

March 21, 2012
Minutes-Board Meeting

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, March 21, 2012 commencing at 10:37 A.M, at 801 Swink Avenue, Rocky Ford, CO 81067.

Chairman Moore announced a quorum is present with all the Directors present.

DIRECTORS PRESENT:

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

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 Nunez 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 Whittaker moved to adjourn the Water Activity Enterprise meeting and reconvene the District Meeting at 10:42 A.M., seconded by Director Gill. 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:

Rebecca Goodwin, Otero County Historic Preservation Board; Keith Goodwin, Commissioner for Otero County; Alan Ward, PBWW; Rick Kientz, Aurora Water; Jim Baldwin, Commissioner for Otero County; Tom Simpson, Aurora Water; Jim Valliant, CSUAES; Bill Hancock, LAVWCD; Kelly Roesch, Pure Cycle; Michael Daskam, CO.USDA; Mike Parker, Lamar; Dwight Gardner, US Senator Michael Bennet's office; Clarice Ratzlaff, Congressman Tipton's

office; Ann Lopkoff, CWPDA; Henry Schnabel, Commissioner for Prower's County; Tammy Ivahmenko, USGS; Bette Mc Farren, LJ Tribune; Doris Morgan, Congressman Gardner's Office.

APPROVAL OF MINUTES:

- ❖ *February 15, 2012 Monthly Board Meeting Minutes-* Chairman Moore asked if the Board members had reviewed the minutes for the February 15, 2012 Board meeting and whether there were any corrections or additions. Director Esquibel moved to approve the minutes for February 15, 2012, seconded by Director Brown. Motion unanimously carried.

- ❖ *February 2, 2012 and February 15, 2012 Work Session Meeting Minutes-* Chairman Moore asked if the Board members had reviewed the minutes for the February 2, 2012 and February 15, 2012 Work Session meeting and whether there were any corrections or additions. Director Esquibel moved to amend for approval of both work sessions for February 2, 2012 and February 15, 2012, seconded by Director Brown. Motion unanimously carried.

TREASURER'S REPORT:

Chairman Moore reported that the financial report for the month of February was included in the Board's Monthly Meeting Packet. Treasurer Whittaker reported February total revenues \$539,199.25 and total expenditures \$147,598.49 with total net \$391,600.76. Director Whittaker moved to accept the February Financial Statement, seconded by Director Gill. Motion unanimously carried.

GM REPORT:

General Manager introduced Rebecca Goodwin, Otero County Historic Preservation Board.

PRESENTATION:

Ms. Goodwin presented to the board of directors a request of support of \$8,000.00 from LAVWCD for a project related to the history of homesteading and agriculture in southern Otero and eastern Las Animas Counties. She stated since 2008 Colorado Preservation, Inc. (CPI) has been working with the Otero County Historic Preservation Board and private landowners to document the historic resources in the Purgatoire River Region. Through this project; archaeologists, architectural historians, and historian worked directly with private landowners resulting in identification and documentation of over 500 historic sites. A historical context was produced, exploring the themes associated with development of the area including homesteading, agriculture, transportation, the Depression and Dust Bowl, economics, community and family life.

Director Mauch made a motion to consider at next board meeting on April 18, 2012, seconded by Director Brown. Motion unanimously carried.

General Manager introduced Michael Daskam of CO USDA. Mr. Daskam gave a power point presentation on Prowers County Tamarisk Project, which is attached to the minutes as **Exhibit A.**

Director Whittaker made a motion to consider at next board meeting on April 18, 2012 to look over the balance of \$24,000.00, seconded by Director Gill. Motion unanimously carried.

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

BOARD ACTION:

Director Mauch moved to accept the lease between the City of Aurora, Colorado, acting by and through its Utility Enterprise ("Aurora") and the Lower Arkansas Valley Water Conservancy District ("LAVWCD"). Aurora agrees to provide to LAVWCD during 2012, 2,500 acre-feet of water derived from supplies from fully consumable water available to Aurora for the Rule 10 Plan. Directors gave General Manager Jay Winner authorization to sign agreement between the parties, seconded by Director Brown. Motion unanimously carried.

Director Esquibel moved to accept the 2012 Legal Services Agreement between Trout, Raley, Montano, Witwer & Freeman, P. C. and the District. Directors give authorization to General Manager Jay Winner to sign agreement, seconded by Director Gill. 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.**


Trout, Raley, Montano, Witwer & Freeman, PC

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

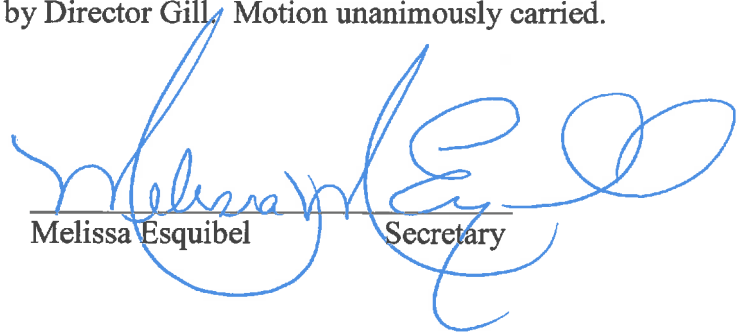
PUBLIC COMMENT: None.

ADJOURNED:

Chairman Moore asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Esquibel, seconded by Director Gill. Motion unanimously carried. Meeting was adjourned at 11:47 A.M.



Pete Moore Chairman



Melissa Esquibel Secretary