

**January 18, 2012
Minutes-Board Meeting**

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, January 18, 2012 commencing at 10:34 A.M., at 801 Swink Avenue, Rocky Ford, CO 81067.

Chairman Moore announced a quorum is present with Director Nunez being excused.

DIRECTORS PRESENT:

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

DISTRICT STAFF PRESENT:

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

DIRECTORS ABSENT:

Anthony Nunez

STAFF ABSENT:

Bill Hancock-Conservation Program Manager

MOTION TO ENTER INTO WATER ACTIVITY ENTERPRISE:

Director Mauch moved that the Board recess the regular Board Meeting and open the Water Activity Enterprise meeting, seconded by Director Esquibel. 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 10:39 A.M., seconded by Director Esquibel. Motion unanimously carried.

INTRODUCTION OF VISITORS:

Chairman Moore welcomed each of the visitors to the meeting, asked them to introduce themselves and identify the organization which they represent.

VISITORS PRESENT:

Steve Witte, Division II Engineer; Scott Lorenz, AGUA; Bill Tyner, Division II Engineer; Ann Lopkoff, CWPDA; Larry McElroy, CWPDA; Matthew Proctor, CWPDA; Kelly Roesch, Pure Cycle; Gloria Gutierrez, Senator Udall's Office; David Mau, USGS; Bette Mc Farren, LJ Tribune, Mary Alice Whittaker, Rocky Ford; Chris Woodka, Pueblo Chieftain; Jim Baldwin and Keith Goodwin, Commissioners for Otero County.

APPROVAL OF MINUTES:

- ❖ *December 7, 2011 Monthly Board Meeting Minutes-* Chairman Moore asked if the Board members had reviewed the minutes for the December 7, 2011 Board meeting and whether there were any corrections or additions. Director Esquibel moved to approve the minutes for December 7, 2011, seconded by Director Whittaker. Motion unanimously carried.

- ❖ *December 7, 2011 Work Session Meeting Minutes-* Chairman Moore asked if the Board members had reviewed the minutes for the December 7, 2011 Work Session meeting and whether there were any corrections or additions. Director Esquibel moved to approve the minutes for December 7, 2011, seconded by Director Whittaker. Motion unanimously carried.

TREASURER'S REPORT:

Chairman Moore reported that the financial report for the month of December was included in the Board's Monthly Meeting Packet. Treasurer Whittaker reported December total revenues \$17,360.05 and total expenditures \$170,205.53 with total net <\$152,845.48>. Director Whittaker moved to accept the December Financial Statement, seconded by Director Brown. Motion unanimously carried.

OFFICIAL DISTRICT BUSINESS:

Legal Postings:

Pursuant to C.R.S. 32-1-903(1), the Board must designate dates and post the time and place for all Board meetings for 2012. General Manager Winner suggested that the Regular Board meeting dates stay the same third Wednesday of the month. Chairman Moore asked if that is acceptable, Director Whittaker made a motion to accept the designated and post the time and place for all Board meetings for 2012, seconded by Director Esquibel. Motion unanimously carried. Posting of the Board meetings will be at Lower Arkansas Valley Conservancy District's Office, 801 Swink Avenue. Director Whittaker made a motion to post the meetings at the LAVWCD, 801 Swink Avenue, seconded by Director Esquibel. Motion unanimously carried. Posting for 2012 Holiday's will be posted at Lower Arkansas Valley Conservancy District's Office, 801 Swink Avenue, Rocky Ford, Colorado. Director Mauch made a motion, seconded by Gill. Motion unanimously carried.

Elections:

General Manager Winner announced a re-organization meeting of the Board is needed to elect Board Officers. Director Mauch moved to re-nominate and re-elect the current slate of officers for 2012, as follows: Director Moore as Chairman; Lynden Gill as Vice-Chairman; Director Esquibel as Secretary; Director Whittaker as Treasurer; seconded by Director Esquibel. Vote was unanimous for election of each officer.

LAVWCD Board Directors for 2012: Chairman, Pete Moore; Vice-Chairman, Lynden Gill; Secretary, Melissa Esquibel; Treasurer, Wayne Whittaker; Directors Leroy Mauch, Anthony Nunez and Reeves Brown.

GM REPORT:

General Manager introduced Bill Tyner of the Division II Engineer's Office.

PRESENTATION:

Mr. Tyner presented to the board of directors a power point presentation of the Division Engineer's Report which is attached to the minutes as **Exhibit A.**

General Manager introduced David Mau of the United States Geological Survey (USGS). Mr. Mau gave a power point presentation on a Summary of Hydrologic Conditions which is attached to the minutes as **Exhibit B.**

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

LEGAL REPORT:

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

Trout, Raley, Montano, Witwer & Freeman, PC

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


PUBLIC COMMENT:

Larry McElroy as director of the Colorado Water Protective & Development Association (CWPDA) stated that he didn't quite understand the lease that LAVWD had with Pueblo Board

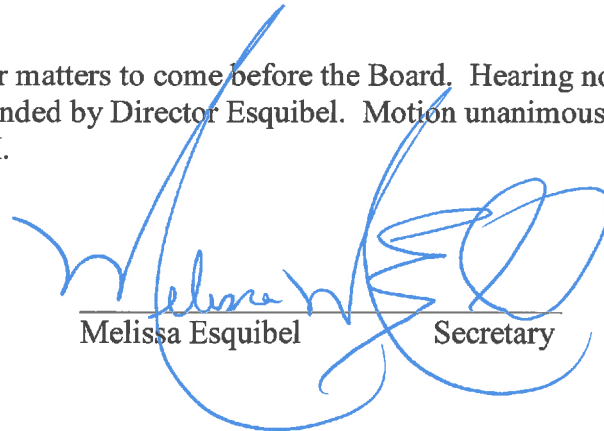
of Water Works (PBWW) and why did the LAVWCD want to compete with the well users to get extra water. Chairman Moore replied this issue should be put on the next agenda for the next LAVWCD board meeting on February 15, 2012.

ADJOURNED:

Chairman Moore asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Whittaker, seconded by Director Esquibel. Motion unanimously carried. Meeting was adjourned at 11:55 A.M.



Pete Moore Chairman



Melissa Esquibel Secretary