

OFFICIAL MEETING NOTICE

**The Lower Arkansas Valley Water
Conservancy District Regular Monthly
Meeting of the Board will be held**

**Wednesday, July 20, 2016
10:30 A.M. Enterprise and General Session**

**801 Swink Avenue
Rocky Ford, CO 81067**

**LAVWCD Phone Number: 254-5115
LAVWCD Fax Number: 254-5150**

Agenda July 20, 2016

Call to Order Regular Monthly Board Meeting

Enterprise Meeting-Approve Minutes, June 15, 2016

Treasurer's Report- Approve June Financial Statements

Reconvene Regular Monthly Board Meeting and Introduction of Visitors

Approve Minutes-Regular Board Meeting & Work Session June 15, 2016

Treasurer's Report-Approve June Financial Statements

General Manager Jay Winner

- Tim Gates, CSU
- Peter Nichols, Special Counsel – Regulation 85
- Roy Vaughan, BOR – Reclamation Managing Water in the West

Directors' Discussion

Board Action

- Appoint Budget Officer

Legal Report

- Legal-Director Esquibel
- Attorney Bart Mendenhall
- Attorney Peter Nichols

Public Comment

Adjourn Regular Board Meeting

July 20, 2016
Minutes-Board Meeting

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, July 20, 2016 commencing at 10:34 A.M, at 801 Swink Avenue, Rocky Ford, CO 81067.

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

DIRECTORS PRESENT:

Lynden Gill-Chairman
Leroy Mauch-Vice Chairman
Melissa Esquibel-Secretary
Wayne Whittaker-Treasurer
Reeves Brown
Jim Valliant

DIRECTORS ABSENT:

Anthony Nunez

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
Mike Weber-E.I.T.
Bart Mendenhall-Attorney
Peter Nichols-Attorney

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 Esquibel moved to adjourn the Water Activity Enterprise meeting and reconvene the District Meeting at 10:35 A.M., seconded by Director Mauch. 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:

Roy Vaughan, BOR; Jack Goble, LAVWCD; Rick Kienitz, Aurora Water; Kalsoum Abbasi, CSU; Kevin Niles, AUGA; Bill Hancock, LAVWCD; Lane Simmons, AVRC; Mike Weber, LAVWCD; Blake Osborn, CWI Ext; Alan Ward, Pueblo Water; Norman Kincaide, Rocky Ford; Ken Ricken, CWPDA; Rachel Zancanella, DWR; Bill Tyner, Assistant Eng for Division II; Don McBee, Lamar; Lana Person, NRCS; Cindy Lair, CDA/CSCB; Matt Hemerich, PLT; Steve Miller, CWCB; Kelly Beal, Tri-State; Dan Niemela, Tri-State; Carey Suto, Rocky Ford; Dawn Hobbs, Colorado Springs; Rick Young, Highline Canal; Dr. Tim Gates, CSU; Phillip Chavez, Diamond A Farms; Randy Hendrix, LAWMA; Glenn Hirakata, Hirakata Farmers; Ivan Walter, Consultant; Bill Banks, USGS; John Schweizer; Chris Woodka, Pueblo Chieftain; Henry Schanbel, Prowers County Commissioner; Garret Markus, SECWCD; Matt Proctor, Farmer; Bette McFarren, La Junta Tribune.

APPROVAL OF MINUTES:

- ❖ *June 15, 2016 Monthly Board Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the minutes for the June 15, 2016 Board meeting and whether there were any corrections or additions. Director Esquibel moved to approve the minutes for June 15, 2016, seconded by Director Mauch. Motion unanimously carried.
- ❖ *June 15, 2016 Work Session Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the work session minutes for the June 15, 2016 Work Session meeting and whether there were any corrections or additions. Director Esquibel moved to approve the work session minutes for June 15, 2016, seconded by Director Mauch. Motion unanimously carried.

TREASURER'S REPORT:

Chairman Gill reported that the financial reports for the month of June were included in the Board's Monthly Meeting Packet. Director Whittaker reported June total revenues were \$414,053.20 and the total expenditures were \$78,806.76 with the total net were \$335,246.44. Director Whittaker moved to accept the June Financial Statement, seconded by Director Esquibel. Motion unanimously carried.

GM REPORT:

General Manager Winner gave an update on the North Junta Water Conservancy District Flood Mitigation Project. He stated the project is moving forward.

General Manager Winner gave a brief update on the Air Curtain Burners. He stated this is the future for the cities in getting rid of trash.

General Manager Winner gave an update on the Resolution No 16-167, The Board of County Commissioners of Pueblo County, Colorado, and authorizing payment to the LAVWD Enterprise in support of the Pueblo Channel debris removal and habitat restoration project.

General Manager Winner introduced Bill Hancock, Conservation Program Manager of LAVWCD.

Mr. Hancock stated that there were too many negative articles written about our District and our General Manager. He wanted to clear up some misleading articles. Hancock stated that he was born and raised in Rocky Ford and was a 3rd generation, his children 4th generation, and now his grandchildren are 5th generation. Hancock stated, he had retired with 40 years from CSU Coop Ext. When General Manager Winner heard about his retirement he asked him to join LAVWCD staff. When hired on July 1, 2006, General Manager Winner asked him. How did you vote on the District back in 2002? Hancock stated, I voted against the District. Hancock also reminded General Manager, if he had become aware of anything the District did that was detrimental to agriculture, he would resign. Every day, I thank the Lord who gave me the opportunity to work for a place that makes such a difference in the valley. He stated, I'm still here today after 10 years, because I am amazed at the beneficial accomplishments the District has made for this Valley.

