

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

HELD

October 8, 2009

The meeting of the Board of Directors ("Board") of the La Plata Archuleta Water District ("District") was held on October 8, 2009, at 9:00 a.m. at the Pine River Conservation District, 255 Ute Street, Ignacio, Colorado.

ATTENDANCE:

Directors in Attendance Were:

Richard T. Lunceford, who attended via telephone
Daniel R. Lynn, III, Acting Chairman
Gregg Johnson, Board Member
Mark Williams, Board Member

Also in Attendance:

Amy Kraft of Harris Water Engineering, Inc.
Steve Harris of Harris Water Engineering, Inc.
Ann McCoy Harold, Public Relations

In Attendance by Telephone:

Eric C. Jorgenson of Collins Cockrel & Cole
Micki Wadhams of Collins Cockrel & Cole
Don Diones of George K. Baum & Company
Paul Hanley of George K. Baum & Company

NOTICE:

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

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.

APPROVAL OF
MINUTES

Upon motion made by Director Lunceford, seconded by Director Williams, and unanimously carried, the minutes of the September 10, 2009 regular Board meeting were approved.

BOARD VACANCY

Acting Chairman Lynn reported that Cheryl Lynn had received no letters of interest to serve on the Board of Directors to fill the vacancy left by the resignation of Patricia Dressel, as a result of the legal notice published in the September 18, 2009 issue of the Pine River Times. Board members discussed potential candidates. Ms. Kraft provided a list of property owners within the boundaries of Director District No. 1, which Director Lunceford will review and produce a list of persons to contact to ask if they would be willing to serve.

FINANCIAL
REPORT

Approval and Payment of Invoices – Upon motion made by Director Williams, seconded by Director Johnson, and unanimously carried, the invoices were approved for payment and those payments already processed by Barb Prose were ratified.

2010 Budget – Ms. Kraft presented the draft 2010 Budget for review and discussion. The Board set the next regular meeting, November 12, 2009, at 10:00 a.m., as the date and time of the public hearing to consider adoption of the final 2010 Budget.

FINANCE COMMITTEE
REPORT

Grant Applications – Ms. Kraft reported that the District was awarded the \$400,000 CWCB grant, which funds must be used for permitting purposes. As a result of the spending limitations set forth in Article X, Section 20 of the Colorado Constitution, the District will only be able to receive a portion of the grant proceeds in 2010, with the remainder being received in 2011, and possibly 2012.

The Board discussed other grant possibilities, and requested Ms. Kraft and Mr. Harris to continue to search for feasible grants for the District.

PUBLIC RELATIONS/
COMMUNICATIONS
COMMITTEE REPORT

Exclusion Proceedings – Mr. Hanley presented a draft transmittal letter to be sent to all property owners within the District, together with the short-form Petition for Exclusion, requesting that any property owner desiring to be excluded to return the fully executed Petition for Exclusion to Harris Water Engineers. The Board discussed revisions to the transmittal letter. Mr. Hanley will make the appropriate revisions and arrange for mailing the letter and Petition for Exclusion prior to the next Board meeting.

Election Support - Director Lunceford reported that he received a letter from the Upper Pine River Fire Protection District indicating that they would not currently support the District's TABOR election, and requested additional information regarding the project. Thus, they may support the election in the future.

Letters to Editor – Acting Chairman Lynn reported on various printed letters to the editor from property owners and the extent of the inaccuracies in such letters. Upon discussion, the Board determined no response by the District is indicated.

Public Outreach and Education Program – The Board discussed the need to begin working on gathering supporters. Mr. Hanley indicated he will provide the Board with ideas and tools on methods to obtain community support at the next meeting.

LEGAL REPORT

Posting Notice – Mr. Jorgenson presented the revised Resolution Designating Posting Location, which changes the location of the designated posting location from the Oxford Grange to the Pine River Conservation District, 255 Ute Street, Ignacio, Colorado. Upon discussion and motion made by Director Johnson, seconded by Director Williams, and unanimously carried, the Board adopted the Resolution Designating Posting Location, providing the new designated posting location at the Pine River Conservation District, 255 Ute Street, Ignacio, Colorado, a copy of which Resolution is attached hereto and incorporated herein by this reference.

ENGINEER REPORT

Potential Water Sources - Mr. Harris reported that the ALP water is generating more interest. La Plata West Water Authority would also like to obtain the use of such water. Mr. Harris indicated that the Southern Ute Tribe will be meeting with the Department of Natural Resources to request the use of such water and lease to non-tribal users.

Master Plan – Ms. Kraft reported that the draft Master Plan will be ready for discussion at the November Board meeting. Thereafter, the Master Plan will be provided to the La Plata County Planning Department, State Health Department, the Towns of Bayfield and Ignacio, the Southern Ute Tribe and any other appropriate agency for comment.

PUBLIC COMMENTS None.

ADJOURNMENT The meeting was adjourned at 10:40 a.m.

Secretary for the Meeting

APPROVED

Richard T. Lunceford

Gregg Johnson

Mark Williams

Daniel R. Lynn, III

LA PLATA ARCHULETA WATER DISTRICT

RESOLUTION DESIGNATING LOCATION TO POST NOTICE

WHEREAS, Special Districts are required by Subsection 24-6-402(2)(c), C.R.S., to designate annually at the District Board's first regular meeting of each calendar year, the place at which notice will be posted at least 24 hours prior to each meeting.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LA PLATA ARCHULETA WATER DISTRICT AS FOLLOWS:

1. Notices of meetings of La Plata Archuleta Water District Board of Directors required pursuant to Section 24-6-401, et seq., C.R.S., shall be posted within the boundaries of the District at least 24 hours prior to each meeting at the following location:

Pine River Conservation District offices
255 Ute Street
Ignacio, Colorado

2. Notices of regular or special meetings required to be posted at three public places within the District and at the office of the County Clerk and Recorder at least 72 hours prior to such meeting shall continue to be made pursuant to Section 32-1-903(2), C.R.S.

Adopted this 8th day of October, 2009.

LA PLATA ARCHULETA WATER
DISTRICT

By: _____
Richard Lunceford, President

ATTEST:

By: _____
Cheryl Lynn, Secretary