

Center of Colorado Water Conservancy District
Meeting of the Board of Directors
May 8, 2019

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, May 8, 2019 at the water district offices located at 548 Front Street in Fairplay. Board President Chris Fuller called the meeting to order at 1:05 PM.

Member present in the office was Chris Fuller. Members of the Board who were present by telephone conference were Lisa McVicker and Craig Steinmetz. Dan Drucker and Nola Knudsen were present in the office; legal counsel David Shohet was also present in the office.

APPROVAL OF THE AGENDA AND MINUTES

Lisa McVicker moved to approve the agenda as presented. The motion was seconded by Craig Steinmetz and the motion carried unanimously. Lisa McVicker made a motion to approve the April minutes as presented. Craig Steinmetz seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

1. Administrator's report on accounts: Nola Knudsen reviewed the monthly warrants with the Board. Invoices for May totaled \$ 34,766.23. This is comprised of \$ 10,255.80 of monthly warrants and a \$24,510.43 payment to CRMC.
2. Treasurer's Review: None
3. Approval of Invoices and Warrants: Lisa McVicker moved to approve the invoices and warrants as presented. Craig Steinmetz seconded and the motion carried unanimously.

OPERATIONS MANAGER'S REPORT

Prior to the meeting, Dan Drucker emailed the Operations Manager's Report to all Board members.

1. Update on Chatfield Reallocation Project (CRP) issues:

Now that the weather is getting better, Dan Drucker plans to set up a meeting with ERO and TZA for them to inspect and complete work for the 1041 permitting in the Guffey area. Mark Lamb is now on the Land and Water Trust Board. This is advantageous for Dan as it will make contact with him easier.

David Shohet asked if the SPR was open and if we could make diversions. David thinks we are likely to get free water and wants to make exchanges up to the SPR. David wants to make SPR water rights absolute. David is working with Matt Loose who wants to reserve some of excess Randall water to exchange to SPR.

Dan Drucker said a good part of Chatfield is going to be open by July 4th. Certain portions of the Park will be open by Memorial Day.

OLD BUSINESS

None

NEW BUSINESS

None

UPDATE ON LEGAL ISSUES

Legal issues will be discussed in the joint session following this meeting.

ADJOURN TO EXECUTIVE SESSION

Lisa McVicker moved to enter executive session pursuant to Section 24-6-402(4)(b) C.R.S. for the purposes of receiving legal advice on (1) the Land and Water Trust Fund and (2) County storage of water in the JTR. The motion was seconded by Craig Steinmetz and carried unanimously. The Board entered executive session at 1:21 PM and the Board returned to regular session at 1:36 PM. No decisions were made during executive session.

Lisa McVicker moved to charge a \$50 per acre foot base rate this year and an extra \$50 per release for Park Counties 5 acre feet of storage. Craig Steinmetz seconded and the motion carried unanimously.

PATRONS COMMENTS

None

DIRECTOR'S ISSUES

None

There being no further business brought before the Board, Lisa McVicker moved to adjourn the meeting. Craig Steinmetz seconded and the meeting was adjourned at 1:41 PM.

Nola Knudsen, District Administrator

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David Shohet addressed the JTR issues. First, David addressed the issue of Park County's storage of 5 acre feet of water. Nola Knudsen sent David Shohet the costs of annual O&M for JTR storage. David reviewed the costs for the last three years. He recommends a \$100 per acre foot per year for storage and states this is not unreasonable. Dan Drucker said the operation costs are based on the number of releases we make. We have to pay the ditch rider more every time the County wants to make releases. Dan said the ditch rider makes \$25 per hour. David suggests not making it overly complicated. Dan said he believes the County makes approximately 12 releases per year. Another option is to offer \$50 per acre foot and \$50 each time the ditch rider has to go out. Chris Fuller agrees a base rate plus an amount per release is appropriate. This action would provide something a temporary response for this year, then the District can get something permanent going forward.

Land and Trust Board- David said everyone was kicked off the Board including Dan Drucker and Tom Eisenman. Dan stated the County is spending the Land and Trust water money without going to the Board first. David said the Land and Trust Board is an advisory board, but the counties own statues and regulations say applications shall be presented to this Board and this Board shall vet and make recommendations to the County. The Land and Trust Board is the processing method for the applications. It is unclear whether the county can spend money without going through this process. David believes it could be corrected easily.

At the last Land and Water Trust Board last week, Eisenman and Elsner suggested a new county resolution that would permit the BOCC to approve projects without going through the Land and Water Trust board. When the Land and Water Trust Board complained, they were told it would only be for smaller projects. Dan worries about them picking up projects that are inappropriate.

They have forgotten the original sales tax was to keep a reserve to defend against any water court cases that could come up. Dan believes there needs to be more scrutiny as to where that money goes. Dan believes they should be monitored. Colorado open lands gave plaques to those kicked off

Lisa McVicker moved to return to regular session. Craig Steinmetz seconded and the Board returned to regular session at 1:35PM.