

May 16, 2018
Regular Board Meeting Minutes

The regular board meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, May 16, 2018 commencing at 10:35 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
Brenda Fillmore – Finance/Water
Mike Weber – Staff Engineer
Jack Goble, P.E. – District Engineer
Jessica Rein – Administrative Assistant
Bart Mendenhall – Legal Counsel
Peter Nichols – Special Counsel

District Staff Absent

Gerry Knapp – District Consultant
Lee Hancock – Conservation Easement
Consultant

Guests Present

Jolly Rose – Rocky Ford Citizen
Roy Vaughn – U.S. Bureau of Reclamation
Alan Ward – Pueblo Board of Water Works
Bette McFarren – La Junta Tribune Democrat
Marty Lee – Rocky Ford Daily Gazette
Fred Heckman – Fort Lyon Farmer
Keith Goodwin – Otero County Commissioner
Andrew Froese – Hancock Froese and Company, LLC
Tom Grasmick – Prowers County
Cathy Garcia – U.S. Senator Gardner
Israel Ortega – Aurora Water
Bill Tyner – Division of Water Resources
Bethany Arnold – Division of Water Resources
Donny McBee – Fort Lyon Farmer
Dale Mauch – Fort Lyon Farmer
Sedona Chavez – Citizen

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

10:36 A.M. – Recess to Enter the Water Activity Enterprise

- Director Brown moved to recess the regular board meeting to open the Water Enterprise meeting, Director Mauch seconded the motion. It carried unanimously.
- The Enterprise meeting was adjourned with a motion by Director Mauch and seconded by Director Brown. 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 April 18, 2018 Regular Board Meeting were approved with a motion by Director Valliant, seconded by Director Brown. Motion carried unanimously.

Treasurer's Report

- Financials for April 2018 were approved with a motion by Director Valliant, seconded by Director Brown. Motion carried unanimously.

General Manager's Report

- General Manager Winner introduced Roy Vaughan from the Bureau of Reclamation, who gave an update on the Reservoir levels.
 - **EXHIBIT A**
- Next, General Manager Winner introduced Jack Goble, who gave an update on the recertification of the ponds.
 - **EXHIBIT B**
- Finally, General Manager Winner introduced Andrew Froese of Hancock Froese & Company LLC, who discussed the highlights of the audit reports.
 - **EXHIBIT C**

Committee Reports

- *Personnel:* None
- *Acquisition:* None
- *Ethics:* None
- *Finance/Budget:* None
- *Executive:* None
- *Legal:* None

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 Peter Nichols announced that the General Assembly passed HB 18-1291.
- Special Counsel Nichols also announced that conservation easements were moved out of the Division of Real Estate and into the Office of Conservation.

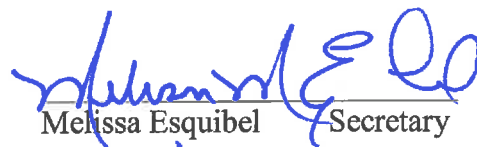
Executive Session

- Director Chavez moved to recess the regular board meeting to open an Executive session meeting, seconded by Director Brown. It carried unanimously.
- The purposes of the executive session are 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) and 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).

Adjourn

At 12:21 p.m., Director Chavez moved to adjourn the board meeting, seconded by Director Brown. Motion carried unanimously.


Lynden Gill _____ Chairman


Melissa Esquibel _____ Secretary