

**August 7, 2017**  
**Special Minutes-Board Meeting**

The Special meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Tuesday, July 8, 2017 commencing at 8:00 A.M, at 215 W 10<sup>th</sup> St. Room 333, Pueblo Co 81003.

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

**DIRECTORS PRESENT:**

Lynden Gill-Chairman  
Leroy Mauch-Vice Chairman  
Melissa Esquibel-Secretary  
Jim Valliant-Treasurer  
Anthony Nunez  
Reeves Brown  
Willard Behm

**DISTRICT STAFF PRESENT:**

Jay Winner-General Manager  
Jack Goble, P.E.-District Engineer  
Carla Aragon-Quezada-Office Manager  
Brenda Fillmore-Finance/Water  
Mike Weber, E.I.T.  
Bart Mendenhall-Attorney

**DISTRICT STAFF ABSENT:**

Bill Hancock-Conservation Program Manager

**VISTORS PRESENT:**

Susan Pieper, Rocky Ford; Dwight Proctor, La Junta; and Dave Donnell, La Junta.

Director Esquibel stated that the meeting was a preliminary matter and it should be in Executive Session. It should be a personnel matter. It would be a violation to proceed, if not in executive session. I spoke with a judge and to another counsel on this matter. It would be a violation to

proceed if not in executive session. General Manager Winner took it upon himself to meet with Board Members individually. The underlying nature of the issue makes it a personnel issue. It's the duty of the board to protect the District. We need to meet as a board to discuss the matter. Padlocking the office made it personnel.

Chairman Gill stated that Director Behm had requested that there should be a special meeting.

Director Behm replied that it was a personnel issue.

Director Esquibel stated that we cannot have an executive session because it was not posted.

Attorney, Bart Mendenhall disagreed with Director Esquibel. He thought LAVWCD could still have a special meeting for a personnel purpose.

Director Esquibel stated, no it's a violation. I don't want to get involved in litigation later, because of being careless.

Director Nunez stated that when the door was padlocked it became a personnel issue.

Director Behm brought up the postings. He said he was a little confused with C.R.S. 32-1-903 which, one (1) said, post it within seventy-two (72) hours and the other said twenty-four (24) hours.

Attorney, Mendenhall said he would take the time to look into the matters.

General Manager stated we could go around and around. Let's set up a date and time. Director Esquibel, would you be interested in making up the agenda?

Director Esquibel replied, no.

General Manager asked attorney Mendenhall if he would make the agenda and that Director Esquibel and I will look over it.

Chairman Gill stated, let's look at dates when we can meet for executive session. Can we have it at our regular board meeting, August 16, 2017?

Director Esquibel replied at 10:30 am will work for me. All Directors agreed on the date and time, August 16, 2017 at 10:30 am.

General Manager Winner stated after we approve minutes and financials we will break and then go into Executive session.

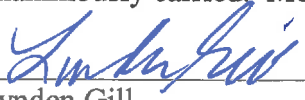
General Manager Winner stated years ago, I was talking with Judge Maes. He said that all that matters, is the District. You have to put the District first.

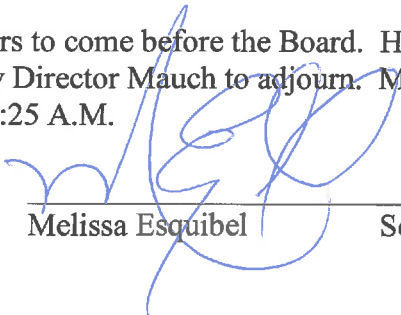
Director Brown asked the Board Directors to look over their Acknowledgement of Duties and Ethical principles and Fiduciary duties policy.

Carla Quezada asked who had invited Susan Pieper, Rocky Ford. General Manager Winner replied, I did. She called the office yesterday, so I invited her to come to the meeting.

**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 8:25 A.M.

  
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Lynden Gill Chairman

  
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Melissa Esquibel Secretary