April 18, 2018 Regular Board Meeting Minutes

The regular board meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, April 18, 2018 commencing at 10:33 A.M., at 801 Swink Ave., Rocky Ford, CO 81067.

Directors Present

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

District Staff Present

Jay Winner – General Manager
Lee Hancock – Conservation Easement Consultant
Brenda Fillmore – Finance/Water
Mike Weber – Staff Engineer
Gerry Knapp – District Consultant
Bart Mendenhall – Legal Counsel
Jessica Rein – Administrative Assistant

Guests Present

Dwight Gardner – U.S. Senator Bennet Representative
Jolly Rose – Rocky Ford Citizen
Jean Van Pelt – Zinno Subdivision
Roy Vaughn – U.S. Bureau of Reclamation
Alan Ward – Pueblo Board of Water Works
Rick Kienitz – Aurora Water
John Schweizer – Super Ditch President
Bette McFarren – La Junta Tribune Democrat
Marty Lee – Rocky Ford Daily Gazette
Fred Heckman – Fort Lyon Farmer
Jenny Bishop – Colorado Springs Utilities
Bill Banks – US Geological Survey

Directors Absent

District Staff Absent

Jack Goble, P.E. – District Engineer Peter Nichols – Special Counsel

Chairman Gill announced a quorum is present with all Directors present.

10:34 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.

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Board Meeting April 18, 2018 The Enterprise meeting was adjourned with a motion by Director Esquibel and seconded by Director Brown. It carried unanimously.

10:37 A.M. - Reconvene the Regular Board Meeting

• <u>Introduction of Guests</u>: Chairman Gill welcomed the guests and asked them each to introduce themselves and whom they represent.

Approval of Minutes

- Minutes for the March 21, 2018 Regular Board Meeting were approved with a motion by Director Nunez, seconded by Director Mauch. Motion carried unanimously.
- Minutes for the March 21, 2018 Executive Session Meeting were approved with a motion by Director Brown, seconded by Director Chavez. Motion carried unanimously.

Treasurer's Report

- The General Fund Treasurer's report, given by Director Valliant states that the General Fund totals for March were:
 - o Total Revenues \$170,455.14
 - o Total Expenses \$388,622.33
 - o Net Income (-\$218,177.19)
- Financials for March 2018 were approved with a motion by Director Valliant, seconded by Director Brown. Motion carried unanimously.

Director's Discussion

- Director Valliant gave an update on the Arkansas River Basin Water Forum, stating that it had a great response and great attendance. The Silent Auction to benefit college student scholarships was the best auction they have had yet.
 - o Chairman Gill thanked Director Valliant and Jean Van Pelt for all their hard work on the Forum.

General Manager's Report

• General Manager Winner gave an update on the projects the LAVWCD are currently working on.

o EXHIBIT A

- Next, General Manager Winner commented that Mike Weber is now on the Regulation 85 stakeholder committee, who attended an Environmental Protection Agency meeting regarding Regulation 85.
- General Manager Winner than discussed how Colorado Springs Utilities plans on starting a 10 year pilot project for lease-fallowing.
- General Manager Winner also discussed the fires and how there is still work being done
 on the Beulah Fire that was 2 years ago. He discussed getting money for the fire
 mitigation and that the Drought Task Force will be starting up again.
- Next, General Manager Winner introduced Roy Vaughan from the Bureau of Reclamation, who gave an update on the Reservoir levels.

EXHIBIT B

- Finally, General Manager Winner introduced Jean Van Pelt, who gave an update on the Zinno Subdivision Project.
 - o EXHIBIT C
 - o Director Nunez and General Manager Winner thanked Jean for all the hard work she has put into this project.

Committee Reports

- Personnel: None
- Acquisition: None
- Ethics: None
- <u>Finance/Budget:</u> Director Valliant reported that the Finance Committee will continue to meet before board meetings to review the check register and financial activities of the District.
- Executive: None
- Legal: None

Board Action

• <u>Resolution 2018-03:</u> Director Esquibel moved to accept Resolution 2018-03 which designated that Directors Valliant, Brown, and Mauch will be the voting proxy members for Larkspur Inc, seconded by Director Mauch. Motion carried unanimously.

Legal Report

- <u>Attorney Bart Mendenhall, Mendenhall and Malouff:</u> Legal Report is attached as **EXHIBIT D**
- <u>Attorney Peter Nichols, Berg Hill Greenleaf & Ruscitti LLP:</u> Legal Report is attached at **EXHIBIT E**

Public Comment

- John Schweizer asked what changed about lining of the canals, referring to several years ago when lining them was not allowed.
 - o Staff Engineer, Mike Weber, provided feedback and comments along with Director Chavez.

Adjourn

At 11:41 p.m., Director Nunez moved to adjourn the board meeting, seconded by Director Brown. Motion carried unanimously.

Lynden Gill

Chairman

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