

**Center of Colorado Water Conservancy District
Board of Directors Meeting
March 9, 2016**

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, March 9, 2016 at the CCWCD offices at 548 Front Street, Fairplay, CO 80440. Briggs Cunningham called the meeting to order at 3:05 PM.

The members present were Briggs Cunningham and Chris Fuller. Lisa McVicker and Craig Steinmetz were present via telephone conference. Also present at the office were Dan Drucker and Nola Knudsen. Present by telephone conference was legal counsel, David Shohet.

APPROVAL OF THE AGENDA AND MINUTES

Lisa McVicker moved to approve the agenda as presented. Chris Fuller seconded and the motion was approved unanimously. The minutes of February, 2016 were amended to include the approval of Lisa McVicker as President Emeritus; Briggs Cunningham noted two grammatical errors. Chris Fuller made a motion to approve the minutes as amended. Lisa McVicker seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

Nola Knudsen reviewed the check detail with the Board members. Checks for the month of March totaled \$29,815.19. Craig Steinmetz moved to approve the warrants as presented; the TZA invoice must first be checked for accuracy. Lisa McVicker seconded and the motion carried unanimously.

OPERATIONS MANAGERS REPORT

Dan Drucker answered questions regarding the Operations Manager's report. Dan was at the SPR this afternoon and reports the ice is starting to melt.

Dan Drucker prepared a model for Aqua Africa; he noted he made a donation to Aqua Africa out of his check for making the model for the parent company of TZA.

OLD BUSINESS

1. Update on SPR Warrant Issues: Dan Drucker reported that he opened the release valve to allow the SPR to drain by gravity while it is ice covered. He is working according to the matrix going forward.

2. Update on the Chatfield Reallocation Project: Dan Drucker says progress is slow. The CRMC are meeting once a week and now have attorneys and the accounting firm. They are now looking for the auditor.

2A. Confidentiality Agreement – David Shohet doesn't see any problems with this agreement. He stated that whatever they send out is protected under attorney/client privilege so there isn't any problem with signing this requested document. When asked about use in a court setting, David explained just because something is subpoenaed it doesn't have to be followed if the parties can show it is client privilege. Lisa McVicker moves to approve the confidentiality agreement with the mitigation company to keep going forward with Chatfield and authorizing the Board Chair, Briggs Cunningham to sign it. Chris Fuller seconded and the motion carried unanimously. Dan Drucker will take the agreement and present it to the CRMR Board.

3. Update on increasing Director's compensation: Chris Fuller has signed the resolution and stamped it with the District seal. It will be mailed back to David.

NEW BUSINESS

Discussion and decision – Fairplay Intergovernmental Agreement (IGA). The current IGA has the Center as a signatory to the agreement. David Shohet asked if the Board wants to be party to the IGA presented by Madoline Wallace-Gross since the Center was not included in original IGA. David Shohet recommended not participating in this agreement. Chris Fuller moved to remove the Center from the IGA between the Town of Fairplay and HASP. Lisa McVicker seconded and the motion carried unanimously.

UPDATE ON LEGAL ISSUES

Case 12CW50 – Letters have been drafted and sent to customers who were moved from the 2002 plan to the 2012 plan. Nothing has been heard from them to date. Monson, Cummins & Shohet are working on letters to all customers informing everyone with a meter about testing their meter to comply with the terms of the decree.

Case 03CW19 – Comments were received from the CWCB, the State and Division engineers. Legal counsel said they believe all their concerns were addressed in the revised decree.

Case 15CW3183 Rainbow falls – Legal counsel was authorized to file as an Opposer in this case last month. Denver, the CWCB, Aurora and other parties have filed statements of opposition.

Audubon Litigation – The Audubon appealed the Corps' decision to enlarge Chatfield. The court did rule and denied the motion to amend the record of opposition. The appeal will now move forward.

Mark Davis is handling the Smelter Pipeline Reservoir warranty issues for CCW. He filed a complaint against several parties who all have filed their answer to the complaint last month. There have been no cross complaints served. We are waiting a court dates to set for trial.

DIRECTORS ISSUES

Chris Fuller said the tech guy at CUSP will help CCW maintain the website.

With no further business brought before the Board, Chris Fuller moved to adjourn. Craig Steinmetz seconded and the Board adjourned at 4:02 PM.