

April 19, 2017
Minutes-Board Meeting

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, April 19, 2017 commencing at 10:45 A.M, at 801 Swink Avenue, Rocky Ford, CO 81067.

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

DIRECTORS PRESENT:

Lynden Gill-Chairman
Leroy Mauch-Vice Chairman
Melissa Esquibel-Secretary
Jim Valliant-Treasurer
Anthony Nunez
Reeves Brown
Willard Behm

DISTRICT STAFF PRESENT:

Jay Winner-General Manager
Bill Hancock-Conservation Program Manager
Carla Aragon-Quezada-Office Manager
Brenda Fillmore-Finance/Water
Bart Mendenhall-Attorney
Peter Nichols-Attorney

DISTRICT STAFF ABSENT:

Jack Goble, P.E.-District Engineer

Chairman Gill introduced/welcome newly appointed Board of Director for Otero County, Willard Behm to the Lower Arkansas Valley Water Conservancy District.

OFFICIAL DISTRICT BUSINESS:

Oath of Office:

Traditionally Directors have been sworn in after which they then sign the official oath and become Directors. With that being said, Director Behm has chosen to sign an oath and send it to the court. Therefore, we did not have the traditional ceremony.

Election:

Chairman Gill stated that an election for Treasurer will need to be nominated. Director Nunez moved to nominate Director Valliant seconded by Director Mauch. Vote was unanimous for election of Treasurer.

MOTION TO ENTER INTO WATER ACTIVITY ENTERPRISE:

Director Brown moved that the Board recess the regular Board Meeting and open the Water Activity Enterprise meeting, seconded by Director Valliant. Motion unanimously carried.

At the conclusion of the Water Activity Enterprise meeting Director Esquibel moved to adjourn the Water Activity Enterprise meeting and reconvene the District Meeting at 10:50 A.M., seconded by Director Brown. Motion unanimously carried.

INTRODUCTION OF VISITORS: Chairman Gill welcomed each of the visitors to the meeting, asked them to introduce themselves and identify the organization which they represent.

VISITORS PRESENT:

Andrew Neuhart, Brown and Caldwell; Terry Hart, Pueblo County Commissioner; Chris Woodka, SECWCD; Jim Baldwin, Otero County Commissioner; Dwight Gardner, Senator Bennet's Office; Jolly Rose, Rocky Ford; Cathy Garcia, Senator Gardner's Office; Mike Weber, LAVWCD; Pierre Edouard Schadeck, Intern from France; George Hanzas, Catlin Canal Co; Bill Hancock, LAVWCD; Phillip Chavez, Diamond A; Phillip Hemphill, Ft Lyon Canal; Kent Ricken, CWPDA; Dave Donnell, Larkspur Ditch; Terry Dawson, BOR; Tom Grasmick, Prowers County Commissioner; Fred Heckman, Ft Lyon Canal; Rick Kienitz, Aurora Water; Dorothy Perea, Rocky Ford Daily Gazette; Bette McFarren, La Junta Tribune; Bill Banks, USGS; Scott Lorenz, CSU; and Justin Zeisler, CSU.

APPROVAL OF MINUTES:

- ❖ *February 15, 2017 Monthly Board Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the minutes for the February 15, 2017 Board meeting and whether there were any corrections or additions. Director Valliant moved to approve the minutes for February 15, 2017, seconded by Director Esquibel. Motion unanimously carried.

TREASURER'S REPORT:

Chairman Gill reported that the financial report for the month of February and March were included in the Board's monthly meeting packet. Brenda Fillmore, Finance/Water, reported February total revenues were \$557,436.75 and the total expenditures were \$194,744.45 with the total net income \$362,692.30. Brenda Fillmore, Finance/Water, reported March total revenues were \$194,766.45 and the total expenditures were \$112,783.40 with the total net income

\$81,983.05. Director Esquibel moved to accept the February and March 2017 Financial Statements, seconded by Director Mauch. Motion unanimously carried.

GM REPORT:

General Manager Winner introduced Bill Banks, USGS. Mr. Banks apologized to the Board of Directors on such a late request, on an agreement between USGS and LAVWCD, a hydrologic data collection below John Martin for the amount of \$35,290.00. Director Brown made a motion to continue support of \$35,290.00, seconded by Director Valliant. Motion unanimously carried.

General Manager Winner introduced Andrew Neuhart, Brown and Caldwell, Principal Scientist/Regulatory Specialist. Mr. Neuhart gave a powerpoint presentation on Agriculture, Nutrients, Regulation and Regulation 85, which is attached to the minutes as **Exhibit A.**

General Manager Winner introduced Mike Weber, E.I.T. for LAVWCD. Mr. Weber gave a powerpoint presentation on Water Quality Projects. This presentation was animated.

General Manager Winner introduced Terry Dawson, BOR. Ms. Dawson gave a powerpoint presentation on Reclamation Managing Water in the West, which is attached to the minutes as **Exhibit B.**

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

Legal:

Director Esquibel suggested that General Manager Winner and Attorney Mendenhall work on a policy form for the agenda for LAVWCD monthly board meetings. She stated that requesting to be on the agenda in a timely manner will make the policy more formal. Requesting to be on the agenda a week before the board packets go out for that board meeting will be part of that policy.

DIRECTORS DISCUSSION: None

BOARD ACTION:

Director Esquibel moved to accept the 2017 Legal Services Agreement between Berg Hill Greenleaf & Ruscitti LLP and the District. Chairman Gill will sign agreement, seconded by Director Nunez. Motion unanimously carried.

Director Esquibel moved to accept the Disclosure and Waiver Concerning Potential Conflict of Interest between LAVWCD and the Super Ditch Company, seconded by Director Valliant. Motion unanimously carried.

LEGAL REPORT:

Attorney Bart Mendenhall: A copy of Attorney Mendenhalls' legal report is attached to the minutes as Exhibit C.

Berg Hill Greenleaf & Ruscitti LLP Peter Nichols: A copy of Attorney Nichols' legal report is attached to the minutes as Exhibit D.

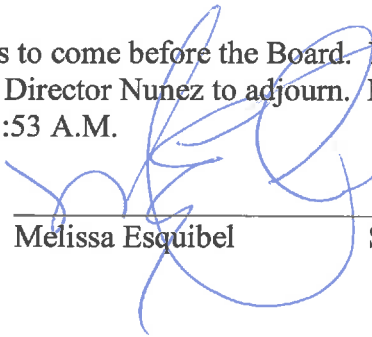
PUBLIC COMMENT: None

ADJOURNED:

Chairman Gill asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Mauch, seconded by Director Nunez to adjourn. Motion unanimously carried. Meeting was adjourned at 11:53 A.M.



Lynden Gill Chairman



Melissa Esquibel Secretary