

April 18, 2012 WORK SESSION MEETING MINUTES

A Work Session meeting of the Lower Arkansas Valley Water Conservancy District was held on Tuesday, April 18, 2012 at 9:00 a.m., at the District office located at 801 Swink Avenue, Rocky Ford, Colorado 81067.

DIRECTORS PRESENT:

Pete Moore-Chairman
Lynden Gill-Vice Chairman
Melissa Esquibel-Secretary
Wayne Whittaker-Treasurer
Leroy Mauch
Anthony Nunez
Reeves Brown

DISTRICT STAFF:

Jay Winner-General Manager
Bill Hancock-Cons. Program Mgr
Bart Mendenhall-Attorney
Peter Nichols-Attorney

Chairman Moore called the meeting to order at 9:00 A.M. and announced a quorum is present with all the Directors present.

Visitors: Keith Goodwin and Jim Baldwin, Commissioners for Otero County; Dwight Gardner, Senator Bennet's office; Don McBee, Lamar

General Manager Winner started out with an apology stating that the board packets go out six days before our board meeting and a lot of times the important information comes later. He gave an update on Arbuthnot case.

General Manager Winner explained to the Directors that we need to discuss spot market and think about the long term strategy trying to get off the spot market because the spot market will dry up.

Directors suggested that we need to make the Rule 10 Plan revenue neutral, sending a special assessment to those participants in the Rule 10 Plan.

General Manager gave an update on the pond study. Then, he turned it over to Don McBee of Lamar. Don explained that he was happy that the Lower Ark will be administering the pond study. He stated we have to get back on track. He stated that the study had taken a slight turn and now that the Lower Ark will be handling the administration part and the pond study will be done right.

MOTION TO ENTER INTO EXECUTIVE SESSION:

Director Esquibel moved that the Board convene into Executive Session, seconded by Director Mauch. Motion unanimously carried. Chairman Moore recessed the District's work session meeting at 9:35 A.M. to convene into the Executive Session.

Director Esquibel requested that the Board enter into Executive Session for the purpose of: §24-6-402(4) (b) C.R.S., "Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal issues."

§24-6-402(4)(e) C.R.S., "Determining positions relative to matters that may be subject to negotiations; Developing strategy for negotiations; and instructing negotiators." In relating to, litigation with, State of Colorado, and Super Ditch.

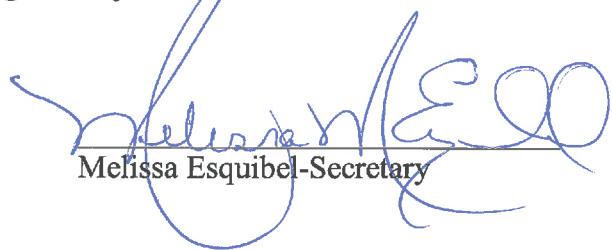
"In the opinion of Attorney Mendenhall, all or a portion of the discussion during the Executive session constituted a privileged attorney-client communication, and therefore no record or recording was kept of that part of the discussion."

Director Whittaker moved that the Board conclude executive session and re-enter Work Session 10:26 A.M., seconded by Director Nunez. Motion unanimously carried.

General Manager Winner gave an update on the Conservation Easements.

Chairman Moore asked if there were any other questions to be heard; hearing none, motion was made by Director Mauch, seconded by Director Gill to adjourn the work session. Motion unanimously carried. Meeting was adjourned at 10:32 A.M.


Pete Moore-Chairman


Melissa Esquibel-Secretary