



**November 17, 2021**  
**Regular Board Meeting Minutes**

The regular board meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, November 17, 2021 commencing at 10:41 a.m. at 801 Swink Avenue, Rocky Ford, CO 81067 and via Zoom.

**Directors Present**

Lynden Gill – Chairman  
Leroy Mauch – Vice Chairman  
Melissa Esquibel – Secretary (Arrived at 11:08 a.m.)  
Phillip Chavez  
Reeves Brown  
Matthew Carter  
Anthony Nunez (Via Zoom)

**District Staff Present**

Jack Goble, P.E. – General Manager  
Brenda Fillmore – Finance/Water  
Jessica Mills – Administrative Assistant  
Nate Finnell – Project Technician  
Brad Lubbers – Water Resources Specialist  
Lee Hancock – Conservation Easement Consultant  
Peter Nichols – Special Counsel (Via Zoom)

**District Staff Absent**

Gerry Knapp – District Consultant

**Guests Present**

Jolly Rose – Rocky Ford Citizen  
Mike Holmberg – Bureau of Reclamation  
Marty Lee – Rocky Ford Gazette  
Israel Ortega – Aurora Water

**Chairman Gill announced a quorum was present with Director Esquibel momentarily absent.**

**Approve Agenda**

- Director Mauch moved to approve the agenda as amended with the executive session happening later in the board meeting, seconded by Director Chavez. Motion carried unanimously.

**10:43 a.m. – Recess to Enter the Water Activity Enterprise**

- Director Nunez moved to recess the regular board meeting to open the Water Enterprise meeting, Director Mauch seconded the motion. It carried unanimously.
- [The Water Activity Enterprise meeting minutes are recorded separately from the regular board meeting minutes]



- The Enterprise meeting was adjourned with a motion by Director Brown and seconded by Director Chavez. It carried unanimously.

### **10:45 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 the 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 20, 2021
  - Personnel Committee Minutes – October 20, 2021
  - Work Session Minutes – October 20, 2021
  - October 2021 Financials
- Director Chavez moved to approve all Routine Items, seconded by Director Brown. Motion carried unanimously.

### **Committee Reports**

- *Personnel:* Chairman Gill reported the Personnel Committee met.
- *Acquisition:* None
- *Ethics:* None
- *Finance/Budget:* Director Chavez reported the Finance Committee met.
- *Executive:* None
- *Legal:* None

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

- General Manager Jack Goble stated that the board had a work session before the regular board meeting.
- General Manager Jack Goble introduced Mike Holmberg from the Bureau of Reclamation, who gave an update on reservoir levels.
  - EXHIBIT A
- General Manager Goble introduced Special Counsel Nichols who discussed Conservation Easements and the policy for Conservation Easements within the District.
- General Manager Goble introduced Brad Lubbers to present the new LAVWCD grant project site selection process to the Board.
  - Brad Lubbers explained the selection process and scoring results from the first use of this process and that a pond lining was selected to be installed for Zane Tempel utilizing remaining funds from the 2017 319 Grant. Brad also discussed future plans for additional outreach for upcoming BMP site selections.

### **Legal Report**

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



### **11:16 a.m. – Executive Session**

- Chairman Gill announced that executive session was entered into by motion by Director Chavez, seconded by Director Esquibel at 11:16 a.m.
- For the purpose of receiving legal advice on specific legal questions [CRS 24-6-402(4)(b)] and for the purpose of discussing matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators [CRS 24-6-402(4)(e)].
  - Potential Otero County IGA Discussion
- Attorney Client Privilege
  - Special Counsel Nichols stated that this meeting is attorney-client privilege therefore there will be no recording.
- Adjourn
  - Special Counsel Nichols stated that the matters discussed in executive session constitute attorney-client privilege and should not be disclosed outside the meeting by any of the participants.
  - Chairman Gill declared the executive session adjourned along with the motion that the recordings will be retained for 90 days.
  - Chairman Gill announced that executive session was exited by motion at 11:33 a.m., indicating that Directors Mauch, Esquibel, Carter, Brown, Nunez, and Chavez, are present, along with Special Counsel Peter Nichols and General Manager Jack Goble.
  - Executive Session was adjourned with a motion by Director Mauch and seconded by Director Brown. It carried unanimously.

### **Adjourn**

- At 11:33 a.m., Director Mauch moved to adjourn the board meeting, seconded by Director Brown. Motion carried unanimously.

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Lynden Gill

Chairman

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Melissa Esquibel

Secretary