

**December 12, 2012**  
**Minutes-Board Meeting**

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, December 12, 2012 commencing at 10:40 A.M., at 801 Swink Avenue, Rocky Ford, CO 81067.

Chairman Gill announced a quorum is present with Director Esquibel being excused.

**DIRECTORS PRESENT:**

Lynden Gill-Chairman  
Wayne Whittaker-Treasurer  
Leroy Mauch  
Anthony Nunez  
Reeves Brown  
Jim Valliant

**DIRECTOR ABSENT:**

Melissa Esquibel-Secretary

**DISTRICT STAFF PRESENT:**

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

**MOTION TO ENTER INTO WATER ACTIVITY ENTERPRISE:**

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

At the conclusion of the Water Activity Enterprise meeting Director Mauch moved to adjourn the Water Activity Enterprise meeting and reconvene the District Meeting at 10:42 A.M., seconded by Director Nunez. 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:**

Rick Kientz, Aurora Water; GW, Larkspur; Bill Hancock, LAVWCD; Jolly Rose, Rocky Ford; Doris Morgan, Congressman Gardner's office; Lane Simmons, CSU-AVRC; Keith Beattie, AGUA; Ann Lopkoff, CWPDA; Henry Schnabel, Commissioner for Prowers County; Chris Woodka, Pueblo Chieftain.

**APPROVAL OF MINUTES:**

- ❖ *November 21, 2012 Monthly Board Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the minutes for the November 21, 2012 Board meeting and whether there were any corrections or additions. Director Mauch moved to approve the minutes for November 21, 2012, seconded by Director Brown. Motion unanimously carried.
- ❖ *November 21, 2012 Work Session Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the work minutes for the November 21, 2012 Work Session meeting and whether there were any corrections or additions. Director Nunez moved to approve the minutes for November 21, 2012, seconded by Director Brown. Motion unanimously carried.
- ❖ Director Whittaker motion to amend October 17, 2012 minutes. Crowley County representative Jim Valliant was offered the oath, he was appointed to the Lower Arkansas Valley Water Conservancy District Board not elected, seconded by Director Brown. Motion unanimously carried.

**TREASURER'S REPORT:**

Chairman Gill reported that the financial report for the month of November was included in the Board's Monthly Meeting Packet. Director Whittaker reported November total revenues \$47,710.38 and total expenditures \$292,571.40 with total net< \$244,861.92>. Director Whittaker moved to accept the November Financial Statement, seconded by Director Brown. Motion unanimously carried.

**2012 FINAL BUDGET RESOLUTION: Resolution and Order 12-07**

Director Nunez moved to adopt the Resolution and Order 12-07 passed and adopted in a regular meeting of the Board of Directors of the Lower Arkansas Valley Water Conservancy District to accept the 2013 Final Budget, seconded by Director Valliant. Motion unanimously carried.

## **GM REPORT:**

**PRESENTATION:** Bill Hancock, Conservation Program Manager, LAVWCD presented to the board of directors a power point presentation on Wesley and Brenda Herman which is attached to the minutes as Exhibit A.

### **Resolution 12-06**

The Lower Arkansas Valley Water Conservancy District holds a conservation easement donated by Wesley and Brenda Herman and has respectively proposed a conservation easement to be conveyed to the District in 2012, consisting of 120 irrigated acres with 12 High Line Canal Company shares and 220 acres of native rangeland, in Otero County, Colorado. Motion was made by Director Brown, seconded by Director Nunez, to adopt Resolution 12-06, motion unanimously carried.

## **COMMITTEE REPORTS:**

Personnel: None.

Acquisition: None.

Legal: None

## **BOARD ACTION:**

Motion made by Director Brown to have \$250.00 as the Administrative Cost for 2013 for Rule 10 Plan and also \$75.00 for the Water Fee per acre foot, seconded by Director Nunez. Motion unanimously carried.

### **Resolution 12-08**

The Lower Arkansas Valley Water Conservancy District holds Resolution 12-08, Whereas, Ollie Ridley passed away on December 8, 2012. And whereas Ollie Ridley was a member of the first Board of Directors of Lower Arkansas Valley Water Conservancy District and Whereas Director Ridley faithfully represented Bent County while serving as director until she retired and, Whereas, Director Ridley was valued member of the Board of Directors of the Lower Arkansas Valley Water Conservancy District. Now therefore be it resolved that the Board of Directors and staff express their sympathy to the family of Director Ridley and their appreciation of her service. Director Whittaker moved to accept Resolution 12-08 in honor of Ollie Ridley, seconded by Director Mauch. Motion unanimously carried.

## **LEGAL REPORT:**

**Attorney Bart Mendenhall:** Attorney Mendenhall's stated that a copy of his legal report is attached to the minutes as Exhibit B.

**Berg Hill Greenleaf & Ruscitti LLP**

**Peter Nichols:** A copy of Attorney Nichols' legal report is attached to the minutes as **Exhibit C**.

**PUBLIC COMMENT:**

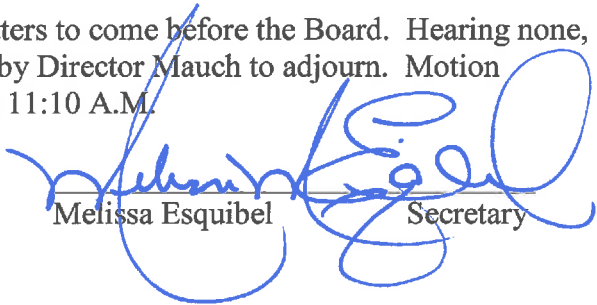
Chris Woodka from the Pueblo Chieftain asked how many Participants in the Rule 10. General Manager replied at least 100 participants.

**ADJOURNED:**

Chairman Gill asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Nunez, seconded by Director Mauch to adjourn. Motion unanimously carried. Meeting was adjourned at 11:10 A.M.

  
Lynden Gill

Chairman

  
Melissa Esquibel

Secretary