

**RECORD OF PROCEEDINGS
MINUTES OF THE MEETING OF THE LA PLATA ARCHULETA WATER
DISTRICT
HELD SEPTEMBER 12, 2024**

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 September 12, 2024, at 9:00 a.m., at 255 Ute Street, Ignacio Colorado 81137.

ATTENDANCE

Directors in Attendance

Dick Lunceford

Ron Dent

Dan Lynn

Mark Williams

Director In Attendance by Telephone

Kent Curtis

Also In Attendance

Ed Tolen, La Plata Archuleta Water District Manager

Yvonne Brunson, Customer Service Representative, La Plata Archuleta Water District

Steve Harris, Harris Water Engineering

Dave Henry, Harris Water Engineering

Taryn Centerbar, 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

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 Lynn, and unanimously carried, the Minutes of the August 8, 2024, Regular Board Meeting were approved as written.

FINANCIAL REPORT

Approval and Payment of Invoices

Directors reviewed and clarified the September 2024 Accounts Payable and the September 2024 Accountant’s Compilation Reports, noting that a PILT payment in the amount of \$50,557.08 was received and subsequently deposited into First Southwest Bank. Upon motion duly made by

Director Williams, seconded by Director Lynn, and unanimously carried, payment of the invoices as shown on the attached Accounts Payable Statement dated September 11, 2024, were approved as submitted.

FINANCE COMMITTEE REPORT

Ms. Centerbar reported that Michelle Sainio of FredrickZink and Associates needed additional specific information to complete the 2023 LAPLAWD Audit which should now be available by the October 10, 2024 LAPLAWD Board meeting. Counsel Greher advised the Board that the District audit is considered late if not filed by September 30, 2024, and urged the Board to consider ratification of the audit. He stated that there is no statutory requirement that the Board must accept the audit before it is filed. One of the consequences of an audit filed late is that the County Treasurer can withhold payments to LAPLAWD. Upon motion made by Director Lynn, seconded by Director Williams, and unanimously carried, the Board gave Mr. Tolen permission to file the 2023 La Plata Archuleta Water District Audit if there are no material findings in the audit.

PUBLIC RELATIONS/COMMUNICATIONS COMMITTEE REPORT

There is nothing new to report from the Public Relations/Communications Committee.

LEGAL REPORT

Inclusion of Real Properties

Chairman Lunceford opened a public hearing to consider a Petition for Inclusion of Real Property into the La Plata Archuleta Water District from Randy Speaker and Alice Speaker, Petitioners, for property located at 257 County Road 509A, Ignacio, Colorado 81137 and to consider a Petition for Inclusion of Real Property into the La Plata Archuleta Water District from DeWayne and LeAnn Todd, Petitioners, for property located at 1122 County Road 509, Ignacio, Colorado 81137. There being no public comment the hearing was closed. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Board issued the Order approving such Petitions and authorized the filing of such Board Order and Petitions with the District Court requesting that the final Order of Inclusion for such properties be issued.

ENGINEER REPORT

Mr. Harris reported that Barb Prose, who formerly performed accounting activities for LAPLAWD, is doing well and enjoying retirement.

Fox Fire Pipeline/ Fox Fire Distribution System

Mr. Henry advised the Board that comprehensive cost estimates have been prepared along with final drawings and specifications. Mr. Tolen noted that one easement has been completed and a few more easements need to be finalized. He is ready to begin the necessary grant work to fully fund the project.

Phase 2D Pipeline

Mr. Henry reported that he and Mr. Tolen and Ms. King met with the Colorado Department of Transportation on August 7, 2024. As a result some minor changes must be made in relocating pipe and changing fencing.

Mr. Henry Courtesy Request

Mr. Henry advised the Board of his increase in engineering fees, noting that he has been working for the District now for five years. Surveyor rates will also increase.

ENVIRONMENTAL REPORT

Ms. King advised the Board that she has now been working with the District since 2010. She noted that she has been working with the Colorado Department of Transportation to finalize a

Utility Corridor Permit. This will be followed by next steps in the permitting process to move Phase 2D forward.

GENERAL MANAGER REPORT

Phase 2C

Mr. Tolen advised the Board that areas of the water line had to be placed in the County Road due to the placement of other utilities that were in the Right of Way prior to the construction of Phase 2C.

Consider Awarding a Contract to Neil's Excavation and General Contracting for the County Road 311 Storage Building Project

Upon motion made by Director Lynn, seconded by Director Williams, and unanimously carried the Board approved a Contract to Neil's Excavation and General Contracting for the County Road 311 Storage Building project.

2025 Budget

As Mr. Tolen and Ms. Centerbar begin preparation of the 2025 LAPLAWD Budget, Mr. Tolen thought the Board should know that tax income will decrease approximately \$500,000 in 2025 as a result of the decrease in the price of natural gas.

HB24B-1001

Mr. Tolen reminded the Board that a special legislative session was held by the Colorado General Assembly to devise a plan to eliminate Initiatives 50 and 108 which were slated to go to a vote in the November 5, 2024 General Election. The legislation's language is technical and complicated but generally considered preferable to either of the initiatives in problem-solving issues related to property taxes.

LAPLAWD Distribution Person

Mr. Tolen is looking for a person who can oversee projects and the operation of the LAPLAWD water distribution system. He has received no indications of interest or applications for the job. Mr. Henry will call his people he knows through work to see if they would be interested in relocating to the Ignacio area.

Please see Mr. Tolen's September 2024 General Manager Report for additional information.

EXECUTIVE SESSION

No Executive Session was conducted.

ANY OTHER MATTER WHICH MAY COME BEFORE THE BOARD

No other matter was presented.

ADJOURNMENT

The meeting was adjourned at 9:38 a.m. The next regular meeting of LAPLAWD is scheduled for October 10, 2024.

PREPARED BY

Cheryl Lynn
Secretary for the Meeting

APPROVED

Richard T. Lunceford

Daniel R. Lynn, III

Mark Williams

Ron Dent

Kent Curtis