



**December 9, 2020**  
**Regular Board Meeting Minutes**

The regular board meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, December 9, 2020 commencing at 10:30 a.m. at 108 Swink Avenue, Rocky Ford, CO 81067 via Zoom.

**Directors Present**

Lynden Gill – Chairman  
Leroy Mauch – Vice Chairman  
Melissa Esquibel – Secretary (Via Zoom)  
Jim Valliant – Treasurer (Via Zoom)  
Phillip Chavez  
Reeves Brown (Via Zoom)  
Anthony Nunez (Via Zoom)

**Directors Absent**

**District Staff Present**

Jay Winner – General Manager  
Brenda Fillmore – Finance/Water  
Jessica Mills – Administrative Assistant  
Jack Goble, P.E. – District Engineer

**District Staff Absent**

Gerry Knapp – District Consultant  
Lee Hancock – Conservation Easement Consultant  
Mike Weber – Staff Engineer  
Amber Weber – District Consultant  
Nate Finnell – Agriculture/Water  
Peter Nichols – Special Counsel  
Bart Mendenhall – Legal Counsel

**Guests Present (Via Zoom)**

Marty Lee – Rocky Ford Gazette  
Bette McFarren – Rocky Ford Gazette  
Israel Ortega – Aurora Water  
Abba Ahmed – Aurora Water

**Chairman Gill announced a quorum is present with no Directors absent.**

**10:31 a.m. – Recess to Enter the Water Activity Enterprise**

- Director Mauch moved to recess the regular board meeting to open the Water Enterprise meeting, Director Esquibel seconded the motion. It carried unanimously.
- The Enterprise meeting was adjourned with a motion by Director Nunez and seconded by Director Valliant. It carried unanimously.

**10:34 a.m. – Reconvene the Regular Board Meeting**

- *Introduction of Guests:* Chairman Gill welcomed the guests and asked them each to introduce themselves and whom they represent.

### **Approval of Routine Items**

- All items listed in this portion are considered to be routine by LAVWCD and will be enacted by one motion. There will be no separate discussion of these items unless a Director so requests.
  - Regular Board Meeting Minutes – October 14, 2020
  - Executive Session Minutes – October 14, 2020
  - November Special Meeting Minutes – November 5, 2020
  - September 2020 Financials
  - October 2020 Financials
- Director Chavez moved to approve all Routine Items, seconded by Director Valliant. Motion carried unanimously.
  - Director Esquibel abstained from the Executive Session Minutes due to her absence at that meeting.

### **General Manager's Report**

- General Manager Winner introduced Brenda Fillmore who provided an update on the 2021 Budget.
  - Director Nunez moved to accept the budget as presented, seconded by Director Mauch. Motion carried unanimously after the Directors discussed wages.
- General Manager Winner stated that Lee Hancock stated the Alternative Appraisal Method looks like it will get approved and passed.
- General Manager Winner discussed NRCS and the 3 years it takes them to approve grants and funding for farmers.
  - Director Chavez stated he hired Jack Goble through LAVWCD to work on a sprinkler for him due to this concern.
- General Manager Winner discussed the Memorandum of Understanding (MOU) with the City of Pueblo and the discussion Chairmen Gill and Allen Hamel had about the MOU.
  - LAVWCD will put together projects to improve water quality in the river and the City of Pueblo will give LAVWCD funds to complete said projects.
- General Manager Winner gave an update on the ARCA meeting where Mike Weber was presenting on Water Quality and Amber Weber is presenting on Soil Health.

### **Director's Discussion**

- Director Esquibel discussed water quality and doing testing through Pueblo by providing them with support so Pueblo would be a possible testing location instead of going out of state.

### **Board Action**

- General Manager Winner stated Resolution 2020-03 will not be approved today due to Legal Counsel Mendenhall's absence at today's meeting.
- Director Mauch moved to approve the MOU with the City of Pueblo as presented and when Pueblo approves the MOU as presented, then LAVWCD will sign off on the TIF Agreement and withdraw from litigation, seconded by Director Nunez. Motion carried unanimously.



### Committee Reports

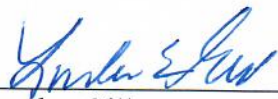
- Personnel: None
- Acquisition: None
- Ethics: None
- Finance/Budget: None
- Executive: None
- Legal: None

### Legal Report

- Attorney Bart Mendenhall, Mendenhall and Malouff: A copy of the legal report can be obtained by visiting the LAVWCD office.
- Attorney Peter Nichols, Berg Hill Greenleaf & Ruscitti LLP: A copy of the legal report can be obtained by visiting the LAVWCD office.

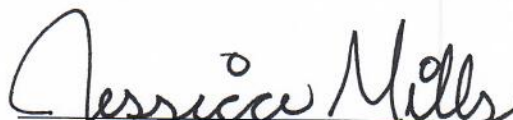
### Adjourn

At 11:20 a.m., Director Nunez moved to adjourn the board meeting, seconded by Director Mauch. Motion carried unanimously.



Lynden Gill

Chairman



~~Melissa Esquibel~~ Secretary

Assistant Secretary