

March 18, 2009 WORK SESSION MEETING MINUTES

A Work Session meeting of the Lower Arkansas Valley Water Conservancy District was held on Wednesday, March 18, 2009 at 9:00 AM., at the District office located at 801 Swink Avenue, Rocky Ford, Colorado 81067.

DIRECTORS PRESENT:

Pete Moore-Chairman
Lynden Gill-Vice Chairman
Melissa Esquibel-Secretary
Wayne Whittaker-Treasurer
John Singletary
Leroy Mauch
Anthony Nunez

DISTRICT STAFF:

Jay Winner-General Manager
Bart Mendenhall-Attorney
Peter Nichols-Attorney
Kim Chavez-Financial Officer
Bill Hancock-Cons. Program Mgr

Chairman Moore called the meeting to order at 9:00 A.M. and announced a quorum was present with all Directors' present.

Chairman Moore reported that the agenda has changed. Jean Van Pelt of Southeast Colorado Water Conservancy District (SECWCD) had called and cancelled her presentation due to a family emergency. Also Del Nimmo of CSU-Pueblo will be taken off the agenda and will do a presentation at LAVWCD April board meeting.

General Manager Winner gave an update pertaining to CSU-Pueblo. Mr. Winner stated he had talked to President Garcia of CSU on Monday. Mr. Garcia said he understood that the Lower Arkansas Valley Water Conservancy District had donated considerably amount of money to this study. Mr. Garcia understood this study was \$1,000,000.00 and the Lower Arkansas Valley Water Conservancy District had already donated \$365,000.00.

General Manger Winner stated that this week the terms and conditions of SDS came out. The domino's started falling very, very quickly in the many negotiations. Legal team and I believe we came to the best possible agreement that we can with the city of Aurora. We will need to go into Executive session to discuss this matter with our attorney Peter Nichols.

TO ENTER INTO EXECUTIVE SESSION:

Director Esquibel moved that the Board convene into Executive Session 9:07 A.M., seconded by Director Nunez. Motion unanimously carried.

Director Esquibel requested that the Board enter into Executive Session for the purpose of:

§24-6-402(4) (b) C.R.S., "Conferences with an attorney for the public entity for the purposes of receiving legal advice on specific legal issues."

§24-6-402(4)(e) C.R.S., "Determining positions relative to matters that may be subject to negotiations; Developing strategy for negotiations; and instructing negotiators."

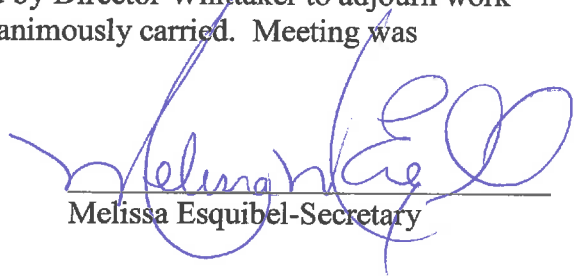
Director Esquibel requested that the Board reconvene into the Work Session 10:03 A.M., seconded by Director Whittaker.

Attorney Nichols stated two things we talked about in Executive session are attorney-client privilege related to; ongoing litigation, negotiations and advice of legal counsel to the board for terms of reason on giving redirection to the board for strategy.

Chairman Moore asked if there were any other questions to be heard; hearing none, motion was made by Director Nunez, seconded by Director Whittaker to adjourn work session into regular board meeting. Motion unanimously carried. Meeting was adjourned at 10:06 A.M.



Pete Moore-Chairman



Melissa Esquibel-Secretary