

**September 19, 2012
Minutes-Board Meeting**

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, September 19, 2012 commencing at 10:43 A.M., at 801 Swink Avenue, Rocky Ford, CO 81067.

Chairman Gill announced a quorum is present with all Directors present.

DIRECTORS PRESENT:

Lynden Gill-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
Peter Nichols-Attorney

MOTION TO ENTER INTO WATER ACTIVITY ENTERPRISE:

Director Esquibel moved that the Board recess the regular Board Meeting and open the Water Activity Enterprise meeting, seconded by Director Mauch. 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 10:45 A.M., seconded by Director Esquibel. 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:

Dwight Gardner, Senator Bennet's Office; John Schweizer, Super Ditch; Mark Pifher, Colorado Springs Utilities; Dan Henrichs, Rocky Ford Highline; Dave Mau, USGS; Amos Mace, HCWCD; Ann Lopkoff, CWPDA; Jim Valliant, CSU Research Center; Henry Schnabel, Commissioner for Prowers County; Better McFarren, La Junta Tribune; Gloria Gutierrez, Senator Udall's office; Doris Morgan, Congressman Gardner's office; Chris Woodka, Pueblo Chieftain; Scott Lorenz, AGUA; Bill Hancock, LAVWCD; Brenda Fillmore, LAVWCD.

APPROVAL OF MINUTES:

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

TREASURER'S REPORT:

Chairman Gill reported that the financial report for the month of August was included in the Board's Monthly Meeting Packet. Director Whittaker reported August total revenues \$46,190.73 and total expenditures \$193,713.96 with total net \$(147,523.23). Director Whittaker moved to accept the August Financial Statement, seconded by Director Mauch. Motion unanimously carried.

GM REPORT:

General Manager Winner thanked Special Counsel Peter Nichols for the outstanding job on the Drought Grant application.

PRESENTATION:

General Manager Winner introduced Budget Officer, Brenda Fillmore. Ms. Fillmore presented to the board of directors a Draft Budget for 2013.

Motion made by Director Whittaker to accept the draft budget for 2013, seconded by Director Nunez. Motion unanimously carried.

General Manager Winner introduced Conservation Program Manager, Bill Hancock. Mr. Hancock presented to the board of Directors a power point presentation on the Marchand Family Homestead, which is attached to the minutes as Exhibit A.

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

Legal: None

BOARD ACTION:

Resolution 12-04

The Lower Arkansas Valley Water Conservancy District holds a conservation easement donated by Gary, Helen and Jo Ann Marchand Trust owners of the Marchand Family Homestead, have respectively proposed a conservation easement to be donated to the District in 2012, consisting of 559 acres more or less of mountain property used as part5 of a family cattle ranch in Fremont County. Motion was made by Director Esquibel to accept Resolution 12-04 as it benefits our mission, seconded by Director Brown. 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.

Berg Hill Greenleaf & Ruscitti LLP

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

PUBLIC COMMENT:

Mark Pifher of Colorado Springs Utilities explained to the board of Directors that Colorado Springs has been working on the stormwater solution. He stated, that a task force has formed three committees to look at business concerns, homeowners' issues and governmental resources for controlling stormwater runoff into the Fountain Creek. He stated that he was aware that the LAVWCD board had written two letters one of which to the Bureau of Reclamation (BOR).

General Manager Winner stated that he had an easy solution, "Don't turn on SDS until the stormwater issue has been settled."

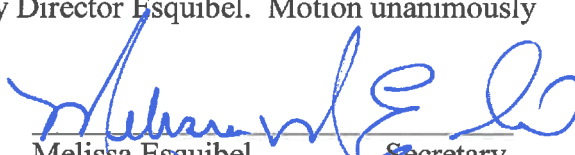
Mr. Pifher suggested that they (CSU) could meet with 2 board members from LAVWCD and members from Colorado Springs Utilities to try to come up with a solution.

Mr. Pifher also informed the board that he has been appointed to fill the Arkansas River basin seat on the Colorado Water Quality Control Commission. He said please don't hesitate to contact me if you have any questions or if you need me to present anything to the Water Quality Control Commission.

ADJOURNED:

Chairman Gill asked if there were any other matters to come before the Board. Hearing none, motion was made by Director Nunez, seconded by Director Esquibel. Motion unanimously carried. Meeting was adjourned at 11:07 A.M.


Lynden Gill _____ Chairman


Melissa Esquibel _____ Secretary