

**February 18, 2015**  
**Minutes-Board Meeting**

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, February 18, 2015 commencing at 10:37 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  
Wayne Whittaker-Treasurer  
Anthony Nunez  
Reeves Brown  
Jim Valliant

**DISTRICT STAFF PRESENT:**

Jay Winner-General Manager  
Bill Hancock-Conservation Program Manager  
Jack Goble, P.E.-District Engineer  
Carla Aragon-Quezada-Office Manager  
Brenda Fillmore-Finance/Water  
Bart Mendenhall-Attorney  
Peter Nichols-Special Attorney

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

Director Whittaker moved that the Board recess the regular Board Meeting and open the Water Activity Enterprise meeting, seconded by Director Mauch. 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 10:41A.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:**

Dwight Gardner, Senator Bennet's office; Roy Vaughn, BOR; Alan Ward, Pueblo Water; Ricky Kienitz, Aurora; Keith Goodwin, Otero County Commissioner; Alzhameal Sydykova, Krygyzston; Jim Baldwin, Otero County Commissioner; Jack Goble, P.E., LAVWCD; Bill Tyner, Division II Water; Lane Simmons, CSU-Research Center; Travis Easton, Colorado Springs; Merv Bennett, Colorado Springs Councilman; Mark Pifher, Colorado Springs; Gerry Knapp, Aurora; John Knapp, Rocky Ford; Roger Ortiz, USGS; Henry Schnabel, Prowers County Commissioner; Don McBee, Fort Lyon; Fred Heckman, Fort Lyon; Bette McFarren, La Junta Tribune; Cathy Parker, CWPDA; John Schweizer, Super Ditch; and Chris Woodka, Pueblo Chieftain.

### **APPROVAL OF MINUTES:**

- ❖ *January 21, 2015 Monthly Board Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the minutes for the January 21, 2015 Board meeting and whether there were any corrections or additions. Director Valliant moved to approve the minutes for January 21, 2015, seconded by Director Esquibel. Motion unanimously carried.
  
- ❖ *January 21, 2015 Work Session Meeting Minutes-* Need approval

### **TREASURER'S REPORT:**

Chairman Gill reported that the financial report for the month of January was included in the Board's Monthly Meeting Packet. Director Whittaker reported January total revenues \$111,062.87 and total expenditures \$349,370.24 with total net <\$238,307.37>. Director Whittaker moved to accept the January Financial Statement, seconded by Director Brown. Motion unanimously carried.

### **GM REPORT:**

General Manager Winner introduced Gerry Knapp, Aurora. Mr. Knapp gave a powerpoint presentation on Rocky Ford II Transfer – CW 169(A), Status Discussion regarding revegetation and continued farming programs, which is attached to the minutes as Exhibit A.

General Manager Winner introduced Roy Vaughn, BOR. Mr. Vaughn gave an update on the Reclamation managing water in the west as of February 16, 2015, which is attached to the minutes as Exhibit B.

General Manager introduced Merv Bennett, Colorado Springs Councilman. Mr. Bennett gave the LAVWCD board an update on the stormwater issue.

### **COMMITTEE REPORTS:**

Personnel: None.

Acquisition: None.

Legal: None

**BOARD ACTION:**

Director Esquibel moved to accept the 2015 Legal Services Agreement between Berg Hill Greenleaf & Ruscitti LLP and the District. Directors give authorization to General Manager Jay Winner to sign agreement, seconded by Director Nunez. Motion unanimously carried.

Director Esquibel moved to give authority to General Manager Jay Winner and Special Counsel Peter Nichols to file suit against the City of Colorado Springs, when the time is necessary to file the law suit. Seconded by Director Valliant, 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 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:**

Mr. Mark Pifher, Colorado Springs, gave an update on the stormwater. Mr. Pifher explained that he retired as the Water Quality Commissioner and that he will be replaced by someone from the South Platte Basin.

**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 11:52 A.M.

  
Lynden Gill Chairman

  
Melissa Esquibel Secretary