

**RECORD OF PROCEEDINGS
MINUTES OF THE MEETING OF THE LA PLATA ARCHULETA WATER
DISTRICT
HELD JANUARY 9, 2025**

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 January 9, 2025, at 9:00 a.m., at 255 Ute Street, Ignacio Colorado 81137.

ATTENDANCE

Directors in Attendance

Dick Lunceford

Ron Dent

Dan Lynn

Kent Curtis

Director In Attendance by Telephone

Mark Williams

Also In Attendance

Ed Tolen, La Plata Archuleta Water District Manager

Yvonne Brunson, Customer Service Representative

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

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 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 and present via telephone 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 Curtis, and unanimously carried, the Minutes of the December 12, 2024, Regular Board Meeting were approved as submitted.

FINANCIAL REPORT

Approval and Payment of Invoices

Mr. Tolen discussed and distributed an Accounts Payable list of vendors to be paid and checks to be signed. MBE CPAs have yet to produce a monthly financial statement or monthly balance sheet. The absence of Michelle Sainio, MBE CPAs, from the meeting was duly noted. Checks were signed.

FINANCE COMMITTEE REPORT

Necessary Financial Documentation

Lack of financial documents and the inability to conduct a Year End 2024 LAPLAWD Audit and filings that emanate from that audit were discussed by the Board. Financial statements have been promised but not delivered since the departure of Taryn Centerbar from FredrickZink in December, 2023. Mr. Tolen, Director Curtis and Counsel Greher will make contacts and develop possibilities for a contingency plan.

PUBLIC RELATIONS/COMMUNICATIONS COMMITTEE REPORT

Public Relations/Communications were not discussed.

LEGAL REPORT

Resolution Designating Location to Post Notice

Ms. Mills referred the Board to the Resolution Designating Location to Post Notice. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Resolution Designating Location to Post Notice was adopted.

ENGINEER REPORT

Phase 2E Pipeline

Mr. Henry advised the Board that he would be meeting with Dennis Dempsey, Draftsman, the week of January 13, 2025.

Phase 2D Pipeline

Mr. Henry will set up the necessary meeting with the Colorado Department of Transportation to discuss the updated plan currently being developed.

ENVIRONMENTAL REPORT

Ms. King advised the Board that she will attend a conference in February, 2025, with the Environmental Protection Agency and Army Corps of Engineers where she will be trained in the most current federal agency laws and rules. She noted that the State of Colorado finalized their own 404 Permit process which, in part, allows them to fine entities who do not adhere to the permit process, which has yet to be defined and distributed. Director Lynn asked for clarification of the term "Waters of Colorado." Ms. King noted that they are not tied to the Waters of the United States. Generally, a definition of Waters of Colorado is ephemeral drainage, intermittent flows, and arroyos that have a defined bank that shows where the waters ran and a high water mark.

GENERAL MANAGER REPORT

Director Williams was appointed Proxy to attend the Pine River Irrigation District Annual Meeting on January 18, 2025, at Bayfield High School. Mr. Tolen was appointed Proxy to attend the Morrison Ditch Company Annual Meeting on January 11, 2025, at the Oxford Grange.

Fox Fire Subdistrict Distribution System

Mr. Tolen advised the Board that he had submitted a loan application in the amount of \$850,000 to Colorado Water Resources and Power Development Authority (CWRPDA). It will likely be approved by CWRPDA in early summer, possibly June, 2025. The \$850,000 represents a \$46,000 tax annually which is distributed and paid among 15 to 16 lots, though last year the producing gas well paid approximately half of the tax due.

County Road 311 Storage Building Project

Mr. Tolen advised the Board that cement pads for the garage approach and pipe storage have been poured. Skylights have been delivered. The heaters have not yet been delivered.

EXECUTIVE SESSION

An Executive Session was not conducted.

ANY OTHER MATTER WHICH MAY COME BEFORE THE BOARD

W2's

Mr. Tolen will print W2 Income Tax Documents for Board members. If members prefer he will send them electronically.

Voice Over Internet Protocol

Mr. Tolen said that the onboarding is a slow process but it is gradually moving ahead.

Customer Service Representative Position

Ms. Brunson has found employment in Pagosa Springs, Colorado. Her last day will be January 23, 2025. Mr. Tolen has five applicants so far for the posted position.

ADJOURNMENT

The meeting was adjourned at 9:28 a.m. The next regular meeting of LAPLAWD is scheduled for February 13, 2025.

PREPARED BY

Cheryl Lynn
Secretary for the Meeting

APPROVED

Richard T. Lunceford

Daniel R. Lynn, III

Mark Williams

Ron Dent

Kent Curtis