

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting February 24, 2014

CALL TO ORDER

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Kent Mace on Monday, February 24, 2014 at 6:11 pm.

ROLL CALL

Directors present: Lewis "Beaver" Edmundson, Michael "Sandy" White, Scott King, Kent Mace, Al Garcia.

Secretary: Carol Dunn; Consultant: Ted M. Zorich, Jr.; Attorney: Steve Monson

Guests: Ray Garcia, Doug Brgoch, Brett Corsentino, Gail Terry, Lewis De Laura, Stephen Wardell, Max Vezzani, Kent Hay, Vivian Price, Steve Werner, Robert Loeffler.

King moved and Edmundson seconded to approve the agenda. Board approved.
Mace introduced the newest director on the board, Al Garcia.

MINUTES

There was a motion by White, seconded by King, to approve the January 27, 2014 meeting minutes. Board approved.

TREASURER'S REPORT

There was a King motion, seconded by Edmundson, to accept the February treasurer's report. Board approved.

Edmundson moved and White seconded to change signers on the ColoTrust account from Dawson Jordan to Scott King. Board approved.

There was a White motion, seconded by King, to authorize Dunn to prepare a second request to draw funds against the remaining loan principal, not to exceed \$13,000. The draw will include the environmental assessment, the Ranch survey, and the portion of the TZA invoice for work on Camp Ranch. Board approved.

White moved and King seconded to approve the purchase of QuickBooks Pro for the HCWCD accounting software. Board approved.

OLD BUSINESS

There was a White motion, seconded by King, to ratify the apparent and actual authority of Kent Mace to sign the closing documents for HCWCD to purchase the Camp Ranch. Board approved.

Monson gave his opinion that HCWCD does need Workers Comp insurance for Dunn, even though she is a contractor. There was a motion by White, seconded by Edmundson, to get workers comp insurance coverage. Board approved.

Mace signed the letters to the co-sponsors of the Upper Cucharas Watershed Pre-fire Assessment requesting their \$5,000 contributions.

NEW BUSINESS

Subsequent to a presentation by Brett Corsentino about the winter call on the Welton Ditch, there was a motion by White, seconded by Edmundson, to have Steve Monson

write a letter to Steve Witte that the Welton winter call seems inappropriate and limitations and guidelines should be imposed. Board approved. White also suggested that Corsentino and the other affected water users all write letters to Division Engineer Steve Witte stating that they have a right to use of the stream the way it was being used at the time of their appropriation, and that did not include a winter call. The recommended limitations were: no call if there is less than 12 cfs at I-25 (Huerfano River) and Hwy 10 (Cucharas River) and it becomes futile after a week on the Huerfano and two weeks on the Cucharas.

Upper Cucharas Watershed Pre-fire Assessment – Brad Piehl reported on how the project will be conducted:

1. Investigate where the most critical fire areas may be
2. Identify the mitigation measures or structures that may help avert problems

It was decided to discuss the Colorado Water Congress Initiative 73 and proposed resolution at the March meeting.

White reported on the Arkansas Basin Roundtable input forms for the Basin Implementation Plan in preparation for the Colorado Water Plan which has been ordered by the Governor. His interpretation of the process is that potential water projects need to be included in the Colorado Water Plan to be eligible for future funding. There is a July deadline to submit Input Forms to the Arkansas Basin Roundtable.

White moved and King seconded to increase Dunn's contract rate to a flat \$1200 per month plus mileage and expenses. Board approved.

Edmundson moved and White seconded to get quotes for replacement value property insurance on the Ranch buildings and also ensure that the liability insurance covers the buildings. Board approved.

Monson presented the draft augmentation water leases, which are required under the SWSP renewal that has been submitted. Augmentation water is \$4,000 per acre-foot for a 5-year period, but leases terminate when the Water Court decree is obtained. The OXY lease is for one year. The leases tie the users to the water projections but can vary by up to 10%. The lessees have to comply with the terms of the SWSP. If they use excess amounts of water, they must buy it. Usage records must be on time (within 3 days) or the lessee will be assessed a \$500 penalty.

CONSULTANT REPORT

Zorich explained the tests to determine groundwater level of the recharge pond. He presented a map showing a possible access road on the Ranch.

White moved and King seconded to have Monson negotiate an easement agreement with the Wardells. Board approved.

A special meeting was scheduled for March 10 at 6 pm at the Walsenburg library to discuss the engineering schedule and budget and other necessary business.

DIRECTOR AND GUEST COMMENTS

None.

BILLS TO PAY

Edmundson moved, King seconded, and Board approved payment of the following bills, total \$32,158.98:

Huerfano World Journal, legal ad - \$654.72

Carol Dunn, clerical, mileage, County recording fees, QuickBooks Pro - \$1474.26

Felt, Monson & Culichia, legal expenses - \$15,000.00

TZA Water Engineers - \$15,000.00

Desiree Rosenberg, meeting room - \$30.00

Break at 9:11 pm. Reconvened at 9:21 pm.

OTHER

At 9:22 pm, King moved, Garcia seconded and board approved going into executive session to discuss matters relating to operating the SWSP including: the purchase, acquisition or lease of real, personal or other property interest as in CRS 24-6-402(4)(a); conferring with an attorney representing the District for the purposes of receiving legal advice on specific legal questions as in CRS 24-6-402(4)(b); determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators pursuant to CRS 24-6-402(4)(e); and personnel matters as in CRS 24-6-402(4)(f).

There was a King motion, seconded by White, to close the executive session and go back into regular session. Meeting was called back to regular session at 10:20 pm.

ADJOURNMENT

There being no further business, there was an Edmundson motion, seconded by King, to adjourn. Board approved. Meeting adjourned at 10:21 pm.

Kent Mace, President

Carol Dunn, Secretary