

**Work Session:** Prior to today's board meeting , the directors participated in a work session to discuss and receive updates on the Platte Valley Water Partnership

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

**June 3, 2025**

**DIRECTORS PRESENT:**

Allen Coyne	Gene Manuello
Ken Fritzler	Bob Mari
Bruce Gerk	Joe Patterson
Brian Kembel	Kent Pflager
Dan Kendrick	Cody Poitz
	Carson Smart

**DIRECTORS ABSENT:**

Jack McClary  
Bryan Ruf  
Brad Stromberger

**DISTRICT STAFF PRESENT:**

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

**VISITORS PRESENT:**

None

The meeting was called to order by President Fritzler.

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## **APPROVAL OF THE MAY 13, 2025 BOARD MINUTES:**

Director Coyne made the motion to approve the May 13, 2025 Board Minutes as submitted. Director Kendrick seconded the motion which passed unanimously.

## **FINANCE REPORT:**

Treasurer Coyne presented the finance report for the month of May. Director Coyne then made the motion to approve payment of District checks 17557-17578. There were no Julesburg Recharge checks in May. Director Gerk seconded. Motion passed unanimously.

## **TABOR REMEDY – Resolution #06-1-2025**

Manager Frank noted that the board would need to go into executive session to discuss TABOR Remedy Resolution #06-1-2025.

## **PUBLIC COMMENTS:**

None

## **EXECUTIVE SESSION:** - Tabor Remedy Resolution #06-1-2025

At approximately 9:15 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 Poitz seconded the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 9:56 a.m.

## **RESOLUTION** - #06-1-2025 - Consideration

Director Gerk made the motion to approve Resolution 06-1-2025 as amended. Director Kendrick seconded. Motion passed unanimously.

## **WATER RIGHTS MONITORING:**

*Division I Water Court Resume':*

No statements of opposition will be filed from the April 2025 Water Court Resume.'

## **WATER ACTIVITIES ENTERPRISE REPORT:**

*Julesburg Recharge Project:*

Manager Frank noted that adjusted bills will be mailed to Charles Julius and Pete Walter to include a late fee of \$100.00 per well.

*Heyborne Recharge Project:*

The board discussed proposed updates to the project. Manager Frank also noted that the Julesburg Recharge Project augmentation excesses were retimed by the project during April and May.

## **LEGAL REPORT:**

Manager Frank said that the board would need to go into executive session to discuss the Platte Valley Water Partnership with the attorney as well as discussion of personnel matters.

## **PRESIDENT'S REPORT:**

None

## **MANAGER'S REPORT:**

Included in the Manager's report were the following:

*Legislative Matters:*

- Colorado Water Congress –
  - Manager Frank reminded the board that the upcoming 2025 CWC Board Retreat will be held in Sterling on June 16th through June 18th. On Monday June 16<sup>th</sup> sponsors of the event will be hosting an evening of food and conversation at the North Sterling Reservoir from 5:30 pm – 8:30 pm.

### *General Matters:*

- Perkins Canal –
  - Manager Frank noted that the Perkins Canal workgroup and the NE Colorado Water Cooperative meetings have been combined.
- NE Colorado Water Cooperative –
  - The Cooperative's Annual Membership meeting was held on May 22, 2025 at Lower's office. Both the Perkins Canal and the Platte Valley Water Partnership project were discussed during the meetings. NECWC will remain as an Advisory Board to the Perkins Canal workgroup. NECWC was also the genesis of the Platte Valley Water Partnership and remains an advisor to the PVWP.
- South Platte Water Related Activities Program –
  - Manager Frank updated the board on the feasibility of the Carlson Recharge Project.
  - On May 28, 2025 water managers from local augmentation plans in Water District 64 met with the SPWRAP board. The SPWRAP board discussed current and future operations and payments to District 64 augmentation plans to possible changes in the recovery program and other issues. The SPWRAP board committed to meeting with the augmentation plans twice a year. The next meeting will be held in August as well as the annual 1<sup>st</sup> Quarter January meeting in Sterling.
  - A tour of projects east of Crook in Water District 64 for SPWRAP board members and members of the Water Conservation Board will be held on June 20<sup>th</sup> 2025.
- South Platte Basin Roundtable –
  - The next meeting of the SPBRT will be held on June 10<sup>th</sup>. Manager Frank will be unable to attend due to scheduling conflicts.
- Platte Valley Water Partnership –
  - Manager Frank discussed the need to stress the importance of the project which would boost the economy by supplying more water to the area while also prohibiting buy and dry through project infrastructure. .
- South Platte Water Alliance –
  - At the last meeting of the Alliance on May 21, 2025 Brad Stromberger, President of the Alliance made the decision to cancel future meetings until SPWA representatives, and their attorneys meet with the State of Colorado.
- Other Discussion Topics –
  - Manager Frank noted that Northeastern Junior College has a summer internship funding program that could help the District this summer with meter reading and testing etc. Salary costs would be reimbursed to the District by the State.
  - Manager Frank also stated that a retirement party will be held for Rick Fleharty on Monday June 30<sup>th</sup> at 4:00 p.m. to thank him for 17 years of service to the

District. Rick will continue to work for the District on a part-time basis.

**EXECUTIVE SESSION:**

At approximately 11:40 a.m. Director Coyne made the motion to adjourn into executive session for the following:

- For a 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),
- To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(a),
- For discussion of a personnel matter under C.R.S. Section 24-6-402(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Director Poitz seconded the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 1:09 p.m.

**NEW BUSINESS:** Resolution 06-2-2025

Director Coyne made the motion to approve Resolution 06-2-2025 Expressing Appreciation for 17 years of Service by Rick Fleharty to the Lower South Platte Water Conservancy District. Director Kendrick seconded the motion which passed unanimously.

**OLD BUSINESS:** None

**ADJOURNMENT:**

There being no further business, Director Poitz made the motion to adjourn. Director Mari seconded. Motion passed unanimously. The meeting was adjourned at approximately 1:21 p.m.

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Deanna Eskew, District Secretary