

PUBLIC MEETING
OF THE
BOARD OF DIRECTORS OF
LA PLATA WEST WATER AUTHORITY

Wednesday, October 12, 2016 at 6:30 p.m. at the Fort Lewis Mesa Elementary School, 11274 Hwy 140, Hesperus CO, 81326. Minutes as follows:

1. Call to order at 6:42 pm
Ken Spence, Bernadette Cuthair, Jeanette Haas, Roy Horvath, Kevin Mallow, Paul Gray, Mardi Gebhardt, and Barb McCall were in attendance. Jeff Shamburg arrived at 7:00 pm.
Kevin made motion to approve amended agenda; Roy seconded the motion, all approved.
2. Guest Introductions & Comments – No guests present
3. Comments and communications -
Mardi received phone calls regarding the flyer in the Family Center Newsletter from several residents that live on CR 136, wanting to sign up for water taps. Those residents were actually located in Lake Durango's area.
Roy met with Julie Westendorff and Brad Blake (County Commissioners). They encouraged him to attend the Economic Development Summit Meeting in Ignacio. Fee is \$63.50. Jeanette made the motion to approve paying fee for Roy to attend; Barb seconded; approved by all.
Barb and Paul attended the Water 101 & 202 Seminar. Barb commented that it was well worth the education with regard to the history aspects of our current water laws and would like to make sure other board members are able to attend in the future. Mardi attended WIP meeting and asked if we thought we should still send support.
Jeanette sent a gift basket to ALP OM &R as a “thank you” for their help with the groundbreaking festivities.
Paul attended the La Plata Water Conservancy District Meeting on October 11, 2016, and discussed their willingness for his nomination for appointment to our board for the next term.
Roy met with John Whitney of Michael Bennet's local office to encourage our representatives in Congress to ultimately get an update on the project to enable them to motivate USDA on funding the future phases.
Barb stopped at 210 entrance to take pictures on first day of clearing brush and spoke with Eric Anderson, owner of Canyon Construction. Eric gave us permission to enter and take pictures anytime and just check in a the job trailer.
4. Treasurer's update & current invoices
Mardi presented a draft budget for 2017 which needs to be filed by December 31st at midnight. Board members received a copy for review and comment/revisions at the next board meeting. Mardi discussed the bank reconciliation statements, the financials for the month (balance sheet items needing explanation ie WUA (one has second half payment still due).

Mardi presented the following invoices for approval:

- a. Bartlett & West, Phase 0 milestone at 32% construction, \$2,100.00
- b. Bartlett & West, Phase 0 Construction Observation labor, \$1,170.60
- c. Just Click Printing, Flyer in Family Center Newsletter, \$280.61
- d. Colorado Water & Land Law, Operating items for entire project costs, \$227.50
- e. ESRI, GIS program through B & W, annual, \$2,500.00
- f. Bob's Johns, Porta-john rental for groundbreaking ceremony, \$94.27

After discussion of each, Jeanette made a motion to approve all invoices presented here; Ken seconded the motion; approved by all.

Mardi presented a draft policy pertaining to a timely review of construction invoices per the funding agreement allowing for an additional 15 days (45 total) to help Tribes to get payments coming in on outstanding invoices. Discussion occurred as a light reminder to the Tribes about the timeframe required so policy will not be needed.

Mardi presented a tracking system for the grant monies received and would like comments back.

5. Review minutes from September 14, 2016, meeting- tabled until November 9th meeting

Committee Reports

1. Financial/Budget/Audit – Mardi Gebhardt

Items were covered above in Treasurer's report

Next committee meeting is October 18, 2016, at 7pm, location undecided at present.

2. Legal/Negotiations – Kevin Mallow

Meeting with Lake Durango Water Authority is scheduled for October 27th at 0900, for working on the operating agreement. Kevin will confirm as it gets closer.

Executive session was necessary and commenced at 7:46 pm. Bernadette Cuthair and Kevin Mallow stepped out during executive session. Executive Session ended at 8:00 pm.

A motion was made by Ken to send a letter to the Tribes to respond by October 28, 2016, with regard to purchasing excess capacity in the pipeline, otherwise offer will be extended to other interested parties. Discussion included that Roy will work on letter and have draft out on Saturday. Jeanette seconded the motion and all approved with abstains by Bernadette and Kevin. Jeff added that the offer to any other interested parties would comply with the requirements in the Third Party Agreement. Roy will draft a letter to the Tribes acknowledging the timeframe of the offer.

3. Phase 0 Design/Engineering – Kevin Mallow

Kevin stated that work started; Canyon Construction is clearing brush for entrance into 1 acre site off CR 210. Jeff presented a letter he received from Canyon Construction regarding the vague verbiage in the bid documents with regard to compliance of permits, ie EA, etc., for archeological monitoring and fencing of the archeological sites. Discussion included needing an official change order from the contractor, issuing a field order with acknowledgement of critical timeframe with a good-faith resolution and LPWWA providing the fencing, and contractor arranging for archeology monitor.

Jeff stated the contractor has a dozer, trackhoe, and water truck onsite in addition to the tree grubber's equipment. Jeff presented pay applications from the contractor for both the 210 portion (Bid Pack 1 & 3) for \$37,643.96 and for projectwide (Bid Pack 2 & 4) for \$273,169.65

The pay applications were discussed. Barb made a motion to pay the 210 pay application; Roy seconded; approved by all. Kevin made a motion to pay the projectwide pay application; Roy seconded; approved by all.

4. Phase 1 Design/Engineering – Jeff Shamburg

Jeff brought up discussion was necessary regarding the Environmental Assessment needed for the USDA package. This puts the project 3-4 months behind. A meeting will be held for the design committee on October 19, 2016, at 3pm to discuss timeline and costs. At present, three firms are interested in the RFP.

5. PR/Marketing/ Web Presence – Ken Spence

Ken tabled items for next meeting.

6. Archive/Information Access & Naming – Ken Spence
None to report

7. Grants/Fundraising – Roy Horvath
Roy reported that he will be meeting with John Whitney of Michael Bennett's office and other local politicians (Tipton, McGlachlan, etc.) to update them on the project details to help them motivate USDA.

8. Engagement/Capacity Building – Roy Horvath
None to report

New Business

1. Next LPWWA Board meetings - November 9 & December 14, 2016
2. Adjourned at 9:19 pm

Submitted by Barb McCall, for Frank Smith, to board for review on 10-16-16

