

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting August 27, 2012

CALL TO ORDER

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Raymond Harriman on Monday, August 27, 2012 at 6:07 pm.

ROLL CALL

Directors present: Raymond Harriman, Dawson Jordan, Ray Ryan, Kent Mace, Erin Jerant.

Secretary: Carol Dunn

Consultant: Ted M. Zorich, Jr.

Guests: David Rinehart (press), Sandy Borthick, Amos Mace, Gail Terry, Rick Loeffler, Jim Culichia.

Jerant moved and Jordan seconded to add an item to the agenda under new business: Intergovernmental Agreement. Board approved.

Mace moved and Jordan seconded to add an item to the agenda: Executive Session. Board approved.

MINUTES

There was a motion by Jordan, seconded by Mace, to approve the July 16, 2012 Minutes as read. Board approved.

TREASURER'S REPORT

The total of all three CDs is \$64,560.60; total in the First National Bank in Trinidad/Walsenburg checking account is \$5,290.14; for a grand total of \$69,850.74 in all accounts. Jerant moved and Jordan seconded to accept the August Treasurer's Report as presented. Board approved.

CONSULTANT REPORT

Zorich commented on the Blouin case 11CW45. Jordan moved and Mace seconded to take no action on the case. Board approved.

Maria Lakes Grazing Association 12CW82 – Zorich did not hear back from Mardell Didomenico on this case.

OLD BUSINESS

Cases 11CW96 – The attorney's comments were handed out and are attached to the record copy of these minutes. There was a Jordan motion, seconded by Mace, to approve the attorney comments to May 10, 2012 Proposed Ruling and Water Resource Engineering for Two Rivers Water Company, case no. 11CW96 and have him submit them. Board approved.

Case 11CW94 – Jordan read the email memo from the attorney regarding the case because it has been refiled. There was a Mace motion seconded by Jordan to have the attorney put together comments on the change case 11CW94. Board approved.

NEW BUSINESS

Wording for the ballot language for the mill levy increase, attached, was approved on a Jordan/Mace motion. Wording for ballot language for the authorization to incur multi-year obligations, attached, was approved on a Jordan/Jerant motion.

Intergovernmental Agreement – Mace moved and Jordan seconded to approve the IGA, attached. Board approved.

Jerant moved and Ryan seconded to appoint Carol Dunn as Designated Election Official for the November election. Board approved. Dunn will prepare Pro & Con statements by September 21.

Jerant moved and Jordan seconded to hire Tom Ortiz to prepare the budget. Board approved.

12CW84 (03CW78) – David & Susan Colman, application to make absolute, Maley Spring, 18 gpm, 8 lots owned by Southern Colorado Land & Livestock; most of this land is west of the Interstate, south of Lascar Rd., so it is tributary to the Huerfano River. There was a Jordan/Jerant motion to take no action on this case. Board approved.

DIRECTOR AND GUEST COMMENTS

Amos Mace reported that he spent a day with Lower Ark Water Conservancy District and asked for some help in getting funding from the Arkansas Valley Roundtable. He also met with Southeast Colorado Water Conservancy District and they are willing to help also. A few people suggested to Mace a name change for HCWCD to disassociate from the County government.

BILLS TO PAY

Jerant moved, Jordan seconded, and Board approved payment of the following bills, total \$2,285.97:

Carol Dunn, clerical, mileage, batteries, audio tapes – \$340.51

Ted M. Zorich, Jr. – \$234.75

Felt, Monson & Culichia – \$1,167.15

Walsenburg Insurance, bonds for Dunn, Harriman, Jordan, Jerant - \$ 425.00

Huerfano World Journal, legal notice – \$43.56

La Plaza Inn, meeting room & refreshments – \$75.00

OTHER

Next regular meeting will be September 24, 2012 at 6:00 pm at Walsenburg City Hall.

EXECUTIVE SESSION

Jerant moved and Mace seconded to go into executive session for the purpose of meeting with the District's water attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) at 7:51 pm. Board approved. Present were: Jerant, Ryan, Jordan, Mace, Jim Culichia, Zorich and Dunn. Harriman cautioned each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session. "If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection." Attorney Jim Culichia told the Board, "As the District's attorney, it is my opinion that a part or all of the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication. I am therefore recommending that no record be kept of the discussion which constitutes a privileged attorney-client communication."

At the end of the session, Harriman announced: the time is now 8:28 and the executive session has been concluded. The participants in the executive session were: Jerant, Ryan, Jordan, Harriman, Mace, Culichia, Zorich and Dunn.

ADJOURNMENT

There being no further business, Jerant moved and Mace seconded to adjourn. Board approved. Meeting adjourned at 8:29 pm.

Raymond Harriman, President

Carol Dunn, Secretary