



OFFICIAL MEETING NOTICE

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

**Wednesday, October 19, 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 - Amended
October 19, 2016**

Call to Order Regular Monthly Board Meeting

Enterprise Meeting-Approve Minutes for August 17, 2016

Treasurer's Report- Approve August and September Financial Statements

Reconvene Regular Monthly Board Meeting and Introduction of Visitors

Approve Minutes-Regular Board Meeting August 17, 2016 and September 7, 2016

Treasurer's Report-Approve August and September Financial Statements

General Manager Jay Winner

- Update on the storage account on John Martin

Directors' Discussion

Board Action

- Agreement regarding the Pueblo Channel Debris Removal and habitat Restoration Project

Legal Report

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

Public Comment

Executive Session

Adjourn Regular Board Meeting

Serving Bent, Crowley, Otero, Prowers and Pueblo counties
Lower Arkansas Valley WATER CONSERVANCY DISTRICT



October 19, 2016
Minutes – Board Meeting

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, October 19, 2016 commencing at 10:34A.M. at 801 Swink Avenue, Rocky Ford, CO 81067.

Chairman Gill announced a quorum is present with Directors Esquibel and Brown being excused.

DIRECTORS PRESENT:

Lynden Gill – Chairman
Leroy Mauch – Vice-Chairman
Wayne Whittaker – Treasurer
Anthony Nunez
Jim Valliant

DIRECTORS ABSENT:

Melissa Esquibel - Secretary
Reeves Brown

DISTRICT STAFF PRESENT:

Jay Winner – General Manager
Bill Hancock – Conservation Program Manager
Jack Goble, P.E. – 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 Nunez. Motion unanimously carried.

At the conclusion of the Water Activity Enterprise meeting Director Nunez moved to adjourn the Water Activity Enterprise meeting and reconvene the District Meeting at 10:37 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:

Mike Weber, LAVWCD, Rick Kienitz, Aurora Water; Alan Ward, Pueblo Water; Scott Lorenz, CSU; Lane Simmons, AVRC; Bill Hancock, LAVWCD; Jack Goble, LAVWCD; Cathy Garcia, Senator Gardner's Office; Erika Chaves, Congressman Ken Buck's Office; Fred Heckman, McClave; Zach Kisfalusi, USGS; Bill Banks, USGS; Bette McFarren, La Junta Tribune; Henry Schnabel, Prowers County Commissioner.

APPROVAL OF MINUTES:

- ❖ *August 17, 2016 Monthly Board Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the minutes for the August 17, 2016 Board meeting and whether there were any corrections or additions. Director Mauch moved to approve the minutes for August 17, 2016, seconded by Director Valliant. Motion unanimously carried.
- ❖ *September 7, 2016 Monthly Board Meeting Minutes-* Chairman Gill asked if the Board members had reviewed the minutes for the September 7, 2016 Board meeting and whether there were any corrections or additions. Director Nunez moved to approve the minutes for September 7, 2016, seconded by Director Mauch. Motion unanimously carried.

TREASURER'S REPORT:

Chairman Gill reported that the financial reports for the month of August were included in the Board's Monthly Meeting Packet. Director Whittaker reported August total revenues were \$56,531.82 and the total expenditures were \$70,050.32 with the total net being <\$13,518.50>. Director Whittaker reported September total revenues were \$34,293.74 and the total expenditures were \$84,239.88 with the total net being <\$49,946.14>. Director Whittaker moved to accept the August and September Financial Statements, seconded by Director Valliant. Motion unanimously carried.

GM REPORT:

General Manager Winner stated that LAVWCD has projects that they are working on: (1) CDM, Technical Memorandum, North La Junta Flood Mitigation and Flow Management Project hydraulic Analysis; (2) Sub contract with Excess capacity storage; (3) Purchase of the McClave Building; (4) Agreement with Department of Agriculture with the Water Quality study and (5) Selenium and Water Quality in the Lower Ark Valley.

General Manager Winner introduced Mike Weber, E.I.T., LAVWCD. Mr. Weber gave a powerpoint presentation on the John Martin Reservoir Storage Account, Phase I, which is attached to the minutes as **Exhibit A.**

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

Legal: None

DIRECTORS DISCUSSION: None

BOARD ACTION:

Director Whittaker moved to the accept the Agreement regarding the Pueblo Channel Debris Removal and Habitat Restoration Project with the understanding of receiving a new agreement contract, seconded by Director Mauch. Motion unanimously carried

LEGAL REPORT:

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

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

PUBLIC COMMENT: None

11:52 a.m., Director Nunez moved that we enter into Executive Session for the purpose of Conferences with an attorney for the purpose of Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators [CRS 24-6-402(4)(e)], Relating to Southeast Colorado Water Conservancy District 06/07/08 pending litigation, seconded by Director Mauch. Motion unanimously carried.

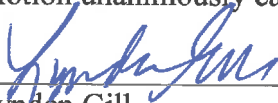
“In the opinion of Attorney Mendenhall, all or a portion of the discussion during the executive session constituted a privileged attorney-client communication, and therefore no record or recording was kept of that part of the discussion.”

Present: Directors Mauch, Whittaker, Nunez, Valliant and Gill. Staff present: General Manager Winner, Jack Goble, Bill Hancock, Mike Weber, Special Counsel Nichols, In-house Counsel Mendenhall.

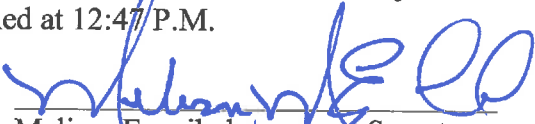
12:46 p.m., Director Whittaker moved that we enter back into the General session, seconded by Director Mauch. Motion unanimously carried.

ADJOURNED:

Chairman Gill asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Mauch, seconded by Director Whittaker to adjourn. Motion unanimously carried. Meeting was adjourned at 12:47 P.M.



Lynden Gill Chairman



Melissa Esquibel Secretary