

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting April 22, 2013

### CALL TO ORDER

The monthly meeting of the Huerfano County Water Conservancy District was called to order by Vice-President Dawson Jordan on Monday, April 22, 2013 at 6:06 pm.

### ROLL CALL

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

Secretary: Carol Dunn

Consultant: Ted M. Zorich, Jr.

Guests: Max Vezzani; Steve Monson, Attorney; Dennis Hoyt; Ray Garcia; David Rinehart, press.

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

### MINUTES

There was a motion by White, seconded by King, to approve the March 25, 2013 Minutes. Board approved.

### TREASURER'S REPORT

The total of both CDs is \$44,511.38; total in the First National Bank in Trinidad/Walsenburg checking account is \$84,912.20; total in the Enterprise account is \$1,637.09; for a grand total of \$131,060.67 in all accounts. King moved and White seconded to accept the April Treasurer's Report as presented. Board approved.

Rinehart inquired whether a money market account might be opened with ColoTrust now that the District has increased funding coming in.

### OLD BUSINESS

There will be 1041 compliance required for the augmentation pond and land dry-up. Monson advised that is coming down the road. The requirements will be the same as those Shell had.

Jordan reported on the Shell tour. All three ponds are full; each holds 5.2 acre-feet of water. Shell is irrigating with #3 water. All sensors are in and data is being recorded.

### NEW BUSINESS

Strategic Plan discussion – White distributed a draft of goals, objectives and ideas for the district's future direction. A workshop was set for planning on May 7 at 1:00 pm at the Walsenburg library.

Christie Wycoff is reportedly receptive to putting the augmentation pond on her property. Monson will talk with Mace to get the details and develop a letter of intent regarding a plan to donate the land where the augmentation pond could be located. Zorich feels the Wycoff site is better than the Mace site because of access to power, elevation of the site, and it is closer to the river.

There was a discussion about revisions that need to be made to the 2013 budget. Dunn was asked to revise the budget to reflect: \$65,000 for engineering, \$60,000 for legal, additional expenses for the de-TABOR election, and additional administrative expenses. White suggested showing a shortfall if necessary. Permit applications will be paid in 2014. The permanent augmentation plan will be filed in December.

A financial feasibility plan will be required for a CWCB loan application. There was a motion by King, seconded by White, to have Monson contact TZA to begin a financial feasibility study on an augmentation pond and water rights purchase. Board approved. There was a motion by White, seconded by King, to authorize up to \$5,000 for TZA to meet with Steve Witte and determine the engineering scope of work. Board approved. There was a motion by Edmundson, seconded by White, to have King meet with First National Bank in Trinidad, Walsenburg Branch, to determine if the bank would give the District a bridge loan or perhaps even finance the full \$2 million for purchase of water rights and construction of the augmentation pond. Board approved. White agreed to meet with a representative of the CWCB about a potential loan. August 1, 2013 is the application date that would most likely work for HCWCD.

The board discussed the amount of time remaining on the Substitute Water Supply Plan, since depletions cannot extend beyond five years. December is the fourth year of depletions. Monson advised that it will take a minimum of two, possibly three years to get the permanent augmentation plan through water court.

Dunn was asked to create an Email notification list for District meetings and workshops.

#### CONSULTANT REPORT

Zorich assisted with the discussion on what the engineering costs might be for the rest of the year. He advised that the board may want to contact Grady Grissom about the Woods Ditch water right as an alternative. The augmentation station is still there, but there is no easement to use it.

DIRECTOR AND GUEST COMMENTS - None.

#### BILLS TO PAY

White moved, King seconded and Board approved payment of the following bills, total \$28,145.14:

Carol Dunn, District & Enterprise clerical, mileage, office supplies – \$862.70  
Ted M. Zorich, Jr. – \$383.00  
Felt, Monson, Culichia – \$22,651.94  
TZA Water Engineers – \$3,847.50  
Paradise Acres Homeowners Association – \$400.00

#### OTHER

The next regular meeting will be May 13, 2013 at 6:00 pm at the Spanish Peaks Library, Walsenburg.

### Executive Session

King 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).

White moved and Edmundson seconded to close the executive session and return to regular session. Board approved. Meeting was called back to order at 8:32 pm. White moved and King seconded to authorize Monson to make inquiries into available augmentation water on both rivers for a Plan B. Board approved. There was a White motion, seconded by King, to back off the opposition to the Petroglyph case 10CW61. Board approved.

### ADJOURNMENT

There being no further business, White moved and King seconded to adjourn. Board approved. Meeting adjourned at 8:15 pm.

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Dawson Jordan, Vice-president

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Carol Dunn, Secretary