

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

November 10, 2020

DIRECTORS PRESENT:

Allen Coyne	Bob Mari
Ken Fritzler	Joe Patterson
Dan Kendrick	Carson Smart
Brian Kembel	Don Schneider
Gene Manuello	Brad Stromberger

DIRECTORS ABSENT:

Bart Ginther	Jack McClary
Terry Linker	Bryan Ruf

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.



PUBLIC HEARING ON THE 2021 BUDGET:

President Fritzler recessed the board meeting at approximately 9:05 a.m. for the purpose of holding a public hearing on the Proposed 2021 Budget. The legal notices were published in three newspapers of general circulation according to budget law. A copy of the Budget was available at the District office. President Fritzler asked if there were any persons who had wished to speak concerning the Budget either in person or by mail. No comments were offered. The hearing was adjourned and the regular board meeting was reconvened at approximately 9:08 a.m.

APPROVAL OF THE OCTOBER 13, 2020 BOARD MINUTES:

Director Coyne made the motion to approve the October 13, 2020 Board Minutes as presented. Director Kendrick seconded the motion which passed unanimously.

FINANCE REPORT:

Treasurer Coyne reviewed the financial report for the month of October. After review by the board, Treasurer Coyne made the motion to approve district checks 15729 – 15748 and Julesburg Recharge checks 1110 – 1111. Director Manuello seconded the motion. Motion passed unanimously.

RIVER MONITORING:

Division I Water Court Resume':

- Manager Frank noted that a Statement of Opposition was filed last month on the change case #20CW3117, ACWWA/ECCV/United.
- No Statements of Opposition will be filed from the September 2020 Water Court Resume'.

Julesburg Recharge Project:

Counsel Donovan submitted a letter on November 3, 2020 via Federal Express to Ms. Joyce Beavers (Denny Jay LLLP) notifying her of Lower's intent to terminate the May 8, 2001 Agreement. Counsel Donovan also requested that Ms. Beavers notify the District if she wanted her Class D contract amended to include Well Permit No. 2249-F.

Manager Frank will be filing for Diligence this month on the Julesburg Recharge Project augmentation plan.

Heyborne Recharge Project:

The board reviewed photos of the project which will need rehab work done on the underground outlet pipe from the manifold.

LEGAL REPORT:

Manager Frank stated that District Counsel Donovan will be reviewing Lower's consent in the Partial Funding Agreement for the Petersen Ditch Diversion Structure Reconstruction between the Julesburg Irrigation District and the South Platte Water Related Activities Program, Inc.

PRESIDENT REPORT: None

MANAGER'S REPORT:

Included in Manager Frank's report were the following:

- Water Congress –
State Affairs Committee Rules – Manager Frank noted that several members have raised the issue of state agencies being voting members of the State Affairs Committee. Two options have been proposed: A) deny state agencies membership in the State Affairs Committee, or B) limit the number of state agencies to current member agencies. Manager Frank noted another possibility would be no change. Manager Frank also would like the committee to consider private voting.
- SPWRAP –
Manager Frank stated that the bank stabilization work at the Tamarack will be starting after the first of the year. This year's Annual Meeting of SPWRAP will held virtually on November 19th. Manager Frank stated that the executive director position has yet to be filled by SPWRAP.
- NE Colorado Water Cooperative –
Manager Frank said that there is approximately one year left in the WaterSMART grant through the Bureau of Reclamation. In addition, the NECWC is still working on future plans of the Coop and a possible partnership with SPROWG (South Platte Regional Opportunities Water Group).
- Water Rights Development 19CW3253 -
Manager Frank met with Ron Redd, Rebecca Tejada from Parker Water and Sanitation District and Jim Yahn from Prewitt Reservoir to discuss the three-party Project Development Agreement. Comments on the draft decree and preliminary engineering for the case is due by December 30, 2020.
- Manager Frank who is a member of the anti-speculation committee discussed the ongoing State discussions regarding whether or how to strengthen water anti-speculation law.

- Manager Frank also noted that there is still a Morgan County Board member vacancy.

EXECUTIVE SESSION:

Director Mari 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 as well as discussion of personnel matters under C.R.S. Section 24-6-402(f) regarding staff salaries 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 Patterson seconded the motion. Motion passed unanimously.

The board meeting was recessed at approximately 11:46 a.m. President Fritzler adjourned the executive session and reconvened the board meeting at approximately 1:27 p.m.

NEW BUSINESS:

Director Manuello made the motion to approve a 3% salary increase for the year 2021. Director Mari seconded the motion which passed unanimously.

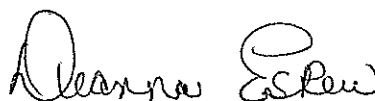
Director Coyne made the motion to approve the Resolution to Adopt the 2021 Budget. Director Kendrick seconded the motion. Motion passed unanimously.

OLD BUSINESS:

None

ADJOURNMENT:

There being no further business, Director Mari made the motion to adjourn. Director Kendrick seconded the motion which passed unanimously. The meeting was adjourned at approximately 1:31 p.m.



Deanna Eskew, Secretary