

**March 21, 2018**  
**Regular Board Meeting Minutes**

The regular board meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, March 21, 2018 commencing at 10:34 A.M., at 801 Swink Ave., Rocky Ford, CO 81067.

**Directors Present**

Lynden Gill – Chairman  
Leroy Mauch – Vice Chairman  
Jim Valliant – Treasurer  
Reeves Brown  
Phillip Chavez

**Directors Absent**

Melissa Esquibel – Secretary  
Anthony Nunez

**District Staff Present**

Jay Winner – General Manager  
Bill Hancock – Conservation Manager (Retired)  
Lee Hancock – Conservation Easement Consultant  
Brenda Fillmore – Finance/Water  
Mike Weber – Staff Engineer  
Gerry Knapp – District Consultant  
Bart Mendenhall – Legal Counsel  
Peter Nichols – Special Counsel  
Jessica Rein – Administrative Assistant

**District Staff Absent**

Jack Goble, P.E. – District Engineer

**Guests Present**

Dwight Gardner – U.S. Senator Bennet Representative  
Lane Simmons – Arkansas Valley Research Center  
Jolly Rose – Rocky Ford Citizen  
Samantha Gunther – U.S. Senator Gardner Representative  
Roy Vaughn – U.S. Bureau of Reclamation  
Shane Hayden – U.S. Bureau of Reclamation  
Alan Ward – Pueblo Board of Water Works  
Bill Tyner – Colorado Department of Water Resources  
Rick Kienitz – Aurora Water  
Israel Ortega – Aurora Water  
Bette McFarren – La Junta Tribune Democrat  
Marty Lee – Rocky Ford Daily Gazette

**Chairman Gill announced a quorum is present with Director Esquibel and Nunez absent.**

**10:35 A.M. – Recess to Enter the Water Activity Enterprise**

- Director Mauch moved to recess the regular board meeting to open the Water Enterprise meeting, Director Brown seconded the motion. It carried unanimously.

- The Enterprise meeting was adjourned with a motion by Director Brown and seconded by Director Valliant. It carried unanimously.

#### **10:39 A.M. – Reconvene the Regular Board Meeting**

- *Introduction of Guests:* Chairman Gill welcomed the guests and asked them each to introduce themselves and whom they represent.

#### **Approval of Minutes**

- Minutes for the January 17, 2018 Regular Board Meeting were approved with a motion by Director Mauch, seconded by Director Valliant. Motion carried unanimously.
- Minutes for the January 17, 2018 Executive Session Meeting were approved with a motion by Director Mauch, seconded by Director Brown. Motion carried unanimously.

#### **Treasurer's Report**

- The General Fund Treasurer's report, given by Director Valliant states that the General Fund totals for January were:
  - Total Revenues - \$89,558.75
  - Total Expenses - \$107,955.71
  - Net Income – (-\$18,396.96)
- General Fund totals for February were:
  - Total Revenues - \$533,070.58
  - Total Expenses - \$116,956.96
  - Net Income – \$416,113.62
- Financials for January and February 2018 were approved with a motion by Director Valliant, seconded by Director Brown. Motion carried unanimously.

#### **Director's Discussion**

- Director Valliant gave an update on the Arkansas River Basin Water Forum and invited the directors, audience, and staff to register for the forum taking place April 11 and 12 at Otero Junior College.
- General Manager Winner commented that the Water Forum was started by Director Valliant back in 1995 and thanked him for his work on the Forum every year since.

#### **General Manager's Report**

- General Manager Winner introduced Roy Vaughn from the Bureau of Reclamation to give an update on the reservoir level.
  - **EXHIBIT A**
- Next, General Manager Winner introduced Mike Weber who presented on his Water Quality Projects that will be happening from 2018-2022 and gave an overview of the grant which will investigate irrigation BMP's to ascertain their effectiveness for reducing selenium at the river.
  - **EXHIBIT B**

- Finally, General Manager Winner stated that the Rule 10 Plan Requests were completed and submitted to the Division Engineer for the Colorado Division of Water Resources. The Rule 10 Plan Requests are now located on the website.

### Committee Reports

- Personnel: None
- Acquisition: None
- Ethics: None
- Finance/Budget: Director Valliant reported that the Finance Committee met earlier that day to review the check register and financial activities of the District.
- Executive: None
- Legal: None

### Board Action

- Resolution 2018-02: Director Brown moved to accept Resolution 2018-02, thanking Conservation Program Manager Bill Hancock, now retired, for his years of service at the LAVWCD, seconded by Director Mauch. Motion carried unanimously

### Legal Report

- Attorney Bart Mendenhall, Mendenhall and Malouff: Legal Report is attached as **EXHIBIT D**
- Attorney Peter Nichols, Berg Hill Greenleaf & Ruscitti LLP: Legal Report is attached at **EXHIBIT E**
  - Special Counsel Nichols also stated that the court case he has been involved in and working on since 1998 on water transfers was finally won.

### Executive Session

- Director Chavez moved to recess the regular board meeting to open an Executive session meeting, seconded by Director Mauch. It carried unanimously.
- The purposes of the executive session are for discussing matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators under Colorado Revised Statue 24-6-402(4)(e) and for the purpose of conferences with an attorney for the purposes of receiving legal advice on specific legal questions under Colorado Revised Statue 24-6-402(4)(b).

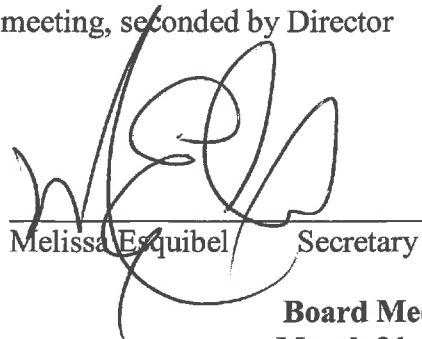
### Adjourn

At 12:55p.m., Director Brown moved to adjourn the board meeting, seconded by Director Mauch. Motion carried unanimously.



Lynden Gill

Chairman



Melissa Esquibel

Secretary