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

January 9, 2024

DIRECTORS PRESENT:

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

DIRECTORS ABSENT:

Dan Kendrick
Jack McClary
Bryan Ruf

DISTRICT STAFF PRESENT:

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

VISITORS PRESENT:

Darlene Carpio, Aide to U.S. Congressman Ken Buck

The meeting was called to order by President Fritzler.

APPROVAL OF THE DECEMBER 12, 2023 BOARD MINUTES:

Director Coyne made the motion to approve the December 12, 2023 Board Minutes as presented. Director Patterson seconded. Motion carried.

ELECTION OF OFFICERS:

Director Pflager made the motion that the current slate of officers, Executive Committee members and Board Secretary be retained for the year 2024. Director Stromberger second. Motion carried.

Ken Fritzler, President
Gene Manuello, Vice President
Allen Coyne, Treasurer
Brian Kembel, Executive Committee Director
Joe Patterson, Executive Committee Director
Joe Frank, Board Secretary

FINANCE REPORT:

Treasurer Coyne presented the financial report for the month of December. Treasurer Coyne then made the motion to approve payment of District checks 16975-17014. Director Gerck seconded. Motion carried. There were no Julesburg Recharge checks for December.

RESOLUTION TO SET THE MILL LEVY:

Director Poitz made the motion to approve the Resolution to Set the Mill Levy at 1.00 mill and to levy a temporary mill levy reduction of .023 mills. Director Coyne seconded. Motion carried.

RESOLUTION TO APPROPRIATE SUMS OF MONEY:

Director Coyne made the motion to approve the Resolution to Appropriate Sums of Money. Director Poitz seconded. Motion carried.

RIVER MONITORING:

Division I, Water Court Resume':

No Statements of Opposition will be filed from the November 2023 Water Court Resume'.

Julesburg Recharge Project:

Counsel Donovan stated in his Attorney's Report that no statements of opposition were filed in the Gerk application. He noted also that Mr. Gerk should not need a Substitute Water Supply Plan this year.

Heyborne Recharge Project:

The project is currently pumping a smaller flow rate due to constricted flows into the forebay caused by icing conditions. Rick Fleharty will be working to coordinate tree removal within Ponds 1 and 2.

LEGAL REPORT:

Counsel Donovan is waiting on Harmony's legal counsel to set an initial status conference on the Harmony Diligence case #23CW310.

Manager Frank stated that the board would 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 –
 - Lower along with approximately twenty-five other entities participate in the lobbying group. Lower has contributed \$4,000 to WRASP for 2024. Manager Frank noted that the group meets every Friday at 3:00 p.m. via Zoom and that this legislative session is projected to be very busy regarding water related issues.

General Matters:

- South Platte Water Related Activities Program –
 - Manager Frank along with Jon Altenhofen, Rich Belt, and Ryan VanPelt are currently reviewing the interaction between the Tamarack wells and the Petersen Ditch. The group is currently analyzing various information and data regarding the above-mentioned interaction. The goal is to develop an agreement to administer future operations in order mitigate any impacts to the Petersen Ditch

recharge operations.

- SPWRAP will be holding their 1st Quarter board meeting at Lower's office in Sterling on February 15th.

- NE Colorado Water Cooperative –
 - Manager Frank stated that the NECWC board of directors could serve as a useful source to discuss issues regarding the Perkins Canal.

- South Platte Basin Roundtable –
 - The next meeting of the Roundtable will be held later today. Manager Frank noted that Kent Swedlund who currently represents Logan County will be stepping down. There are also openings for the municipal representative for Logan County and for the Sedgwick County representative.

- Platte Valley Water Partnership –
 - Manager Frank attended local meetings with the Lower Platte & Beaver board of directors on January 3, 2024 and Colorado Parks & Wildlife area managers on December 19th, 2023 to give updates on the progress of the PVWP.
 - Manager Frank noted that, due to the increased progress and work involved with the PVWP, he plans to recruit periodic input from the Water Supply Committee that was formed during the June, 2023 board meeting. This committee consists of President Fritzler, along with Directors Kendrick, Mari, and Pflager. Manager Frank asked that Vice President Manuello be included in the Water Supply Committee as well.

- Special Meetings –
 - Four States Irrigation Council will be meeting on January 17th and 18th at the Hilton in Fort Collins
 - The Colorado Water Congress Annual Convention will be held on January 31st – February 2nd.

- Cyber Security Insurance –
 - Manager Frank has been working with Lauren at Hix Risk Consultants regarding an application for Cyber Security Insurance. The board approved the insurance policy last month at a cost of \$1,519.00.

- Website Transfer –
 - The approximate date for transferring over to the new website is in early March. More information will be available after the upcoming meeting with Streamline.

- District Logo –
 - The board reviewed the options for the new District logo. Option #3 was chosen.

PUBLIC COMMENT:

Darlene Carpio, Representative for Congressman Buck stated that budget considerations will be one of the priorities for congress which is back in session today. Congressman Buck will continue to focus on water and energy issues.

EXECUTIVE SESSION:

At approximately 12:21 p.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 negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)e.

Director Gerk seconded. Motion carried.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 3:33 p.m.

OLD BUSINESS:

None


NEW BUSINESS:

Director Poitz made the motion to approve counsel's recommendation to revise Section 2 of the Resolution to Set the Mill Levy to state "SECTION 2. That for the purpose of rendering a temporary general property tax credit during budget year 2024, hereby levied a temporary mill levy reduction of .023 mills". Director Coyne seconded. Motion carried.

Director Coyne made the motion to raise Directors' fees from \$50.00 to \$100.00 per meeting. Director Poitz seconded. Motion carried. Director Pflager abstained as his services are paid by Morgan County Quality Water.

ADJOURNMENT:

There being no further business, Director Mari made the motion to adjourn. Director Manuello seconded. Motion carried. The meeting was adjourned at approximately 3:34 p.m.


Deanna Eskew, District Secretary