2023, Regular Board Meeting were approved as presented.

## **Financial Report**

Approval and Payment of Invoices – Directors reviewed and clarified the October 2023 Accounts Payable and the October 2023 Accountant’s Compilation Reports. Upon motion duly made by Director Williams, seconded by Director Dent, and unanimously carried, payment of the invoices as shown on the attached Accounts Payable Statement dated November 8, 2023, were approved as submitted.

## **Finance Committee Report**

### **Results of 2023 Election RE Proposition HH**

The Draft 2024 LAPLAWD Budget If Proposition HH Fails is currently planned as the budget to be approved at the December District meeting.

### **Bond Payment**

Ms. Prose reported that a bond payment is due December 15, 2023. The payment by electronic funds transfer should be made after December 1, 2023. A transfer of funds from CSAFE to the bank will be used to fund the bond payment. Directors Lynn and Dent volunteered to serve as the second signature for the bond payment. Mr. Tolen will contact them as to their availability.

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

Mr. Tolen said there is nothing new to report.

## **Legal Report**

### **Draft 2024 District Budget**

Paralegal Mills requested that the draft 2024 Budget be provided to her in time to prepare the Budget Resolution and Certifications to be included with the documents sent to the Board prior to the December 14th meeting. She suggested that final preparation of the Budget be accomplished after receipt of the final Certification of Valuation from the County Assessor. Counsel Greher had nothing new to report.

## **Engineer Report**

### **Roundtable Meeting**

Mr. Harris reported that a Statewide Roundtable Summit will occur next week.

### **Fox Fire Distribution System**

The final drawings for the Fox Fire Distribution System were received by the engineer on November 8, 2023.

### **Phase 2D Pipeline**

Mr. Henry has contacted the Colorado Department of Transportation (CDOT) to set up a meeting to discuss alignment and environmental issues.

### **Phase 2C**

Final design of Phase 2C is awaiting confirmation of easements/rights-of-way. Yet to be completed is the survey of the existing County Road 509 to supplement the 1909 survey of the same section of road as requested by La Plata County prior to issuing a permit.

## **Environmental Report**

Ms. King advised the Board that the kickoff meeting with the CDOT for Phase 2D will also include the utility corridor as CDOT wants to review the proposed alignment more closely. This puts final alignment and environmental permits in a state of flux until decisions are made. Further, in her conversations with the Southern Ute Indian Tribe (SUIT) following their review of Phase 2D, Ms. King has learned that SUIT will defer permitting interaction to the Environmental Protection Agency, but requested that they be provided with all correspondence. Ultimately this will lead to a more streamlined process for those involved.

## **General Manager Report Lake Nighthorse Pipeline**

Mr. Tolen met with Justin Elkins, City of Durango Public Works Department, as part of an Animas La Plata OMR meeting last week. The City's first funding priority is to build/maintain infrastructure from the Florida River to the current, but older, water treatment plant. The estimated timeline for construction of a pipeline or other possible infrastructure for using the water from Lake Nighthorse is at least nine years out. With their purchase of 3,200 acre-feet of water from Lake Nighthorse, the City of Durango believes their current water quantity is not large enough to justify construction of a second water treatment plant in the near future. Annexations along La Posta Road, in the Three Springs development, and on Ewing Mesa and development, in general, south and east of Durango may necessitate an earlier reconsideration of the need for a second water treatment plant.

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

## **Executive Session**

Board convened in Executive Session at 9:18 a.m. for the purpose of discussing personnel matters, except if the employee who is the subject of the session has requested an open meeting, (Section 24-6-402(4)(f), C.R.S.) The Board returned to its open session at 10:05 a.m.

## **Open Session**

The Board commended Mr. Tolen for his exceptional job performance in benefiting District members and the community at large. The Board approved a three percent (3%) salary increase and a \$5,000 bonus to Mr. Tolen. This will be incorporated into the 2024 LAPLAWD Budget.

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

No other matters were discussed by the Board.

## **Adjournment**

The meeting adjourned at 10:08 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, December 14, 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