

LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT
100 BROADWAY PLAZA, SUITE 12 / STERLING, CO 80751 / PHONE 970-522-1378 FAX 970-522-0848

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

December 12, 2023

DIRECTORS PRESENT:

| | |
|---------------|------------------|
| Allen Coyne | Bob Mari |
| Ken Fritzler | Jack McClary |
| Bruce Gerk | Joe Patterson |
| Brian Kembel | Cody Poitz Zoom |
| Dan Kendrick | Carson Smart |
| Gene Manuello | Brad Stromberger |

DIRECTORS ABSENT:

Kent Pflager
Bryan Ruf

DISTRICT STAFF PRESENT:

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

VISITORS PRESENT:

Jeff Rice, Sterling Journal Advocate

The meeting was called to order by President Fritzler.



APPROVAL OF THE NOVEMBER 14, 2023 BOARD MINUTES:

Director Kembel made the motion to approve the November 14, 2023 Minutes as presented. Director Coyne seconded. Motion carried.

FINANCE REPORT:

Director Coyne presented the finance report for the month of November. Director Coyne made the motion to approve payment of District checks 16947 – 16974 as well as Julesburg Recharge check 1220. Director Kendrick seconded. Motion carried.

RIVER MONITORING:

Division I Water Court Resume':

No statements will be filed from the October Water Court Resume.'

Julesburg Recharge Project:

Manager Frank stated that he will begin drafting the year-end billing for the 2023 pumping season but that overall, it was a good water year.

Heyborne Recharge Project:

Manager Frank noted that the floating pump is not able to maintain a constant pumping rate. Staff continues to trouble shoot the issue to come up with the best solution.

LEGAL REPORT:

Manager Frank reviewed the Court Order following the trial in the ACWWA/ECCV change case of Fort Morgan shares.

As reported last month, Lower filed a statement of opposition on case #23CW310 because Harmony did not correct values in their accounting and overstated the amount of water diverted for recharge during their diligence period. Counsel Donovan noted in his attorney's report and that Harmony was asked to provide the Court with proof of the claimed absolute volume.

Manager Frank reminded the board that the Appeals Court would be hearing the District's Mill Levy case later today.

PRESIDENT'S REPORT:

President Fritzier appointed Director Kendrick as the nominating officer for 2024. The board will vote on the 2024 slate of officers at the January board meeting.

MANAGER'S REPORT:

Legislative Matters:

- WRASP –
 - Director Kembel made the motion that the District contribute \$4,000 to WRASP for 2024. Director Kendrick seconded the motion. Motion carried.

General Matters:

- Assessed Valuations –
 - Due to the changes in the 2023 State Assessed Valuations for budget year 2024, Manager Frank expressed the need to have a full board meeting in January so that the board could vote on the Resolution to Set the Mill Levy and the Resolution to Appropriate Sums of Money. The January board meeting will be held on the 9th with Certification of Taxes due to the counties by January 10th.
- 2024 Salary Increase –
 - Director Kendrick made the motion that Manager Frank and Technician Fleharty receive a 5% increase in salary, with Technician Brownell receiving a 15% increase in his salary due to his extra workload. Director Manuello seconded the motion. Motion carried.
- Perkins County Canal –
 - There will be a Townhall Meeting regarding the Perkins County Canal on December 19th at the Keith County Fairgrounds Exhibit Hall in Ogallala from 11:00 am – 1:30 pm.
- South Platte Water Related Activities Program -
 - Manager Frank reminded the directors that SPWRAP will be holding their 1st Quarter Board meeting at the new District office (615 South 10th Avenue, Sterling, CO) on February 15th at 9:00 a.m.
- Platte Valley Water Partnership –
 - Meetings are scheduled with the Lower Platte & Beaver board of directors as well as Colorado Parks & Wildlife staff to discuss the recent PVWP amendment.
- Cyber Security Insurance –
 - Director Kendrick made the motion to approve the bid from Hix Insurance for cyber security insurance at approximately \$1,519.00. Director Patterson seconded. Motion carried.

OLD BUSINESS:

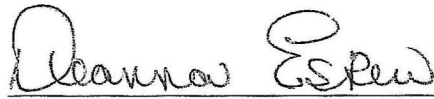
None

NEW BUSINESS:

None

ADJOURNMENT:

There being no further business, Director Manuello made the motion to adjourn. Director Mari seconded. Motion carried. The meeting was adjourned at approximately 10:45 am.



Deanna Eskew, District Secretary