

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

The Board of Directors of the La Plata West Water Authority held a regular public meeting open to the public Wednesday, July 10, 2019, at 6:30 p.m. at the Hesperus Fire Station located at 22868 Highway 140, Hesperus, CO 81326. In attendance were: Ken Spence, Roy Horvath, Mardi Gebhardt, Deb Flick (tele), Barb McCall (tele), Frank Smith (tele), Paul Gray, Jarrett (B & W - tele), Tom McCarl, Renee Lewis (RGL), Lee Campbell.

The minutes are as follows:

1) Call to Order at 6:37 pm by Ken Spence

2) Approve Agenda: **Motion** to approve (changes of moving Phase 0 and Phase 1 topics before the Administration section) by Mardi; second by Roy; all approved.

3) Consent Agenda: **Motion** to approve only the Invoices by Roy; second by Ken; all approved.

a) Minutes from June 12, 2019: Minutes approval tabled to August meeting

b) Invoices:

VIASAT July \$62.58, B&W 00730071184 \$29,403.31, B&W 00730071185 \$5,359.09,

RGL Consulting 7/1/19 \$875.00

4) Comments and communications: Lee Campbell spoke about his Red Mesa, Marvel, and Kline properties. Seeing progress headed south is good, and he is still very supportive of the project. Mardi talked with an inquiry on water testing, but the location of their residence is not in our system area. Roy spoke with (potential) owner east of Marvel, next to Johnson, inquiring about tap availability. Frank spoke with Preston Woods from Red Mesa that voiced his opinion on how the pipeline was weaving through properties, rock burial, etc. He was not supportive of the project due to having a good well, and he does not want to see the growth that will come.

5) Phase 1 Design/Engineering:

a) Re-route update/status - Roy Horvath stated he is working on re-route documents, and the cultural survey would cost \$2400 and can be done in next two weeks. Kingsley easement was recorded. No contact with Jan Tuchsherer Colby by Tom yet, but he is planning on it this week. Roy stated that the Lovelace property and one adjacent to it on CR 129 would require only ½ mile to pick up two taps for the extension. Roy asked for permission to give B & W notice to proceed this extension with the property owners. Additional bore has been added to Sheet L-9, 2-3.

b) Well permit letter(s) - Roy Horvath asked everyone to look at the draft letter.

c) Tank Site Gate - Ken Spence spoke with Frank Greer about a bid for constructing the gate entrance. Ken provided a drawing. Bid total is approximately \$350-\$400 for labor, with LPWWA buying the materials. Materials will total around \$1000. Liability is an issue as Frank Greer does not have a company. We may need him to sign a waiver. Great Plains' bid was over \$6500. Issue with pipe stand area close to gate, may need to move location of fence since roadway is centered. Need space to push snow also. Needs to be staked as close to plan, and any changes need to be submitted to Sherry Wertz, the property owner. Slash needs to be picked up by contractor (Williams) along pipe to tank. Tree cutting is limited to approval by owner. Great Plains Construction needs to be informed of the trees that cannot be cut for construction. Height and number of strands of barbed wire fencing discussed. Ken would like help in staking. Frank donating 10 wood posts. T-posts available at intake structure from Roy. Need some heavy-gauge smooth wire for the cross-braces also. Ken asked Frank to help. Motion to stake and finalize layout prior to commencing, and to approve bid proposal from Frank Greer made by Roy; second by Paul; all approved.

d) Jarret and Tom updated us from B & W: no pay-application from Williams received for two months, Field Order #3, and Change Order #2, Field Order #4 and Change Order #3, all received. Received a delay letter requesting 41 days extension. Also, Hwy 140 crossing was addressed in a letter from Williams regarding extension of construction time. B&W waiting for Williams to pursue issue further. Tom stated the mainline is at the Smith Family Trust. The laterals were discussed on various parcels with the different crews. Canyon Construction has 43 bores to date. Some issues were

encountered, but details were not discussed at length. Great Plains has begun excavation of tank foundation footprint, compaction has occurred per geotechnical report.

