

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting

June 22, 2020

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Scott King online with GoToMeeting, which was properly noticed and available for public participation, on Monday, June 22, 2020 at 6:01 pm.

**Directors** participating: Lewis “Beaver” Edmundson, Michael “Sandy” White, Scott King, Lonnie Brown.

**Secretary:** Carol Dunn; **Attorney:** Steve Monson; **Engineers:** John Faux, Jared Walter

**Guests:** Jim Berg, Dave Steffan, Don Sieke, Jim Alt, Greg Sund, Mayor Brian Lalander, Mayor Doug Brgoch, Rebecca Bowland, Sam Perry, Rachel Pittinger, Chelsey Nutter, Phil Cummings.

The meeting **agenda** was approved on a White/Brown **motion**.

MINUTES – The May 18, 2020 minutes were approved as presented on a White/Edmundson **motion**.

FINANCIAL REPORTS – The May 2020 financial reports were reviewed and accepted on a White/Brown **motion**. Dunn summarized the cash flow and the loan and grant information report.

OLD BUSINESS – None.

NEW BUSINESS – **Water case** 2020CW3025, Cucharas Sanitation & Water District (CSWD) application for reasonable diligence on Britton Reservoirs 2 & 3 and feeder streams; feeders total 6.5 cfs, ponds total 9 acre-feet. The board agreed to not oppose this case.

Brgoch gave a summary of the flow conditions on the Huerfano and Cucharas Rivers. He also reported on behalf of the **Infrastructure Improvements** grant project that an agreement has apparently been signed by Two Rivers Water & Farming to allow us to put a groundwater monitoring well in the sediment bed of the breached reservoir Cucharas #5.

**Fire Remediation grant project:** On behalf of ARWC, Dave Steffan reported on progress. The former Sulfur Springs pool has been repurposed into a sediment basin. The material removed from it was used for road base on the adjacent county road. Chelsey Nutter reported that Kevin Pilgrim – originally slated to do the hydraulic modeling and geomorphic assessment – has left ARWC. Enginuity, already working with Huerfano County on fire remediation work, has contracted by ARWC to do the rest of that work. Luke Javernick, River Science, will be assisting. Nutter said the project is over half complete, and she is ready to develop a task order for the Phase 2020 grant project, which has been approved for funding. She will submit a progress report by mid-July, and we will work with Rachel Pittinger to move forward on the 2020 grant. Pittinger recommended progress meetings for the project every two weeks or so. She warned that contracting could take 90 days.

**Huerfano Regional Augmentation Plan** – Dunn reported that SCG Services (John Sakun) is interested in a lease-purchase for another acre-foot of augmentation water. SCG has not yet paid for its 2020 admin fees due under his augmentation agreement. The board agreed to discuss Sakun’s offer after the 2020 admin fees have been paid. ACME Growers (Keith Bouchard) is delinquent on payment of 2019 and 2020 admin fees plus the reconciled SWSP legal, engineering and admin fees.

The date of the **July meeting** was changed from July 27 to July 13 on a White/Edmundson **motion**.

John Faux, Lamp Rynearson, explained **Phase 4 of the Sheep Mountain Augmentation Facility**. There will be remote sensing and operation for the diversion structure because of the danger of Pass Creek flooding since the 2018 Spring Creek fire. HCWCD is very low on funds, so the board discussed options for splitting Phase 4 into two parts. It was decided that Phase 5 – prefabricated pumping station

and telemetry – will take place in spring of 2021. Lamp Rynearson will develop the Phase 4 solicitation for bids. Faux recommended using BidNet online to advertise in addition to the local paper.

White and King reported on the **Ark Basin Roundtable**. Because of the response to the pandemic, the State budget has a \$3-billion shortfall. Many CWCB projects are losing funding, and money is tight through 2022.

Edmundson reported the **Wm. Craig Ranch** still has water in the ditch. Reed Edmundson has been irrigating the ranch, and the fields look good. The augmentation station is working, and the recharge pond looks ok. According to the realtor, there are two very interested buyers for the ranch, but no contracts yet.

Jim Alt, CSWD, asked about the status of the **50% engineering** on Bruce Canyon and Maria Lakes. Bruce Canyon is proceeding; funding for the Maria Lakes project will be voted on at CWCB's July meeting.

King called a break at 7:25; meeting resumed at 7:45.

**BILLS** – White **moved**, Edmundson seconded, and board approved paying the following bills, which total \$36,670.531:

Mountain States Financial group: bookkeeping –	\$120.00
Monson, Cummins & Shohet: legal, water & aug plan applicants –	\$27,466.77
Dunn Write: contract, mileage, printer ink & paper –	\$2,002.03
Dunn Write: Collab storage Phase 5 grant admin thru 6/21/20 –	\$262.50
Dunn Write: Spring Creek Fire Flood Mitigation grant admin thru 6/21/20 –	\$252.00
La Veta Carpentry: water analyst –	\$200.00
La Veta Carpentry: website maintenance –	\$150.00
Century Link, June phone bill (autopay 7/1) –	\$59.98
Spanish Peaks Library, June rent –	\$65.00
Lamp Rynearson: water acctg, mapping, storage collab. case –	\$1,387.00
Ott Hydromet: futile call model stream gage at Doyle Bridge (Infrastructure project) –	\$4,633.40
Mitchell Wardell: battery for augmentation station –	\$71.85

At 7:46 there was a **motion** by Brown, seconded by Edmundson and approved by the board, to go into executive session to discuss matters involving the SMAF, sale of HCWCD's Ranch, including the purchase, acquisition, lease or sale of real, personal or other property interest as in CRS 24-6-402(4)(a); conference with an attorney representing the District for the purposes of receiving legal advice on specific legal questions pursuant to 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).

At 8:23 pm, White **moved**, Edmundson seconded and board approved closing the executive session and returning to open session. The meeting was called back to regular session at 8:23 pm.

On a White/Edmundson **motion** board authorized counsel to contact ACME Growers/Keith Bouchard and proceed with what Monson considers reasonable remedies to collect the overdue fees owed by ACME Growers under its SWSP and augmentation contracts, plus interest and costs of collection.

There being no further business, meeting adjourned at 8:30 pm.

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Scott King, President

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Carol Dunn, Secretary