

LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT

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MINUTES OF MEETING OF THE BOARD OF DIRECTORS OF THE LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT

February 9, 2021

DIRECTORS PRESENT:

Allen Coyne
Ken Fritzler
Dan Kendrick
Brian Kembel
Terry Linker

Gene Manuello
Joe Patterson
Carson Smart
Don Schneider via Zoom

DIRECTORS ABSENT:

Bob Mari
Jack McClary

Bryan Ruf
Brad Stromberger

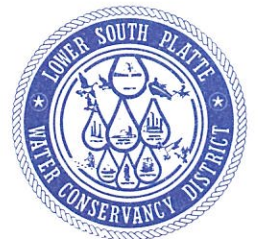
DISTRICT STAFF PRESENT:

Joe Frank, General Manager
Rick Fleharty, Technician
Craig Brownell, Technician
Deanna Eskew, Secretary

VISITORS PRESENT:

Jeff Rice, Sterling Journal Advocate
Darlene Carpio, Aide to U.S. Congressman Ken Buck

The meeting was called to order by President Fritzler.



APPROVAL OF THE JANUARY 12, 2021 EXECUTIVE COMMITTEE MINUTES:

Director Coyne made the motion to approve the January 12, 2021 Executive Committee Minutes as presented. Director Kembel seconded the motion which passed unanimously.

ELECTION OF OFFICERS:

Director Kendrick Nominating Director made the motion that the current slate of officers be retained for the year 2021. Director Patterson seconded the motion. President Fritzler asked if there were any other nominations. There being none, the motion passed unanimously. President Fritzler appointed Brian Kembel and Joe Patterson to serve on the Executive Committee. Deanna Eskew will continue to serve as secretary.

Ken Fritzler, President
Gene Manuello, Vice President
Allen Coyne, Treasurer

Brian Kembel, Executive Committee Director
Joe Patterson, Executive Committee Director

FINANCE REPORT:

Treasurer Coyne presented the financial report for the month of January. Treasurer Coyne made the motion to approve payment of District checks 15824 – 15856 and Julesburg Recharge checks 1116 and 1117. Director Patterson seconded. Motion passed unanimously.

RIVER MONITORING:

Division I Water Court Resume':

Director Kendrick made the motion to file statements of opposition on the following two water court cases:

- 20CW3215 – BennT Creek Regional Water Authority and South Platte Regional Water Company
- 20CW3209 – Fort Morgan Farms, LLC

Director Smart seconded the motion which passed unanimously.

Julesburg Recharge Project:

Manager Frank spoke to Mr. Beavers regarding the termination of the 2001 Agreement. The District will continue to pay electrical costs on the well through April 2021. Manager Frank will be working with Mr. Beavers to convert his well into a Special "D" Contract.

Water accounting figures have been reviewed and approved by the Julesburg Recharge Well Users Committee so billing for last year's pumping season can now be mailed to the well owners.

The Directors viewed a map showing the area where the Julesburg School District will be building a new school. The Julesburg School District and the Town of Julesburg are presently in negotiations regarding the use of wells to provide services for both the school and the town. Manager Frank stated that he wanted to present the project to the board since it could potentially mean adding a new well to the Julesburg Recharge Project augmentation plan. No objections were made by the board.

Heyborne Recharge Project:

The project is currently non-operational due to icing at the inlet pond.

The board reviewed a video regarding the benefits of horizontal well drilling. Manager Frank will investigate the costs associated with this type of drilling.

LEGAL REPORT:

Manager Frank said that the board will need to recess into executive session later to discuss pending negotiations with Counsel Woldridge.

PUBLIC COMMENT:

Jeff Rice from the Sterling Journal Advocate noted that due to health reasons he had been unable to attend the last few meetings, but it felt good to be back.

Darlene Carpio stated that she has been appointed to represent Congressman Buck's office.

PRESIDENT'S REPORT:

President Fritzler appointed Brian Kembel and Joe Patterson to serve on the District's Executive Committee as previously shown.

MANAGER'S REPORT:

Included in Manager Frank's report were the following:

Legislative Matters:

- The State Legislature will be back in session beginning next week. Manager Frank noted that the State Affairs Committee did meet this week. The committee as well as the WRASP lobbyist is monitoring a couple of proposed bills. Those being:
 - A) A redraft of a possible proposed bill "concerning a study of managed aquifer recharge to maximize the beneficial use of water within Colorado". Manager Frank noted that the latest update which he has not seen will need to be reviewed.
 - B) Draft bill "concerning the use of a water right obtained through a mutual ditch corporation". Manager Frank stated that this draft still needs revision and clarification.
- The next meeting of the Anti-Speculation Committee will be held on February 17th.

General Matters:

- SPWRAP – Manager Frank stated that a lot of progress has been made on the Petersen Diversion Structure. It may be possible for the ditch to start running the middle to the end of March, weather permitting.

Austin Hamre the corporate attorney for SPWRAP has been named as the interim Executive Director for SPWRAP.
- NE Colorado Water Cooperative – Manager Frank and Matt Lindburg will be will be requesting a one (1) year extension of the WaterSMART grant in March, which will extend the grant to December 2022.
- South Platte Regional Opportunities Water Group – The next facilitated meeting of the group will be held on February 18th.
- South Platte Basin Round Table – Today's meeting will be held via GoToMeeting.
- The Colorado Ag Water Alliance will be holding an Ag Water – Water Quality Meeting on March 2nd at the Lower South Platte Water Conservancy District office from 9:00-10:00 a.m.
- CWC Annual Convention – Manager Frank noted that this year's annual convention will be help remotely via Zoom. However, the first day of the convention is during today's District board meeting. CWC staff indicated that the program will be recorded and would be available to watch until March 31st. Directors/staff who also wish to attend need to inform Manager Frank to get registered.

NEW BUSINESS: None

OLD BUSINESS: None

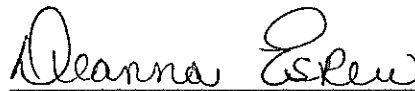
EXECUTIVE SESSION:

Director Coyne made the motion that the board recess into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)e regarding legal matters. The motion was seconded by Director Smart which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 12:49 p.m.

ADJOURNMENT:

There being no further business, Director Linker made the motion to adjourn. Director Kendrick seconded. Motion passed unanimously. The meeting was adjourned at approximately 12:50 p.m.


Deanna Eskew, Secretary