6) Phase 0 Design/Engineering

a) Re-engagement of OM&R Committee: Renee Lewis reported that she has not received a response from the Tribes. She did meet with Charlie Smith of LDWA. He presented his perspective to Renee. She reminded him of the time perspective, and he would like the committee to pick-up where they left off to help her, or maybe start with a fresh approach. Ken needs to be replaced on the committee, and suggested Renee be the main committee member with Roy's help. Ken, Roy, and Renee to get together. Need a primary and an alternate member on the committee. **Motion** made by Mardi to have the OM&R representatives be filled by Renee as primary and Roy as alternate, relieving Ken of committee duties; seconded by Paul; approved by all. Renee wants to work with Charlie on items, then present them to the committee. Roy wants Ken to get the spreadsheet that has all the items listed to Renee to start with. Roy stated items may dovetail into the audit, so need to get RFQ out soon.

b) Project audit status: Mardi and Deb worked on draft, made revisions, Renee reviewed. **Motion** made by Frank to solicit proposals with the revised RFQ and Renee's second review after Barb McCall's comments and corrections have been made; second by Deb; approved by all.

c) Leak repair/culvert update: Roy Horvath stated no progress has been made by Canyon Construction. Jarrett confirmed that Canyon was acquiring materials and wanted to start after the 4th. B&W will contact Canyon Construction.

d) Other: Roy stated that Doug Brew corner pin issue resolved. He complained about the weeds on easement. Need to have it mowed by Canyon. Tom discussed water usage/meter sizing for the elementary school. Mardi stated a complaint was verbally filed by Mike Badger, and Tom met with him to rectify the issue.

7) LPWWA Administration

a) Finance: Mardi Gebhardt discussed a few changes with subscriptions that affect pipeline locations. Working through the issues. Invoices and statements were overviewed, a credit memo from LDWA, pay app #10 \$34,801.68.

b) Consideration of Drafting Request for Proposals for a Rate Study: Renee Lewis reported she has been working on getting the RFP together, and wants to coordinate a sub-committee, and needs a motion to move forward. Items will dovetail into the OM&R agreement. **Motion** made by Barb to permit Renee to proceed with forming/coordinating a rate study committee, and Renee to proceed with presenting a draft RFP for the rate study to the board; second by Frank; approved by all.

c) Rate Committee Assignments: Two committees established already, one for LDWA (currently Ken and Deb), and one for LPWWA (Ken and Deb). A **Motion** was made by Ken for Mardi to replace Ken on both rate committees; second by Paul; all approved.

d) Consideration of Refund Requests: Mardi spoke with Linda Hershberger wanting a refund of her \$500 tap commitment for her parcel on CR 134/CR 135. Renee spoke with Nan Burroughs wanting a refund of her subscription also. Renee reviewed rules and regs by LPWWA, and made some recommendations for reasons to refund, or to try negotiating.

Executive Session entered at 8:19 pm for contract negotiations. Mardi made **Motion** to enter the session, second by Frank; all approved. Session exited at 8:53 pm.

A **Motion** was made by Barb to permit Renee to write a draft letter to present to the board containing information for Nan Burroughs regarding her refund request; second by Mardi; approved by all.

8) Office Property Deed: Roy presented a draft resolution on the Board Drive to accept the Special Warranty Deed regarding the property donation at the Intersection of Hwy 140/CR 122/CR119 from the Schmidt family. This document does not get recorded, it goes to the title company. Only the Special Warranty gets files with the County Clerk & Recorder. A **Motion** to accept LPWWA Resolution #2019-3 made by Mardi; second by Ken; all approved.

9) Office Building: Ken reported we need to move along with the trailer that Frank located. Mardi made a **Motion** to purchase the trailer from Navajo Engineering and Construction Authority for the amount not to exceed \$1200 including

transport to the Schmidt parcel; second by Paul; approved by all. Roy stated we need to review the L & E permits for a site plan, sanitary sewer system, driveways, power, phone, parking, foundation for trailer. Barb and Paul can stake main items and sketch a site plan.

10) Future Phases: With regard to the survey of the community, Ken showed a map of parcels where owners stated they would purchase a tap. Concentration of interested folks is CR 119/CR120 area, and also the remaining parcels south of Marvel, and near Red Mesa. Survey results are on board drive. Roy discussed the items we need to pursue, i.e. finding the 8" lines, and the laterals, to be able to connect future phases. This will be helpful for Phase 1 infill also, and with the easement process. Picking up the mainline from Breen and heading north up the hill on CR 120 puts us in a good position with regard to the the Ute lands, and getting to the concentration of the existing tap commitments and those parcels interested in purchasing a tap. Roy tasked Renee to engage folks in higher density areas on costs education.

11) Added to Agenda: San Juan RC & D shutting down per Roy. Furniture is available if we need it for a small price. Roy getting a list of items.

12) Adjourned at 9:31pm. Motion to adjourn made by Ken; second by Mardi; all approved.

Next LPWWA Board meetings: **August 14, 2019, and September 11, 2019**

Respectfully Submitted,



Barb McCall

LPWWA Board Secretary