

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING OF THE
LA PLATA ARCHULETA WATER DISTRICT
HELD
April 8, 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 April 8, 2021, at 9:00 a.m. Due to public health concerns this meeting was held with no more than ten people in personal attendance in the District Office, all wearing masks and self-distanced due to the arrangement of the tables and chairs. Others called in to the meeting. Links and call-in information were provided.

ATTENDANCE:

Directors in Attendance Were:

Dick Lunceford
Dan Lynn
Mark Williams
Ron Dent

Director Whose Absence Was Excused Was:

Gregg Johnson

Also in Attendance 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

Also in Attendance via Telephone Were:

Steve Harris, Harris Water Engineering
Dave Henry, Harris Water Engineering
Karmen King, Grayling
Barb Prose, FredrickZink & Associates
David Greher, Collins Cockrel and Cole
Micki Mills, Collins Cockrel and Cole

CALL TO ORDER Chairperson 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 reported no conflicts of interest.

PUBLIC COMMENTS No members of the public were present via Zoom, via telephone, or in the District Office.

APPROVAL OF
MINUTES

Upon motion duly made by Director Dent, seconded by Director Williams, and unanimously carried, the Minutes of the March 11, 2021 Regular Board Meeting were approved.

FINANCIAL REPORT

Approval and Payment of Invoices – Directors reviewed the March 2021 Accounts Payable Report and March 2021 Accountant’s Compilation Report to Directors. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Board approved payment of invoices as shown on the attached Accounts Payable statement dated April 7, 2021.

FINANCE COMMITTEE
REPORT

PILT Payment – Ms. Prose called the attention of the Board to the PILT (Payment in Lieu of Taxes) payment received in the amount of \$40,598.90.

Loan Payment Due - Ms. Prose reminded the Board that loan payments are due May 1, 2021. Director Lynn will accompany Mr. Tolen to the bank for signature and verification purposes. The Board decided against setting up an automatic bank payment, preferring instead to remain “hands on” in the processing of loan payments.

2020 LAPLAWD Audit –Ms. Prose advised the Board that Todd Beckstead, Auditor, Beckstead and Associates, has completed the field work and expects to make the 2020 District Audit available for the June 10, 2021 meeting.

PUBLIC RELATIONS
/COMMUNICATIONS
COMMITTEE REPORT

District Taxes – Mr. Tolen said he is receiving calls, as he does annually when people review and pay property tax notices, about why property owners are paying taxes to the District.

Newsletter – Once the first pipeline loop is finished Mr. Tolen will send a newsletter to District property owners.

LEGAL REPORT

Counsel Greher and Paralegal Mills advised that they had nothing to report.

ENGINEER REPORT

Phase 1H: - Please refer to Mr. Tolen’s April 2021 General Manager’s Report for detail about this phase of the pipeline.

Phase 2C – Mr. Harris deferred to Mr. Henry to provide a project update. Mr. Henry advised the Board that the original Call Locate 811 that was supposed to outline utility schematics in the Phase 2C location proved to be very inaccurate. In an effort to provide accurate utility and construction alignment data at this time the drawings are being updated. Mr. Henry expects this phase of the project to go to bid in late summer. Of note is that C900 PVC pipe is hard to come by and expensive, especially the 6” diameter pipe. The situation is attributed to the recent freeze in Texas that slowed or completely shut down pipe production.

Meetings with Landowners – Mr. Tolen said he plans to meet with Jim Baird on April 9, 2021, and Jack Semler the week of April 12, 2021 regarding potential utility easements on their properties.

ENVIRONMENTAL REPORT – Ms. King advised the Board that she received approval from the Army Corps of Engineers for Phase 2C on Tuesday, completing a 5 ½ month process. A combined telephone call was conducted on April 7th to try to ascertain if a 5 ½ month approval process could be anticipated for every project. Though no answer was provided Ms. King suggested that, with anticipated process approval changes on the horizon, it will be prudent to get plans for the next phases in order as soon as possible to allow her to begin necessary approval process.

GENERAL MANAGER REPORT

County Approval RE Service to Gem Village Area – Mr. Tolen advised the Board that this will be a topic of discussion at the La Plata County Board of County Commissioners meeting on Tuesday, May 18, 2021, at 10 a.m. Mr. Tolen will attend the meeting. In the interim he is assembling letters to be sent to property owners with a view toward an Inclusion Hearing at the July 8, 2021, District Board meeting. The hope is that many people will want their properties included for the \$250 fee. Ms. Mills requested that letters be returned to the District no later than June 21, 2021, to

allow her time to process the paperwork and publish legal notices. Because the Town of Bayfield has agreed to the District's providing water service to property owners in the Gem Village area it is hoped that if the property owner also wants this service they will petition the District for Inclusion and the La Plata County Commissioners will sanction the effort.

Counsel Greher noted that because the annual cutoff date for property tax collection is May 1, the included properties will be subject to tax collection beginning in 2023.

Meeting with Jarrod Biggs, Assistant Utilities Director, City of Durango – Mr. Tolen advised the Board that he had met with Mr. Biggs regarding shared water treatment delivery between the District and the City of Durango. The City conducted a study comparing the building of a new water treatment plant in the vicinity of Lake Nighthorse and the construction of a new water pipeline and treatment plant as part of their existing facilities. The pipeline was found to be more cost effective for the City of Durango and, while remaining committed to providing treated water to the District, that is the current plan of direction. The District anticipates that a pump station and storage tank will be built in the vicinity of Mercy Regional Medical Center, possibly on property owned by the State of Colorado, though specifics are yet to be decided. This will involve long term discussions between the two entities.

Senate Bill 21-034 Water Resources Financing Enterprise – Mr. Tolen advised the Board that this legislation was killed in committee.

EXECUTIVE SESSION – No Executive Session was conducted.

ANY OTHER MATTER WHICH MAY COME

BEFORE THE BOARD – Kelsall Point of Diversion – Director Williams inquired as to the status of the Point of Diversion discussion with Counsel Evan Ela at the March 11, 2021 meeting. Mr. Harris noted that the District would be moving their diversion point from a noncritical area to a water critical area and that could involve discussions and negotiations. Mr. Harris and Mr. Tolen will meet with Counsel Ela to develop a strategy.


Fraudulent Unemployment Claim – Ms. Prose asked Director Lynn if he had taken action regarding a fraudulent unemployment claim. Director Lynn said he had notified the Department of Labor and Employment that his unemployment claim was fraudulent and had destroyed the subsequent card he had been issued in conjunction with the claim.

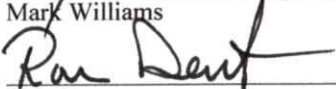
ADJOURNMENT

The meeting adjourned at 9:30 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, May 13, 2021, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado, unless it is necessary to meet in another matter to satisfy governmental requirements.

APPROVED


Richard T. Lunceford


Mark Williams


Ron Dent


Secretary for the Meeting


Gregg Johnson


Daniel R. Lynn, III