Hancock started off by reading the Mission Statement which is hung on the wall in the front office.

- LAVWCD brought \$33 million in loans and grants;
- LAVWCD has 60 Conservation Easements, which 16 of them are for young farmers. That protect farmland and water;
- Super Ditch was formed in 2008 for creating a way to give farmers an alternative to selling water and drying up the land. Letting farmers keep ownership of the water to give them an alternative cash flow and to keep the farmer on the farm.
- In 2010 the board meeting room was filled with farmers asking for help. The District spearheaded meetings with affected farmers and the State Engineer and negotiate the impact of the rules down to where they were acceptable to the farmers
- Rule 10 Plan, any farmer who had surface water that wanted to use sprinklers or drip irrigation were required to have a Rule 10 Plan and implement that plan. The District organized the farmers into a group plan administered by the District. Presently the Fort Lyon group formed their own group. Also, contracting the District's Engineer;
- Assisted the Ordway Feedyard, cities of Lamar and McClave;
- The Aurora agreement that prevented the city from engaging in new projects for 40 years;
- Buying the Larkspur Ditch;
- Reconsideration for Colorado storage accounts in John Martin Reservoir.

Chairman Gill thanked Mr. Hancock for the reminder. Chairman Gill stated the District Board and Staff have lived up to the Mission Statement that is aimed at protecting water resources in the Valley.

General Manager Winner introduced Dr. Tim Gates, CSU. Dr. Gates gave a powerpoint presentation on USDA NIWQP, Water Quality and Productivity Enhancement in an irrigated river basin through participatory conservation planning and analysis, which is attached to the minutes as **Exhibit A.**

General Manager Winner stated that this District was formed in 2002 to keep the water in the Arkansas Valley. Which, now is turning to a different direction, there's going to be a paradigm shift and we'll be looking at the Quality of Water. Winner state, "We cannot stick our heads in the sand."

Counsel Nichols gave an update on the Colorado Department of Public Health and Environment Water Quality Control Commission Regulation #85, Nutrients Management Control Regulation 5 CCR 1002-85, which is attached to the minutes as **Exhibit B.**

General Manager Winner introduced Roy Vaughan, BOR. Mr. Vaughan gave a presentation on Reclamation Managing Water in the West as of July 17, 2016, which is attached to the minutes as **Exhibit C.**

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

Legal: None

DIRECTORS DISCUSSION: None

BOARD ACTION:

General Manager Winner stated that the board needed to elect a budget officer. Attorney Mendenhall stated per C.R.S. 29-1-1-4. Director Whittaker made a motion to Appoint Brenda Fillmore, Finance/Water as the Budget Officer for 2017, seconded by Director Esquibel. Motion unanimously carried.

LEGAL REPORT:

Attorney Bart Mendenhall: A copy of Attorney Mendenhall's legal report is attached to the minutes as **Exhibit D.**

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

PUBLIC COMMENT:

John Schweizer, President of the Super Ditch. Stood up and thanked LAVWCD Board and staff. He gave an update on how he had farmed all his life in the Rocky Ford area. He also said, that he had witnessed the economic devastation that took place in the Crowley County area, which was caused by the sale of the Colorado Canal Company shares and the Rocky Ford Ditch shares. In 2007 the Lower Ark had invited several farmers to take a trip to Blythe, California. This trip opened many eyes. Lower Ark didn't give up. They pushed until they found a way, where seven (7) ditch companies came together to form the Super Ditch Company in 2008. With the Super Ditch moving forward. Schweizer realized that the land wouldn't just dry up and blow away, and the farmers would have an opportunity to make a living. Again, Schweizer thanked the Lower Ark with their persistence and fighting for the farmers.

Phillip Chavez, Diamond A Farms, thanked the LAVWCD Board and Staff for all their work. He stated that the first year for the Catlin Pilot Project. The water wasn't available and LAVWCD stood by their word and helped the Catlin participants out by making promised payments.

Don McBee, Lamar Farmer, thanked the Board and Staff. He told the audience, if it wasn't for the LAVWCD. He wouldn't be farming today. He probably would have sold his water and farm. They helped out with the Pond Study and we are very grateful.

Henry Schabel, Prowers County Commissioner stated that LAVWCD didn't hesitate to donate money to help with the tamarisk problem in Prowers County.

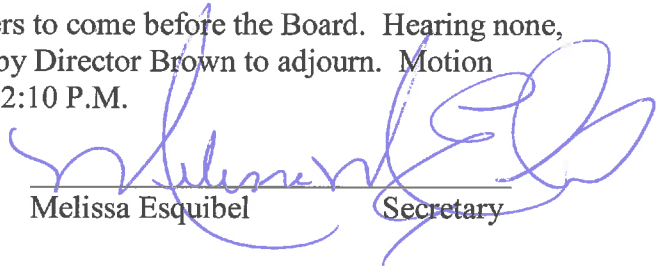
ADJOURNED:

Chairman Gill asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Valliant, seconded by Director Brown to adjourn. Motion unanimously carried. Meeting was adjourned at 12:10 P.M.



Lynden Gill

Chairman



Melissa Esquibel

Secretary