

**Record Of Proceedings**  
**Minutes Of the Meeting of the La Plata Archuleta Water District**  
**Held December 14, 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 December 14, 2023, at 9:00 a.m., at 255 Ute Street, Ignacio Colorado 81137.

**Attendance**

**Directors in Attendance**

Dick Lunceford  
Dan Lynn  
Ron Dent  
Kent Curtis

**Director Absent**

Mark Williams, 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  
Cheryl Lynn, Secretary to the Board

**In Attendance via Telephone**

Steve Harris, Harris Water Engineering  
Dave Henry, Harris Water Engineering  
Barb Prose, FredrickZink and Associates  
Karmen King, Grayling  
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 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 Dent, seconded by Director Lynn, and unanimously carried, the Minutes of the November 9, 2023, Regular Board Meeting were approved as presented.

## **Financial Report**

Approval and Payment of Invoices – Directors reviewed and clarified the November 2023 Accounts Payable and the November 2023 Accountant’s Compilation Reports. Upon motion duly made by Director Dent, seconded by Director Curtis, and unanimously carried, payment of the invoices as shown on the attached Accounts Payable Statement dated December 13, 2023, were approved as submitted.

## **Finance Committee Report**

Mr. Tolen reported that, due to new legislation, the Final Assessed Valuation from the county Assessor may not be received by the District until as late as January 3, 2024. This means that the District does not have exact assessed valuation numbers with which to calculate 2024 District and Subdistrict Budget numbers. Further, the deadline to certify the District’s mill levy is January 10, 2024, which is the day before the Board’s scheduled January meeting. Mr. Tolen recommended moving the January meeting date to January 9, 2024. Counsel Greher outlined three acceptable related courses of action. The first option would be for the Board to conduct the Budget Hearing today and also adopt the Resolution to Adopt the Budget, Certify the Mill Levy at 5 mills, and Appropriate Sums of Money. The General Manager would then certify exact budget numbers upon receipt of the District’s final Assessed Valuation. This would be permissible delegation of authority under Colorado law, as long as the Board’s instructions to the General Manager were sufficiently clear. The second course of action would be to hold the Budget Hearing at today’s meeting and have the Board defer action until a January 9, 2024 meeting. This would save the District the cost of republishing the legal notice of the District’s budget hearing. The third course of action would be to conduct all budget-related business at a January 9, 2024 meeting. Mr. Tolen advised those present that the first course of action does not work for subdistricts of the District. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Board agreed to the second course of action which is to conduct the budget hearing today as published and defer final 2024 Budget actions to the January 9, 2024 Board meeting when exact numbers are available. Because the District must certify its mill levies to the County by January 10, 2024, the Board approved moving the January Board meeting from its regularly scheduled date of January 11, 2024, to a Special Meeting at the same time and location on January 9, 2024.

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

Mr. Tolen said there is nothing new to report.

## **Legal Report**

Paralegal Mills and Counsel Greher have nothing new to report.

## **Engineer Report**

Mr. Harris has nothing new to report and will defer to Mr. Henry and Ms. King for project specifics.

### **Phase 2D Pipeline**

Mr. Henry has contacted the Colorado Department of Transportation (CDOT) and is trying to set up a meeting to discuss alignment and environmental issues with CDOT, Ms. King, and himself. He noted that CDOT has adopted more formal permitting procedures, and the meeting depends on specific requirements being completed prior to meeting. The utility construction permits application has been completed and minor feedback has been received on the drawings.

### **Fox Fire Distribution System**

Mr. Henry has provided Manager Tolen with a Design Basis report, which he needs for the loan application. He proposes that one of the next action item will be to get the pump bid published.

### **Phase 2C Pipeline**

Director Lynn asked about survey progress on Phase 2C. The surveyor, Frank Gibbons, has not yet completed work related to County Road 509 in the vicinity of the project. Mr. Henry will check with Mr. Gibbons today and advise Mr. Tolen of the results of his conversation. Director Lynn remains concerned about the time it is taking to complete the survey as it affects the ability to permit and begin the project in the 2024 construction season.

### **Environmental Report**

Ms. King advised the Board that she and Mr. Henry are working diligently to meet CDOT requirements to accurately develop a Scope of Work for the environmental component of Phase 2D Pipeline. A backlog of work exists as a result of prior COVID issues and she is trying to locate a Cultural Resources person who will be able to work on the project.

### **General Manager Report**

#### **Schedule of Meetings for 2024**

Mr. Tolen directed the Board's attention to the 2024 Schedule of Board Meetings, again reminding the Board of their January 9, 2024, Special Meeting date.

#### **Consider Approving the 2023 Addendum to the General Manager's Employment Agreement**

Upon motion duly made by Director Dent, seconded by Director Curtis, and unanimously carried the Board approved the 2023 Addendum to the General Manager's Employment Agreement, confirming that it reflects what the Board discussed at the November 9, 2023, Board Meeting.

### **Executive Session**

No Executive Session was conducted.

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

Mr. Tolen advised the Board that a two-inch line on Sage Crest Drive was broken in two places. The use of irrigation water somewhat interfered with determining the exact location and extent of the leaks but now that the irrigation water has been shut off and the pipeline leaks have been repaired.

## **Adjournment**

The meeting adjourned at 9:22 a.m. The next regular meeting of the Board scheduled for Thursday, January 11, 2024, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado, has been changed to a Special Meeting to be conducted on January 9, 2024, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado to accommodate 2024 District mill levy certification requirements.

## **Prepared By**

Cheryl Lynn  
Secretary for the Meeting

## **Approved**

Richard T. Lunceford

Daniel R. Lynn, III

Ron Dent

Kent Curtis