

RECORD OF PROCEEDINGS
MINUTES OF THE CONTINUED MEETING OF THE
LA PLATA ARCHULETA WATER DISTRICT

HELD

DECEMBER 19, 2008

Continued from December 11, 2008

The continued meeting of the Board of Directors ("Board") of the La Plata Archuleta Water District ("District") was held on December 19, 2008, at 9:13 a.m. at the Oxford Grange, 8018 Highway 172, Ignacio, Colorado.

ATTENDANCE:

Directors in Attendance Were:

Richard T. Lunceford, President/Chairman

Daniel R. Lynn, III, Vice Chairman

Patricia A. Dressel, Treasurer

Gregg Johnson, Board Member, by telephone

Directors Absent Were:

Robert W. Beebe, Assistant Secretary/Treasurer

Also in Attendance

Steve Harris, Harris Water Engineering, Inc.

Amy Kraft, Harris Water Engineering, Inc.

Cheryl Lynn, Secretary of the Board

Ann McCoy, Public Relations

In Attendance by Telephone

Eric C. Jorgenson of Collins Cockrel & Cole

Micki L. Wadhams of Collins Cockrel & Cole

NOTICE Ms. Lynn stated that Notice had been properly posted at least twenty-four (24) hours prior to the meeting at the meeting location, Oxford Grange, 8018 Highway 172, Ignacio.

DISCLOSURE OF

POTENTIAL CONFLICT

OF INTEREST

Disclosure of potential conflict 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.

APPROVAL OF

MINUTES

Director Johnson moved that the minutes of the November 13, 2008, Board meeting be approved incorporating the suggested changes of Director Johnson, and legal counsel Micki Wadhams and Eric Jorgenson; this was seconded by Director Lynn and approved unanimously by the Board.

FINANCE COMMITTEE

REPORT

Southwest Water Conservancy Grant – Chairman Lunceford reported that LAPLAWD had received a \$40,000 grant from the Southwest Water Conservancy District. This funding will be available after January 1, 2009.

State Revolving Fund Grant – The Board reviewed an application for \$10,000 from the State Revolving Fund, outlined in a September, 2008, memo from Mr. Jorgenson. Ten grants in the amount of \$10,000 each are made annually. This would be funding for 2009. The 2009 Budget and Scope of Work will be attached to the application. Submittal of the application for this funding was approved unanimously and Chairman Lunceford was authorized to sign the application on a motion made by Director Lynn and seconded by Director Dressel.

Colorado Water Conservation Board Funding – The State Roundtable approved the \$100,000 grant previously approved by the Southwest Roundtable. A decision is expected in January, 2009. Grants of this type are a category of “local” funding.

Colorado Water Conservation Board Funding - The State Roundtable meets twice a year (March and September) to consider requests for state funding.

LAPLAWD can submit an application to the Southwest Roundtable by December 31, 2008, for this funding. If it is approved by the Southwest Roundtable it goes to the state level for approval. Grants of this type are a category of “state” funding. This application is similar to the first application and the funding would be used for permitting (Health Department, County, 404, Archaeological). Director Lynn moved and Director Johnson seconded that Chairman Lunceford be authorized to sign the application for funding when it has been prepared so that it can be submitted by the deadline. This was approved unanimously.

PUBLIC RELATIONS

COMMITTEE

REPORT

The Public Relations/Communications Committee Report was tabled until January, 2009, with the exception of the Master Plan.

Master Plan - Mr. Harris distributed a handout outlining water supply alternatives and some of their characteristics as well as a map of the District showing the locations of these alternatives. These documents were reviewed by the Board. This information in its final form is intended for use by citizens to make decisions for an anticipated November, 2009, mill levy election and will be finalized at the January, 2009, Board meeting.

LEGAL REPORT

Election Calendar - Mr. Jorgenson will send the 2009 election calendar to Board members to assist in planning and meeting important deadlines.

Resolution to Accept Conveyance of Water Rights – On a motion made by Director Dressel and seconded by Director Lynn the Board unanimously approved the gratuitous transfer of water rights from the Task Force to the Water District. When the deed is signed and recorded in La Plata and Archuleta counties, the office of Collins Cockrel & Cole will file a copy in District Court. This matter is scheduled for diligence review in the year 2010.

Exclusion and Inclusion Procedures/Policies – Discussion was deferred to the January, 2009, Board meeting.

PUBLIC COMMENT No members of the public were present to comment.

ANY OTHER

MATTER TO COME

BEFORE THE

BOARD

No other matters were discussed.

EXECUTIVE

SESSION

Director Johnson moved that the regular meeting of the Board be temporarily adjourned and that the Board reconvene in Executive Session for the purpose of receiving legal advice and to develop negotiation strategies in accordance with (Section 24-6-402 (4)(b) and (Section 24-6-402(4)(e), C.R.S. This was seconded by Director Dressel and approved unanimously. Following discussions and on a motion made by Director Johnson, seconded by Director Dressel, and approved unanimously the Board adjourned the Executive Session and reconvened in regular session.

ADJOURNMENT

There being no further business to come before the Board at this time the meeting was adjourned at 11:25 a.m.

Secretary for the Meeting

APPROVED

Robert W. Beebe

Richard T. Lunceford

Patricia A. Dressel

Daniel R. Lynn, III

Gregg Johnson