



**May 20, 2020**  
**Regular Board Meeting Minutes**

The regular board meeting of the Lower Arkansas Valley Water Conservancy District Board of Directors was held on Wednesday, May 20, 2020 commencing at 10:31 a.m. at 108 Swink Avenue, Rocky Ford, CO 81067 via Zoom.

**Directors Present**

Lynden Gill – Chairman  
Leroy Mauch – Vice Chairman  
Melissa Esquibel – Secretary (Via Zoom)  
Jim Valliant – Treasurer  
Phillip Chavez  
Reeves Brown (Via Zoom)  
Anthony Nunez (Via Zoom)

**Directors Absent**

**District Staff Present**

Jay Winner – General Manager  
Brenda Fillmore – Finance/Water  
Mike Weber – Staff Engineer  
Jessica Mills – Administrative Assistant  
Jack Goble, P.E. – District Engineer  
Amber Weber – District Consultant  
Nate Finnell – Agriculture/Water (Via Zoom)  
Bart Mendenhall – Legal Counsel (Via Zoom)

**District Staff Absent**

Gerry Knapp – District Consultant  
Lee Hancock – Conservation Easement Consultant  
Peter Nichols – Special Counsel

**Guests Present (Via Zoom)**

Marty Lee – Rocky Ford Gazette  
Keith Goodwin – Otero County Commissioner  
John Hostetler – Otero County Commissioner  
Kevin Salter – Kansas Division of Water Resources  
Bill Tyner – Division of Water Resources  
Cathy Garcia – Senator Cory Gardner

**Chairman Gill announced a quorum is present with no Directors absent.**

**Resolution 2020-01**

- Director Mauch moved to accept Resolution 2020-01, providing the Board of Directors the ability to vote via conference or video call, seconded by Director Valliant. Motion carried unanimously.

### **10:36 a.m. – Recess to Enter the Water Activity Enterprise**

- Director Chavez 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 Nunez and seconded by Director Chavez. It carried unanimously.

### **10:38 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 Routine Items**

- All items listed in this portion are considered to be routine by LAVWCD and will be enacted by one motion. There will be no separate discussion of these items unless a Director so requests.
  - Regular Board Meeting Minutes – February 19, 2020
  - February 2020 Financials
  - March 2020 Financials
  - April 2020 Financials
- Director Valliant moved to approve all Routine Items, seconded by Director Mauch. Motion carried unanimously.

### **General Manager’s Report**

- General Manager Winner first introduced Mike Weber who gave a grant update.
  - EXHIBIT A
- General Manager Winner introduced Jack Goble who provided an update on the Pond Study.
  - EXHIBIT B

### **Board Action**

- General Manager Winner discussed with the board Thunder Village and the cost and purpose associated with the project.
  - Director Nunez moved to approve funding for Urban Renewal on the Thunder Village Project, seconded by Director Chavez.

### **Director’s Discussion**

- Director Mauch asked about snowpack and a possible update from the Bureau of Reclamation as the state starts to reopen from the COVID-19 Pandemic.
- Director Nunez expressed his appreciation to staff for setting up the Zoom meeting.

### **Committee Reports**

- Personnel: None
- Acquisition: None
- Ethics: None
- Finance/Budget: None



- Executive: None
- Legal: None

### **Legal Report**

- Attorney Bart Mendenhall, Mendenhall and Malouff: A copy of the legal report can be obtained by visiting the LAVWCD office.
- Attorney Peter Nichols, Berg Hill Greenleaf & Ruscitti LLP: A copy of the legal report can be obtained by visiting the LAVWCD office.
- General Manager Winner discussed the settlement with Colorado Springs Utilities on Fountain Creek, with a major discussion point revolving around TABOR.

### **Public Comment**

- Commissioner Goodwin mentioned how Gallagher impacts taxes.
- Director Brown thanked staff for their efforts for accommodating Directors so that they could attend the Board Meeting via Zoom.
- Bill Tyner commented that Colorado Springs Utilities leased some water to some well associations earlier in the season to avoid Pueblo Reservoir from spilling.

### **Adjourn**

At 11:31 p.m., Director Mauch moved to adjourn the board meeting, seconded by Director Nunez. Motion carried unanimously.

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Lynden Gill

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Chairman

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Melissa Esquibel

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Secretary