

Center of Colorado Water Conservancy District
Meeting of the Board of Directors
March 11, 2020

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, March 11, 2020 at the water district offices located at 548 Front Street in Fairplay. Board President Briggs Cunningham called the meeting to order at 3:04 PM.

The members present in the office were Briggs Cunningham and 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 present in the office. Patrons present were Lynne Buchann and Karen Giesie.

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 February minutes as amended, Chris Fuller seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

2.1 Administrator's report on accounts: Nola Knudsen reviewed the monthly warrants with the Board. Invoices for March totaled \$25,729.74. This is comprised of \$ 22,405.66 of monthly warrants and a \$3,324.08 payment to CRMC for the monthly funding request.

2.2 Treasurer's Review: Craig Steinmetz has reviewed all warrants and approves.

2.3 Approval of Invoices and Warrants: Chris Fuller moved to approve the invoices and warrants as presented. Lisa McVicker 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.

3.1 Update on Chatfield Reallocation Project: The Chatfield Reservoir project is completed. They are still working on the reports of releases and diversions for the Division Engineer.

SPWRAP – The CCWCD usually receives an invoice when the SPWRAP have an annual meeting. In 2019, the entity became unauthorized. It has been reauthorized and will run for another thirteen years. We will receive an assessment and pay at that time the invoice received.

OLD BUSINESS

4.1 Discussion and decision on that CCWCD Scholarship Program:

Briggs stated an advantage of the scholarship proposal is that it may encourage others wanting to pursue participation in the Board meetings as future Directors. He would like the scholarship to be offered in exchange for a possible project. Dan Drucker is concerned this could trigger a taxable event. Lisa McVicker stated she believes this is taxable as ordinary income. Lisa pointed out the scholarship would expose others to Park County and issues surrounding availability of water; she doesn't see this as a way to attract board members or greater participation in our district. However, there could be opportunities that open up for student involvement with identified projects.

The patrons were asked to comment on whether they felt scholarships were a valuable use of their tax dollars. Lynne said it would be important to make the scholarship connect to the scope of District business. Karen was in agreement.

There was a general discussion around the number of scholarships and, when there was a one-time presentation of the \$2500, would it be provided each year they are in the program.

The memorandum that compiled the comments of all board members was reviewed one item at a time.

#1 Scholarship Amount – Lisa McVicker made a motion to allot 3 scholarships at \$2500.00 each. Briggs Cunningham seconded. The motion carried unanimously.

#2 Eligible Candidates/Criteria – Chris Fuller moved the eligibility will include graduating seniors, anyone residing in Park County who is registering for education classes either in a higher education institution or to pursue certification in vocational training, and be a Park County resident without preference. At discussion, Lisa McVicker asked to include those individuals whose parents are living in and paying taxes in Park County. Chris Fuller amended the motion to include those individuals whose parents are living in and paying taxes in Park County. Lisa McVicker seconded and the motion carried unanimously.

#3 Application Process – Discussion – Craig Steinmetz believes the essay should be open and not question the applicant's interest in water issues specific to Park County. A fill in the blank type form will be required; verification of the eligibility will be made.

Chris Fuller moved the application process includes a fill in the blank type of form. Board members will send David Shohet some recommended questions to include, and the directions will disclose eligibility, Lisa McVicker seconded and the motion carried unanimously.

#4 How to Select Candidates – Lisa McVicker does not believe candidates need to show a demonstration of knowledge of CCWCD and Park County water issues. Lisa moved that candidates be selected by putting the qualified applications in a hat and choose three from there. This removes subjective decision making out of the process. The motion was seconded by Chris Fuller and carried unanimously.

#5 Requirements to participate – Chris Fuller made a motion to require proof of acceptance for 2020 classes; awardees will be invited to attend Board meeting

Lisa McVicker moved that in order to participate and submit an application for a scholarship, the applicant must show acceptance for 20XX the upcoming school year; awardees will be invited to attend water district board meetings. The motion was seconded by Chris Fuller and carried unanimously.

#6 Payment of funds - Chris Fuller made a motion that payment of funds will be made directly to the University. The motion was seconded by Lisa McVicker and carried unanimously.

#7 How to Advertise – Lisa McVicker made a motion to approve the following advertising resources: (1) Internet, high school or college counselors (2) Flume, CCW website, & local high schools as well as trade schools and specific institutions like Community Colleges and MSU Denver, (3) school district newsletters. Chris Fuller seconded and the motion carried unanimously.

#8 Considerations – Chris Fuller made a motion that clients will be required to reapply every year with one check for \$2500. There will be no split semesters; no GPA minimum, no limitation on schools, programs or degrees. Lisa McVicker seconded and the motion carried unanimously.

NEW BUSINESS:

5.1 Establish new posting place(s) for agenda and CCWCD notices. Lisa McVicker made a motion to make formal monthly posting of Board meetings at the water district offices at 548 Front Street. The motion was seconded by Chris Fuller and carried unanimously.

UPDATE ON LEGAL ISSUES

Case 16CW3184 - BLM – HASP filed a statement of opposition to this application. A letter was sent to BLM’s counsel setting forth HASP’s opposition. David Shohet said they did not receive a reply and at the end of December, BLM filed its initial expert disclosures that ignored the matters raised by HASP. David’s office is in the process of drafting a motion of law to have the court determine the correct legal standard for BLM to take credits for its pond evaporation.

Case 17CW3214 - Lininger Lake – Park County and Aurora have stipulated out of this case. Progress is being made with the remaining parties.

Case 17CW3205 City of Aurora – The Water Court entered a decree in this case on February 27, 2020. The decree is consistent with the decree HASP stipulated to in October 2019. The case is now complete.

Case 18CW3100 Retreat Land – HASP stipulated out last week and legal counsel is now just monitoring. They agreed to pay their pro rata portion of the Deer Creek Measurement devise.

Case 19CW3154 Mountain Mutual – HASP filed a statement of opposition in this case. We have just received engineering. Madoline Wallace-Gross is the lead attorney on this case is presently reviewing the report.

Other Matters – There are no updates on the Bar Star application, the County’s 5 acre feet of Randall water in the JTR, or no new HASP applications. Hasp is still working on pending applications such as Glen Isle which is a big project.

Deer Creek – The gauge support is entirely installed. HASP still needs to provide some reclamation.

South Park Water Related Activities Program (SPWRAP) – CCWCD has been a member since 2010 but the membership expired. CCWCD is waiting for an invoice to renew membership.

Centennial – Matt Loose is recommending the CCW retain 87.7 acre-feet of its 195 acre feet of Randall and Sessions Ditch credits for the 2020 irrigation season. This means that CCW would have available 107.3 acre feet of the Leased Reserved Water available to lease to Centennial.

Chris Fuller made a motion to lease excess Randall and Sessions water in the amount of 107.3 acre feet of water to Centennial for the 2020 year. The motion was seconded by Lisa McVicker and carried unanimously.

PATRONS COMMENTS

None

DIRECTOR'S ISSUES

Craig Steinmetz thanked the patrons for attending the Board meeting today as well as the Board members for their attendance.

Chris Fuller moved to adjourn the session. Lisa McVicker seconded and the meeting adjourned at 4:32 PM.

Nola Knudsen, District Administrator