

# LA PLATA WEST WATER AUTHORITY

## BOARD OF DIRECTORS

### Meeting Minutes for June 14, 2017

1. Call to Order –Board members in attendance were Ken Spence, Mardi Gebhardt, Paul Gray, Barb McCall (Via Phone Call), Deb Flick, Roy Horvath, and Frank Smith. Meeting called to order at 6:45pm.  
Others in attendance were Jeff Shamburg of Bartlett & West.
2. Approve Agenda-Frank made a motion to approve the agenda, Deb seconded the motion which was approved.
3. Consent Agenda –Roy requested to pull the two Phase 1 invoices from the consent agenda. Deb made a motion to approve the consent agenda, Roy seconded the motion which was approved by all.
  - a. Minutes from May 31, 2017 meeting
  - b. Invoices – Legal expenses
4. Comments and communications-Ken got a letter on their easement and he gave it to Jeff to scan.


#### Committee Reports

1. Finance – Mardi Gebhardt-Deb suggested paying some of the invoices in July as we will have a better understanding of our status. Mardi explained which items could be reimbursed through our grants from CWCB. Deb moved that we pay the invoice for the easements in the amount of \$21,209.34 and the invoice for the environmental report in the amount of \$9,054.50, Frank seconded the motion. All in favor. Jeff stated there will be some additional charges for receiving and scanning additional easements. Roy liked the idea of just stopping accruing charges at this point until we have more information on where we need to finalize easements. Moving forward with the next round of easements we may need to compile a new scope or expand the limit of the not to exceed amount.
2. Legal/Negotiations – Ken reported rate committee met with LDWA. The OM&R committee will meet next Monday. Jeff asked if there has been a decision on who will operate the facility once it is constructed. Depreciation & Maintenance, Jeff suggested that one of the charges need to go away, the SCADA system will alleviate the need to visit the site daily we are paying 80k for the SCADA system. Operations charges can be handled on an on call basis for leak repairs, air valve maintenance. We need to whittle down the SCADA number as well. Ken sent the spreadsheet to Jeff and he will take a look at it. Consider O&M manuals when looking at the budget numbers. Three new things came out of the Rate committee meeting 1) Charlie didn't think he had insurance coverage in the costs shown in the spreadsheet, SCADA, Capital assets were included in our round number estimates and now new facilities are being imposed, clearly outside of our original agreement. Debate the merits of each. Ken stated that if we choose to use the 66gpm from LDWA we will have to pay the full amount of 59k (which in our agreement is \$53,950). If we choose to lower the amount we receive to 33gpm, LDWA could sell the remainder of the water to their customers and we would loose the ability to increase in the future without helping pay for upgrades to the system. Could ask Duane to let us use grant/loan money for capital costs of getting the water. Phase 0 LDWA and LPWWA to meet Monday, June 19<sup>th</sup> to establish how LDWA concerns will be represented in the Phase 0 OM&R committee meeting. We are looking at confirming the rate of 66gpm from LDWA as we evaluate the other costs.
3. Phase 0 Design/Engineering – Roy- Mrdi and Roy went to the construction meeting yesterday. We still don't have clearance on the Eagle area. The initial blast is complete. We have completed the necessary paperwork to have RPM's Bonding company to seek a company to complete the work. The bluebird nest was found empty today. BOR turned over to us the ability to get concurrence from Fish and Game on Bald Eagles. With regard to RPM's contract Jeff suggested creating a time period to establish a timeframe from the date of last contact with RPM to the time the Bonding Company engages to create an extension rather than assess the liquidated damages. Frank made a motion to

extend the contract time period from the date of last contact with RPM and the date the Bonding Company engages and to let Roy, Amy, and Jeff negotiate the agreement with the Bonding company. Deb seconded the motion. Further discussion –detailed that the remainder of the contract will remain in effect including liquidated damages for non performance after the Bonding Company engages. We are under construction until the screens are in place. Once we are in operation we have to have screens in place. All in favor.

4. Phase 1 Design/Engineering – Mardi Gebhardt
  - a) Update on subscriber letters sent via certified mail-& Deb worked on the certified letters and got them mailed out. Mardi has received 3 responses, Deb French, Tara Triplett, and Bryce Lee all responded. Barb offered to look up who has received their certified letter.
  - b) Determine options/timeframe for additional Phase 1 subscriptions both prior to and after cutoff date-Ken suggested getting a flyer to all of our current subscribers along with all the maps and then send all the names and parcel number and ask them to help get this done to bring down the costs for everyone. We discussed down payment and minimum payment amounts per month with a base amount of interest due on the payment plan. Deb will look into the payment plan and get back with the group. We need this completed quickly and delegate authority to Finance Committee to compile the payment plan. Updates to water user agreement and rules and regs would be followed up at the next board meeting. Roy moved that we delegate to the finance committee to come up with the terms of the contract with a minimum of \$3000 down payment and the balance of payments due over a maximum of 5 years and the updates to the Water User agreements and Rules and Regulations to be prepared for a special board meeting. Mardi seconded the motion. All in favor. Wednesday the 21<sup>st</sup> at 6:30pm at Breen Community Building. Line extensions will be reviewed on a case by case basis per the rules and regulations.  
Jeff presented the draft contract for review. Amy asked about additional services, what they are or are anticipated to be? Jeff stated that there aren't any and it is certified in the RUS. Roy can sign the contract on Friday. Roy asked Jeff to get with Amy to have her concurrence on the contract.
  - c) LDWA Capital Allocation Fee-see item #2 above.
  - d) Update on easement acquisitions- put this on hold for now.
    - a. Determine who is to meet with CDOT and when
    - b. Schedule coordinating meeting with Kristi to review easement progress
  - e) Progress on letter of Conditions requirements- we briefly reviewed what we already have in place and items that have been presented to USDA.
5. PR/Marketing/Web Presence/Board Timeline – Ken Spence- Ken had a notice that he wanted to post on the Water Dock issue being tabled until future phases. We reviewed and agreed on the content of the notice.
6. Archive/Information Access & Naming – Ken Spence
7. Grants/Fundraising – Roy Horvath
  - a. SRF Workshop – La Plata County Admin Building 8:30-11:30, June 15, 2017. June 30, 2017 deadline for submission of surveys for 2018- Roy will attend the meeting.
8. Engagement/Capacity Building – Roy Horvath

## New Business

1. Next LPWWA Board meetings – July 12 & August 9, 2017
2. Adjourn- Ken moved we adjourn at 9:45pm Deb seconded the motion, all in favor.  
Minutes as reported by Frank Smith, Substitute Secretary   
Approved on July 12, 2017

*This Agenda may be amended prior to the meeting as allowed by law. The most current agenda will be posted on the Board's website at <http://lpwwa.org/agendas.php>. Prior to voting to go into Executive Session, the Board will declare the topic(s) of the Executive Session pursuant to § 24-6-402, C.R.S. It is anticipated that any marked (\*) agenda items may be discussed in Executive Session and acted on by the Board at this meeting. Any action taken by the Board will occur in regular session, open to the public. The Board may address the agenda in any order to accommodate the needs of the Board and the audience.*