

Lake Durango Water Authority
Minutes of the Regular Meeting of the Board of Directors
May 19, 2008

1. Call to Order

The meeting was called to order at 6:08 p.m. by President Peter Butler; other Directors present were Vice President Ward Holmes, Treasurer Tom Brossia, Secretary Bob Woods and Director Janet Anderson. Recording Secretary Jenna Hutt, Tracy Pope and Attorney Bud Smith were also present.

2. Approval of Agenda

The agenda was approved, with the discussion of the RFP for accounting firms tabled until the next meeting. Janet will email the Board a draft RFP before the next meeting.

3. Approval of Minutes

The approval of the minutes of the May 5, 2008 Regular Meeting were tabled until the next meeting.

4. Discussion of LDWC water rights

The Board discussed LDWC water rights with Jeff Titus from the Division of Water Resources and Bob Johnson, owner of LDWC.

5. Status of PUC Process

The PUC has accepted the interventions of Gary Norton and Gene Bradley. The Johnson family intervention has been referred to an Administrative Law Judge.

6. Status of DOLA Contract

Ward and Bud both spoke with Ken Charles from DOLA regarding a grant contract. The contract will be completed once the Board has a closing date.

7. Status of Shenandoah Contract

Bud wrote a draft contract on waterline maintenance for consideration by Shenandoah's Home Owner Association. Ward made a motion to send the contract to Shenandoah and Shenandoah Estates. Janet seconded the motion. Motion carried, with Bob and Tom recusing themselves since they both own property in Shenandoah.

8. Colo. Rural Water Assoc.

Janet made a motion to authorize Peter to establish the Authority's membership with the Colorado Rural Water Association, if needed. Tom seconded the motion. Motion carried.

9. Public Comments/questions

There were no public comments/questions.

10. Request to BOCC to lift tap moratorium

The La Plata County Commissioners will continue their discussion of the request to lift the tap moratorium on June 3, 2008 at 10:00 a.m. Per C.R.S. 24-6-402(4) Janet made a motion that the Board enter into Executive Session to (b) consult an attorney on specific legal questions and (e) develop negotiating positions, strategy, or instruct negotiators regarding: the tap moratorium; legal advice on financial provisions in the MOA; management structure and employees for LDWA; and contracting professional help for due diligence. Bob seconded the

motion. Motion carried. Brett Sherman and Shawn Nau, La Plata County staff members, were invited to stay for the discussion on lifting the tap moratorium.

After properly voting to come out of executive session, Tom made a motion to pay Win Wright's invoice dated May 13, 2008 for \$1,755. Ward seconded the motion. Motion carried. Bob made a motion authorizing Peter to spend up to \$10,000 contracting for water tank inspections. Tom seconded the motion. Motion carried. Bob made a motion to have Bud draft a letter to the County regarding the Authority's position on the request to lift the tap moratorium. Ward seconded the motion. Motion carried.

11. Adjourn

The meeting was adjourned at 9:02 p.m.

Bob Woods
Secretary