

September 17, 2014
Minutes-Board Meeting

The regular monthly meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, September 17, 2014 commencing at 10:37 A.M, at 801 Swink Avenue, Rocky Ford, CO 81067.

Chairman Gill announced a quorum is present with Director Esquibel being excused.

DIRECTORS PRESENT:

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

DIRECTOR ABSENT:

Melissa Esquibel-Secretary

DISTRICT STAFF PRESENT:

Jay Winner-General Manager
Bill Hancock-Conservation Program Manager
Jack Goble, P.E.-District Engineer
Carla Aragon-Quezada-Office Manager
Brenda Fillmore-Finance/Water
Bart Mendenhall-Attorney
Peter Nichols-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 Valliant. Motion unanimously carried.

At the conclusion of the Water Activity Enterprise meeting Director Brown moved to adjourn the Water Activity Enterprise meeting and reconvene the District Meeting at 10:40A.M., seconded by Director Valliant. 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:

Terry Hart, Pueblo County Commissioner; Ken Watts, USGS; Rick Kienitz, Aurora; Alan Ward, PBWW; Lane Simmons, CSU-AVRC; Bill Hancock, LAVWCD; Keith Goodwin, Otero County Commissioner; Mark Pifher, CSU; Jolly Rose, Rocky Ford; Roger Ortiz, USGS; Doris Morgan, Congressman Gardner's Office; Gloria Gutierrez, Senator Udall's Office; Bill Tyner, Division II Office; Kelly Roesch, CWPDA; Brian Lauristen, Valley Ag Consultant; Fred Heckman, Ft Lyon; David Mau, USGS; Jack Goble, LAWCD; Chris Woodka, Pueblo Chieftain; Bette McFarren, La Junta Tribune; Bill Lamberton, Rocky Ford; Henry Schnabel, Prowers County Commissioner; Fred Heckman, Fort Lyon; Burt Heckman, Fort Lyon; Donny Hansen, Holbrook.

APPROVAL OF MINUTES:

- ❖ *August 20, 2014 Monthly Board Meeting Minutes*- Chairman Gill asked if the Board members had reviewed the minutes for the August 20, 2014 Board meeting and whether there were any corrections or additions. Director Brown moved to approve the minutes for August 20, 2014, seconded by Director Nunez. Motion unanimously carried.
- ❖ *August 20, 2014 Work Session Meeting Minutes*- Chairman Gill asked if the Board members had reviewed the work minutes for the August 20, 2014 Work Session meeting and whether there were any corrections or additions. Director Brown moved to approve the minutes for August 20, 2014, seconded by Director Nunez. 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 \$54,010.99 and total expenditures \$50,242.77 with total net \$3,768.22. Director Whittaker moved to accept the August Financial Statement, seconded by Director Brown. Motion unanimously carried.

GM REPORT:

General Manager Winner introduced Ken Watts, USGS. Mr. Watts gave a power point presentation on the Data Collection and Maps of Groundwater Levels in the Arkansas River Basin, Southeastern Colorado, which is attached to the minutes as **Exhibit A**.

General Manager Winner introduced Brian Lauristen, Valley Ag Consultant. Mr. Lauristen gave an update on the Pond Study.

Jack Goble, P.E., Engineer, LAVWCD gave an update on the recharge sites.

COMMITTEE REPORTS:

Personnel: None.

Acquisition: None.

Legal: None

BOARD ACTION:

Director Whittaker made a motion to appoint Brenda Fillmore, Financial/Water as the Budget Officer for 2015, seconded by Director Brown. Motion unanimously carried.

Director Nunez made a motion to donate additional \$45,300 for a 2 year water quality study to USGS, seconded by Director Mauch. 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, CSU gave an update on the Colorado Springs Stormwater and said it will be on the ballot this election year.

Dave Mau, USGS introduced Roger Ortiz as his replacement. Mr. Mau will be taking a job with USGS in Albq., New Mexico.

11:34 a.m., Director Nunez move that we enter into Executive Session for the purpose of Conferences with an attorney for the purposes of receiving legal advice on specific legal questions, [CRS 24-6-402(4)(b)], 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."

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 Mauch to adjourn. Motion unanimously carried. Meeting was adjourned at 12:10 P.M.


Lynden Gill

Chairman


Melissa Esquibel

Secretary