

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting March 25, 2013

CALL TO ORDER

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Kent Mace on Monday, March 25, 2013 at 6:04 pm.

ROLL CALL

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

Secretary: Carol Dunn

Consultant: Ted M. Zorich, Jr.

Guests: Rick Loeffler, Gail Terry, Dennis Hoyt, David Rinehart, press.

Jordan moved and King seconded to approve the agenda. Board approved.

MINUTES

The minutes were corrected under Adjournment to read "Jordan moved and King seconded." There was a motion by White, seconded by Jordan, to approve the February 25, 2013 Minutes as corrected. Board approved.

TREASURER'S REPORT

The total of both CDs is \$44,511.38; total in the First National Bank in Trinidad/Walsenburg checking account is \$48,154.24; for a grand total of \$92,665.62 in all accounts. King moved and White seconded to accept the March Treasurer's Report as presented. Board approved.

There was a motion by White, seconded by Jordan, to approve the Resolution for Exemption from Audit and submit the Application for Exemption from Audit as presented. Board approved.

OLD BUSINESS

The next work session with the Division Engineer will be April 8, 1:00-5:00 pm. Mace reminded the Board about the Water Forum that will be held in Walsenburg on April 24-25.

NEW BUSINESS

Case #2013CW14 – Maria Lake Grazing Assn: Maria Lakes Reservoir – diligence filing. There was a Jordan motion, seconded by White, to take no action on this case. Applicant is not asking for anything additional. Board approved.

Mace reported there will be a tour of the Shell headgate and the progress on the storage structures in Badito on March 27 at 1:00 pm. Mace said he may lobby the land manager for an extended water lease.

In the Huerfano and Cucharas river basins the SnoTel report indicates both basins are way below the 30-year average. Both rivers have started to flow and are having some surges.

There was a Jordan motion, seconded by Edmundson to hold a de-TABOR election in November. Board approved. This would allow the District to accept grants without negatively affecting the mill levy revenues. There will be a delay in applying for grants until de-TABOR can be accomplished.

Compliance with 1041 regulations – The augmentation pond and dryup of lands will need 1041 permits. This will require further discussion at a future meeting.

The local Community Foundation has offered to receive grant funds for the District until it can de-TABOR. There was a Jordan motion, seconded by Edmundson to consult the attorney to determine if this is a viable solution to accepting grants.

Mace suggested the District pursue grants to do consumptive and non-consumptive basin studies, plus a water storage study on the Cucharas River. There was a White motion, seconded by King, to determine what funding is available from the Arkansas Valley Roundtable; what would be required from the District; determine the cost-share; determine the benefit to the County; and decide if it is worth spending 30% of the cost-share. Board approved. Mace will communicate with Jay Winner about this.

The proposed augmentation pit in Redwing has been reviewed by Zorich and TZA Water Engineers. Mace is considering asking Christie Wycoff about putting the pit on her property instead, so engineering on the Mace property has stopped. There was a Jordan motion, seconded by Edmundson, to delay this discussion until next meeting. Board approved.

Regarding water structures and engineering assistance program, there was a Jordan motion, seconded by King, to hold off this discussion until after the next meeting with the Division Engineer. Board approved.

The board discussed whether the District needs a watershed coordinator, grant writer and a project manager when construction begins on the augmentation pit. Dawson Jordan and Amos Mace are working on a potential job description, possibly water analyst/technician. Edmundson stressed that any position would need to be advertised. There was agreement that a coordinator is not needed for the entire District program.

CONSULTANT REPORT

Zorich reported that the 2012 SWSP, which ends March 2013, has been approved. The Rule 14 plan (reviewed by Division office) and the SWSP (reviewed at the State level) have been filed for 2013.

Zorich spoke with John Faux at TZA about the augmentation plan as it has been operated thus far. He is trying to get an estimate on what engineering will cost for the permanent plan.

DIRECTOR AND GUEST COMMENTS

None.

BILLS TO PAY

There was a King motion, seconded by White, to pay the attorneys half of the total amount due (\$32,170.43). Board approved. There was a Jordan motion, seconded by White and approved by the board, to pay the following bills, total \$21,806.61:

- Carol Dunn, District clerical, mileage, postage – \$635.39
- Carol Dunn, Enterprise clerical – \$300.00
- Ted M. Zorich, Jr. – \$1608.00
- Felt, Monson, Culichia – \$16,085.22
- TZA Water Engineers – \$3,178.00

OTHER

The next regular meeting will be April 22, 2013 at 6:00 pm at the Spanish Peaks Library, Walsenburg.

White moved, King seconded and board approved going into executive session to discuss 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); and 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).

Edmundson moved, Jordan seconded and board approved closing the executive session and returning to regular session. Session was called back to order at 7:26 pm.

There was a White motion, seconded by King to authorize legal counsel to make preliminary investigation for approximately \$600 on the alternatives to de-Brucing (de-TABOR) in order to meet the District’s funding needs. Board approved.

There was a Jordan motion, seconded by Edmundson, to have attorney Steve Monson proceed with sending the letter of intent regarding the senior water rights on the Huerfano River. Board approved, with White voting no.

The board asked Dunn to investigate getting plaques for Raymond Harriman, Ray Ryan and Erin Jerant in honor of their service on the HCWCD Board.

ADJOURNMENT

There being no further business, there was a White motion, seconded by King, to adjourn. Board approved. Meeting adjourned at 7:33 pm.

Kent Mace, President

Carol Dunn, Secretary