

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting August 25, 2014

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Sandy White on Monday, August 25, 2014 at 6:02 pm.

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

Secretary: Carol Dunn

Guests: Larry Bullock, Mayor James Eccher, Lynn Barnes, Max Vezzani, Doug Brgoch, Ted M. Zorich Jr., Gail Terry, Carolyn Wardell, Stephen Wardell, Gerald Cisneros, Caitlin Dunn (press), David Rinehart (press).

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

MINUTES – Edmundson moved and Garcia seconded to approve the July 21, 2014 minutes as presented. Board approved.

TREASURER'S REPORT - King moved and Edmundson seconded to accept the August Treasurer's reports. Board approved.

OLD BUSINESS -

Regarding the SWSP: Al Garcia reported the District is on schedule to meet augmentation requirements. There is still siltation during high water. Three new piezometers have been installed. An instrument has been ordered to measure the water level in the three new monitoring wells, which were installed to prove that water from the recharge pond is going back to the river. One of the comments on the SWSP renewal was that two test wells did not show any water.

Although the previously approved Ditch Users' Agreement was signed and notarized by White, the Wardells reported that they still have a few changes to make to it. They will work with Al Garcia to get those changes made.

Garcia and White reported they will finish up the RFP and Statement of Work for the Red Wing Augmentation Facility and get them mailed out.

Regarding Malachite Spring, the Board confirmed that there is not a signed contract for the Spring's augmentation water. Amos Mace has reported no use of Malachite Spring during July, so no augmentation water was provided. Brgoch reported that the State (Division Engineer Steve Witte) needs to see a change in the way water is taken from the Spring, ie. being hauled out of the area. The new Water Commissioner will visit the meter at the Spring before the end of the year. Kent Mace reported that \$1,500 is available to pay toward the augmentation water invoice. He also reported that he is "out of the picture" and waiting for the Gardner water station to be installed.

The Board decided to engage Attorney Gary Hanisch to determine how to get payment on Malachite Spring's \$11,000 augmentation water invoice.

Vezzani said the County expects to have the Gardner water station installed by the end of October.

NEW BUSINESS -

Water Commissioner Doug Brgoch reported that the levels on both the Cucharas and Huerfano rivers are going down, which is typical for this time of year. The Badito stream

gauge is scheduled for a complete rehab. Regarding the Huerfano Water Commissioner position, final interviews should be conducted the second week of September.

Walsenburg Mayor Jim Eccher requested a letter of support for the City Lake Dam Project. Walsenburg is being asked to lower the dam three feet, reducing capacity. The City is looking for grants and loans to do that project. White suggested that Eccher ask Al Tucker to formulate an example letter and get it to the District.

Garcia researched the Blouin water case 2011CW45 and reported that the spring in question cannot operate without an augmentation plan. Policing that will fall to the Water Commissioner. King moved and Edmundson seconded to authorize White to sign the stipulation with the Blouins to not oppose their case. Board approved.

Garcia indicated his interest in attending the Special District Association annual conference. King moved and Edmundson seconded to reimburse Garcia's expenses up to \$700 to attend the SDA conference. Board approved.

The 1041 permit application was filed today, August 25, 2014.

Edmundson reported the existing ranch sharecrop lease has not worked well for the District. On a motion by Edmundson and seconded by Garcia, a one year lease for 2015 will be put out for bids on a cash basis, and the agreement with Bud Adams will be terminated on 1/31/2015. Board approved. Edmundson suggested advertising in both local papers with a bid opening on December 1.

White and King reported on the Arkansas Valley Roundtable meeting. Sub-committees have narrowed down the proposals for inclusion in the State Water Plan. Huerfano County started with 40 proposed projects and ended up with 27 that are considered vital water projects.

DIRECTOR AND GUEST COMMENTS – None.

Break at 7:23 pm. Reconvened at 7:32 pm.

BILLS -

There was a motion by Edmundson, seconded by King, to pay the following bills, total \$19,364.19. Board approved.

Carol Dunn - Clerical, mileage, postage, and ink \$1263.99

Walsenburg Lumber - Ranch house improvements \$193.22

Garcia Family Investment - Ranch house expenses and SWSP \$480.16

Huerfano Weed Control - Spraying for knapweed \$2145.00

Mackey Construction - Water structure with clock house \$806.74

Gary Hanisch - Legal \$180.00

Felt Monson & Culichia - Legal \$7312.78

Wachob & Wachob - Surveying for water monitoring wells \$600.00

IOA Northeast - Bonds for Edmundson, Dunn and King \$325.00

TZA Water Engineers - Engineering \$5736.80

Richard Dunn - Water analyst contract and mileage \$310.50

Kim Mender - Library meeting room \$10.00

King moved and Edmundson seconded to transfer \$11,000 from the ColoTrust account into the checking account. Board approved.

At 7:38 Mace moved, King seconded and Board approved going into executive session to discuss matters involving the regional augmentation plan, ongoing litigation, SWSP and including the purchase, acquisition or lease of real, personal or other property interest as in CRS 24-6-402(4)(a) 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).

At 7:43 pm, King moved and Mace seconded closing the executive session and returning to regular session. Board approved. The meeting was called back to regular session at 7:43 pm.

Garcia moved and Mace seconded to have White sign the stipulation that Dr. Charles Rowland and HCWCD will mutually withdraw opposition to each other's water court cases. Board approved.

At 7:48 pm, Mace moved and King seconded to return to executive session to 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). Board approved.

At 7:58, King moved and Edmundson seconded to return to close the executive session and return to regular session. Board approved. The meeting was called back to regular session at 7:58 pm.

There being no further business, Edmundson moved and King seconded to adjourn. Board approved. Meeting adjourned at 7:59 pm.

Sandy White, President

Carol Dunn, Secretary