

Executive Committee Minutes March 12, 2024

The meeting was called to order by President Fritzler at approximately 9:00 a.m. at the District office. The following Executive Committee Directors were present: President Ken Fritzler, Vice President Gene Manuello, Treasurer Allen Coyne, Brian Kembel, and Joe Patterson. Directors Bruce Gerk, Dan Kendrick (Zoom), Jack McClary, Kent Pflager, Cody Poitz, Bryan Ruf and Carson Smart were also in attendance and staff members Manager Joe Frank, Rick Fleharty, Craig Brownell, and Deanna Eskew.

Board Minutes:

Director Coyne made the motion to approve the February 13, 2024 Board Minutes as submitted. Director Kembel seconded. Motion passed unanimously.

Financial Report:

Treasurer Coyne presented the financial report for the month of February. Director Coyne made the motion to approve payment of District checks 17062 - 17091 and Julesburg Recharge checks 1223 - 1224. Director Manuello seconded. Motion passed unanimously.

River Monitoring:

Division I Water Court Resume':

No Statements of opposition will be filed from the January 2024 Water Court Resume'.

Julesburg Recharge Project:

Manager Frank sent the draft billing out to the Julesburg subcommittee for their review. If there are no changes, the billing is ready to be sent out to the well owners. Administrative fees will be set at \$200.00 per well.

Both the Julesburg School District and TGR decrees have been adjudicated and finalized. The costs were higher than expected on TGR due to the objection from Harmony. TGR initial payment was \$15,725. However, expenses were almost double their initial payment leaving a balance due from TGR of \$15,173.00. Manager Frank noted that balance could be split into two payments with the first one due May 31, 2024 and the balance due by September 30, 2024. The Julesburg School District initial payment was \$7,500. The additional expenses of \$1,394 were added to the School District annual well pumping bill.

Heyborne Recharge Project:

Blochowitz Ditching has completed the Cottonwood tree removal at the Heyborne site.

A meeting has been planned for April with Ducks Unlimited. Jon Altenhofen and Lower to discuss improvements to the pumping at Heyborne especially during the winter months. Another discussion item will be a potential new project downstream from the Heyborne site.

Legal Report:

Manager Frank noted that there were no oppositions to the Gerk well decree.

Manager Frank also stated that the board will need to go into executive session later in the meeting for the following:

- Conference with the District's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b)
- 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).

President's Report:

None

Manager's Report:

Legislative Matters:

- WRASP –
 - The WRASP lobbying group meets every Friday afternoon at 3:00 p.m. via Zoom or in person at Lower's office. All board members are welcome to attend.
 - There are two competing bills coming before the legislature regarding the Colorado Dredge and Fill Program. Senator Kirkmeyer is sponsoring SB127 and the CDPHE has presented draft legislation, both as a result of the recent U.S. Supreme Court ruling in the Sackett vs. EPA case. WRASP submitted comments on the draft CDPHE legislation and stated that WRASP supports recommendations by Colorado Water Congress and the Colorado Stone, Sand and Gravel Association.
 - Manager Frank also updated the board on the Colorado Water Stewardship Project which is a special project separately funded and managed by Colorado Water Congress whose members have interests in the protection of the Prior Appropriation System.

General Matters:

- South Platte Regional Opportunities Water Group –
 - The next meeting is tentatively scheduled for Tuesday, March 19th.

- NE Colorado Water Cooperative –
 - The next meeting of the Cooperative will be held on March 28th.

- Platte Valley Water Partnership –
 - Manager Frank has been meeting with local water groups to update them regarding the Partnership's amended water court application.
 - Staff have been meeting with landowners around the Fremont Butte site.
 - Geotech coring and analysis at the Fremont Butte site will begin on March 18th to determine feasibility.

- District Purchase Considerations –
 - Manager Frank reviewed the District's new website which is now operational and ADA compliant.
 - The District has entered into a new lease agreement with Xerox for a new copier.

Executive Session:

At approximately 11:01 a.m. Director Coyne made the motion to adjourn into executive session for the following:

1. Conference with the District's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b),
2. For the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e).

Director Patterson seconded the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 12:33 p.m.

New Business: None

Old Business: None

Adjournment:

There being no further business, Director Coyne made the motion to adjourn. Director Patterson seconded. Motion passed unanimously. The meeting was adjourned at approximately 12:35 p.m.



Deanna Eskew, District Secretary