

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting December 2, 2013

### CALL TO ORDER

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Kent Mace on Monday, December 2, 2013 at 6:05 pm.

### ROLL CALL

Directors present: Lewis "Beaver" Edmundson, Michael "Sandy" White, Scott King, Kent Mace, Dawson Jordan.

Secretary: Carol Dunn

Consultant: Ted M. Zorich, Jr.; Engineer: John Faux; Attorney: Steve Monson

Guests: Vivian Price, Kent Hay, Phil Warlick, Stephen Wardell, Mitchell Wardell, Karen Clouse; Renee Rinehart, press.

White moved and Jordan seconded to approve the agenda. Board approved.

### MINUTES

There was a motion by White, seconded by King, to approve the October 28, 2013 meeting minutes. Board approved.

### TREASURER'S REPORT

The CD balance is \$20,659.28; First National Bank in Trinidad/Walsenburg checking account balance is \$3,635.76; Enterprise checking account balance is \$1,630.79; ColoTrust balance is \$66134.70; for a grand total of \$92,060.53 in all accounts.

Edmundson moved and White seconded to accept the November Treasurer's Report.

Board approved. Jordan moved and Edmundson seconded to accept the budget report.

Board approved.

The 2014 budget hearing was set for 5:00 pm on December 13 at Spanish Peaks Library.

White moved and Edmundson seconded to authorize the budget committee, King as chair, to commission an audit of HCWCD books if required. Board approved. Dunn will check with Anna Mauss to see what kind of financial baseline is required in regards to future CWCB grants.

### OLD BUSINESS

Water Supply Reserve Account grant – White reported that the Arkansas Basin Roundtable approved a \$50,000 grant to HCWCD and recommended the District's grant application to CWCB for another \$200,000.

The status of the Pre-fire Watershed Assessment grant application should be announced by December 15.

### NEW BUSINESS

There was a motion by White, seconded by Edmundson, to look at water case 2013CW29 for Charles Rowland at the next meeting. Board approved.

Monson recommended that the reservoir agreement for the Redwing Augmentation Facility be discussed during Executive Session.

TZA Water Engineers have completed the consumptive use analysis for Camp Ranch. Work has been done toward filing of the water court application for the Huerfano Regional Augmentation Plan.

The CWCB loan documents have been reviewed by Attorney Jim Culichia. Collateral for the loan is a pledge of District revenues. There was a motion by White, seconded by King to execute the loan contract #C150364 with CWCB; the promissory note (appendix 2); resolution 2013-12-1 of the Board of Directors (appendix 3); and the Security agreement (appendix 4). Board approved.

#### CONSULTANT REPORT

Zorich reported he submitted the augmentation accounting. He also worked with John Faux on the engineering work the past couple months. HCWCD will have to submit the SWSP renewal application after the Regional Augmentation Plan is filed in water court, substituting in the Camp Ranch Water Rights.

#### DIRECTOR AND GUEST COMMENTS

Karen Clouse told the Board she wants to rebuild her stockwater pond and had questions about augmentation. She was referred to Doug Brgoch.

PERT reports: Culichia has contacted the County for a pre-construction meeting.

Mace reported that White gave an impressive Powerpoint presentation about HCWCD activities at the Arkansas Valley Roundtable meeting, and the Roundtable gave a unanimous vote of confidence. White reported that the State Water Plan probably won't be legally binding on water users, but will more likely be used as the basis for a fiscal plan.

Jordan announced his retirement effective 12/31/13.

Stephen Wardell, new owner of land adjacent to Camp Ranch, had questions for the Board about Camp Ranch and the District's plans.

#### BILLS TO PAY

White reported that HCWCD has a credit on account for attorney's fees because some fees HCWCD paid were, by contractual agreement, for Camp Ranch and were reimbursed by the Camps.

Edmundson moved, Jordan seconded, and Board approved transfer of \$20,600 from the ColoTrust account into the checking account to cover bills. Board approved. White moved, Edmundson seconded, and Board approved payment of the following bills, total \$24,111.23:

- Carol Dunn, clerical, mileage & postage – \$1,181.96
- Huerfano World Journal, legal ad – \$165.00
- TZA Water Engineers – \$17,220.12
- Felt, Monson & Culichia – \$2,724.15
- Beth Harper, Library meeting room – \$20.00
- Div of Water Resources, Satellite Monitoring – \$2,400.00
- Paradise Acres HOA, pond lease - \$400.00

#### OTHER

At 7:20 pm, Jordan moved, White seconded and Board approved going into executive session to discuss the purchase, acquisition or lease of real, personal or other property interest as in CRS 24-6-402(4)(a); conferring with an attorney representing the District for the purposes of receiving legal advice on specific legal questions as in CRS 24-6-402(4)(b); and determine positions relative to matters that may be subject to negotiations,

developing strategy for negotiations and instructing negotiators pursuant to CRS 24-6-402(4)(e).

There was a White motion, seconded by King, to close the executive session and return to regular session. Meeting was called back to order at 10:25 pm.

There was a motion by White seconded by Jordan to execute the Grant of Easements for Reservoir and Water Transmission Pipelines with Growing Roots LLC. Board approved.

There was a motion by White seconded by King to approve resolution 2013-12-2 Appropriating Conditional Rights of Exchange and Authorizing Filing of Plan for Augmentation, Including Changes of Water Rights, and authorized Mace on behalf of HCWCD to sign it. Board approved.

There was a motion by White, seconded by Edmundson, to execute on behalf of the Board an addendum to the Camp Ranch purchase agreement providing for a \$75,000 discount to the purchase price. Board approved.

#### ADJOURNMENT

There being no further business, there was a White motion, seconded by Edmundson, to adjourn. Board approved. Meeting adjourned at 10:39 pm.

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Kent Mace, President

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Carol Dunn, Secretary