

**LA PLATA WEST WATER AUTHORITY  
BOARD OF DIRECTORS**

**Meeting Minutes for April 24, 2018**

The agenda for the meeting is as follows:

- 1) Call to Order – meeting called to order at 3:12pm. Board members in attendance were Ken Spence, Mardi Gebhardt, Kevin Mallow, Bernadette Cuthair, Paul Gray, Deb Flick, Barb McCall (via phone) and Frank Smith. Others in attendance were Amy Huff with Colorado Water and Land Law, and Kristi Brunner (via phone) with Bartlett & West.
  - 2) Approve Agenda-Bernadette made a motion to approve the agenda and Paul Seconded the motion which was approved.
  - 3) \*Executive session for Legal Counsel- motion made by Kevin to enter executive session at 3:14pm, seconded by Bernadette and approved by all. We left executive session at 4:24pm
  - 4) Possible voting actions on WUA & Easements-Mardi made a motion to rescind the action taken at the Board meeting of April 11, 2018 under paragraph 7a , Deb seconded the motion which was approved by all. Send the letters certified. Kevin made a motion to provide a letter to current Phase 1 WUA holders that have not provided executed easement that gives a deadline of May 10, 2018 to return the signed easement. If this signed easement is not provided by May 10, 2018 the water user's agreement will be recorded as the easement. All easements or water user's agreement will be recorded with La Plata County on or before May 18<sup>th</sup> 2018. Deb seconded the motion, all in favor.  
We discussed those properties which do not wish to have a water user's agreement and will not grant easement. We would have to record actual cost to go around with the county and it becomes an encumbrance to the property recorded with the county. Amy to draft a resolution to address non-subscribers and the granting of easements. We need to have our route set now. Kristi needs this to move forward. Mardi reported that Duane has said that the day the FONSI is published for the 30 day review, we can go to bid. The bidding period and the 30 day notice can run concurrently. We should have the number of county road right of way by May 10<sup>th</sup>.
  - 5) Give approval to sign 3 Sister documents-Roy made a motion to give Ken authority to sign the remaining easement documents, Kevin seconded the motion which was approved by all.
  - 6) LPEA Bill that is due-booster station \$785 billable to LDWA- project wide cost, intake structure \$1,120. Tribes portion would be 638, LDWA 481.60. Kevin made a motion to pay the bills, Deb seconded the motion which was approved by all.
  - 7) Information on District Planning-direct shape files were requested. We don't wish to share this information at this time.
  - 8) Tribe Update volunteer-we need to schedule a time. Mardi stated that she is willing to go before the councils to provide an update. Kevin stated it will be late May before this can be scheduled with the SUIT. Bernadette Would like pictures and timelines and maps showing the lines. Roy can go before the 22<sup>nd</sup> of May if we can agree on a date. Kevin and Bernadette both stated that we could possibly do it the week of the 14<sup>th</sup> if they get the information in time.  
Bernadette had one more comment about the email Roy sent with the proposal and would like mention of it in the update. Bernadette recommended approaching USDA with a master plan to include internet and water combined.
  - 9) Adjourn-Kevin made a motion to adjourn, seconded by Deb and approved. 5:53pm
- Minutes as reported by Frank Smith, LPWWA Substitute Secretary Frank Smith  
Approved on May 9, 2018

Next LPWWA Board meetings – May 9, 2018 & June 13, 2018

*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.*