

RECORD OF PROCEEDINGS  
MINUTES OF THE MEETING OF THE  
LA PLATA ARCHULETA WATER DISTRICT  
HELD  
June 9, 2022

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 June 9, 2022, at 9:00 a.m.

ATTENDANCE:

Directors in Attendance Were:

Ron Dent  
Dick Lunceford  
Dan Lynn  
Mark Williams

Director Whose Absence Was Excused Was:

Kent Curtis

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 & Associates  
Karmen King, Grayling LLC  
Cheryl Lynn, Secretary to the Board  
Joe Wray, Fox Fire Subdistrict  
Scott Click, Fox Fire Subdistrict  
\_\_\_\_\_, Fox Fire Subdistrict

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

Joe Wray and Scott & Kim Click of the Fox Fire Subdistrict attended the meeting to learn new information and updates regarding progress of the water line installation. They are supportive and appreciative of the opportunity to, more reliably, have domestic water at their homes.

APPROVAL OF  
MINUTES

Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried, the Minutes of the May 12, 2022, Regular Board Meeting were approved as submitted.

FINANCIAL REPORT

Approval and Payment of Invoices – Directors reviewed the June 2022 Accounts Payable Report and June 2022 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 June 8, 2022.

FINANCE COMMITTEE  
REPORT

2021 District Audit – The 2021 District Audit is being finalized and should be available for the July, 2022, meeting.

PUBLIC RELATIONS  
/COMMUNICATIONS  
COMMITTEE REPORT

Mr. Tolen told the Board there is nothing new in the public relations arena.

LEGAL REPORT

Mr. Greher and Ms. Mills advised the Board there was nothing on the legal front to report.

ENGINEER REPORT

Mr. Harris noted that an article in the Durango Herald erroneously stated that the 1922 Colorado River Compact will expire in 2025. Rather, an agreement made in 2008 regarding Colorado River operations will expire in 2025. The 1922 Colorado River Compact is perpetual.

Phase 2C - Mr. Henry advised the Board that they continue in “hurry up and wait” mode regarding necessary easements.

Fox Fire Distribution System – Mr. Henry reported that “811 Utility Locates” have been requested. The response from La Plata Electric Association is that they do not have time to complete these utility locates, even though they are legally bound to conduct the locates within 30 days of receiving the request. Mr. Henry explained that the original “811 Utility Locates” were intended for construction crews as “Call Before You Dig” permits. A new state law established an “Engineering 811 Utility Locate” that provides for the company to state the location of their utility to save time and money in construction of a project by having fewer change orders as part of the construction process. Mr. Henry continues to work with La Plata Electric Association to get this project started to get water service to people in the Fox Fire Subdistrict. Delays in construction following identification can result in line markings being lost. Mr. Henry noted that the goal is to have the utility information digitized to be able to use it any time.

ENVIRONMENTAL  
REPORT –

Ms. King advised the Board that she continues to work with the Revolving Fund of Colorado Department of Public Health and Environment (CDPHEt) which has determined that an Environmental Assessment (EA) will be necessary for the Fox Fire project. Though there are many steps in the process the paperwork is being completed in a timely manner. The scoping definitions to be provided by 8 agencies lead to determination of Ms. King’s work. In this instance the work is substantially qualitative rather than quantitative. Overall, look for the environmental process to take 6 to 9 months to be completed by early 2023. Mr. Henry asked if any of the information she has encountered would lead her to believe that there will be fundamental problems with project design to which Ms. King replied that she had not seen anything of that sort.

GENERAL MANAGER REPORT

Resolution Authorizing Designated Parties to Act on Behalf of the District with Regard to the District’s Bank Accounts – Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried the Board adopted the Resolution Authorizing Designated Parties to Act on Behalf of the District with Regard to the District Bank Accounts. The District has two (2) accounts at TBK Bank and one (1) at First Southwest Bank. The Banks need these resolutions for accurate authorization purposes.

Resolution Authorizing Designated Parties to Act on Behalf of the Sundance/Farraday Subdistrict No. 1 District with Regard to the Subdistrict’s Bank Account – Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried the Board adopted the

Resolution Authorizing Designated Parties to Act on Behalf of the Sundance/Farraday Subdistrict No. 1 with Regard to the Subdistrict's Bank Account.

Phase 2C Easements – Mr. Tolen told the Board that he continues work with property owners to acquire the easements for the Phase 2C project along County Road 509. One property owner has his property for sale, it is under contract, and Mr. Tolen will meet with the prospective buyers on June 10, 2022.

Jack Semler – The property of Jack Semler includes the longest run of the remaining easements. At the present time he is considering exactly the terms of the transaction that would be acceptable to him.

California Resident – Mr. Tolen still has not heard from the property owner from California nor has the certified letter been returned to him as undeliverable.

Fox Fire Subdistrict – Mr. Tolen reported that he is waiting for the completion of the environmental process. When the project has environmental clearances he will complete the submission for a loan from the Drinking Water Revolving Fund and request a grant from the Department of Local Affairs to partially fund the project.

ALP Water Purchase – Mr. Tolen asked the Board to consider whether or not to purchase Animas La Plata Water from CWCB in 2022. The cost would be \$207,731. 2019 is the only year in the 40-year contract that the District has not purchased water. The District may skip a year of purchase but if it skips two (2) consecutive years CWCB can cancel the contract. 460 acre feet of the 2,500 acre feet provided for purchase in the contract have been purchased. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Board decided not to purchase water in 2022 and will purchase water in 2023. The purchase delay is designed to install more pipe.

EXECUTIVE SESSION – An Executive Session was not conducted.


ANY OTHER MATTER  
WHICH MAY COME


BEFORE THE BOARD – No other matter was presented to the Board.

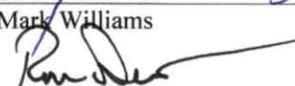
ADJOURNMENT

The meeting adjourned at 9:25 a.m. The next regular meeting of LAPLAWD is scheduled for Thursday, July 14, 2022, 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

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Secretary for the Meeting

  
Kent Curtis

  
Daniel R. Lynn, III