

Center of Colorado Water Conservancy District
Meeting of the Board of Directors
September 13, 2023

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, September 13, 2023 at the main meeting room of the district offices located at 548 Front Street in Fairplay. Lisa McVicker, Board Chairman, called the meeting to order at 1:17 PM.

The members present in the office were Craig Steinmetz, Chris Fuller, and Lisa McVicker. Lynne Buchanan was present via teleconference. Nola Knudsen, Administrator, was present in the office as was Lisa Barden Brown, Operations Manager. Also present was Dan Drucker, Emeritus Board member. David Shohet was present via teleconference.

APPROVAL OF THE AGENDA

Lisa Brown added Oath of Office to the agenda. Lynne Buchanan moved to approve the agenda as amended. Craig Steinmetz seconded and the motion carried unanimously.

APPROVAL OF THE MINUTES

Lynne Buchanan moved to approve the minutes as presented. Craig Steinmetz seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

Lisa McVicker stated in the special meeting held on July 29th, the board approved an estimate from Valley Glass that included installing panic doors and adjusting transoms for a cost of \$10,952.00. The Board approved up to \$11,000. The Board approved \$22,000 for the sidewalk and ramp and leveling the ramps outside the doors under the portico. The board approved purchase of new chairs, tables, office and conference room furniture for an amount not to exceed \$7,000 for the operations manager to relocate to the conference room. Craig moves to reaffirm purchase of items listed above and minutes of the July 29th special meeting. The motion was seconded by Lynne Buchanan and approved unanimously.

OATH OF OFFICE

The Oath of Office was administered to Dan Drucker at 1:22 pm. Lisa McVicker welcomes Dan Drucker as newly appointed to the Board of Directors by the County Judge.

Administrative Report: Nola reviewed the September invoices and warrants that totaled \$33,343.67. The check register for September also includes two checks approved at the August meeting and paid the first week of September prior to today's board meeting. Cash assets after payment of the September invoices is \$1,917,015.58. Two checks will be added to today's

approval. One for Coit Cleaning and Restoration Services for carpet cleaning and stretching and a second for Dan Drucker for today's participation as a Director of the Board.

Treasurer's Review: Lynne Buchanan reviewed all invoices and warrants presented for payment and they all look in order. The deposits into High County Bank include \$.06 interest, rental income of \$1,182.89 from Knudsen Counseling and \$2,000 from Summit Community Care Clinic which is \$1,000 for September rent and \$1,000 deposit. Deposits in the Colotrust account included July property taxes of \$21,997.37 that were received after last month's meeting and \$16,634.07 from August property taxes. Lisa McVicker said at last month's HASP meeting, Dave Wissel and Jon Rice they talked about the rental lease. The Upper South Platte will make payment for the same lease rent as of January 1st. Rent will be \$350 per month and 1/9th of the utilities. David Shohet will get with Alison and get the signed leases.

Approval of warrants and invoices: Lynne Buchanan moved to approve the warrants and invoices as presented. Dan Drucker seconded and the motion carried unanimously.

Appointment of Budget Officer: Dan Drucker nominates Lynne Buchanan to be the Budget Officer for the 2024 budget year. Craig seconded and the motion carried unanimously.

Nola Knudsen advised the Board there were numerous uncashed checks for Board members that were expired. Lisa McVicker advised Nola to send her an email regarding stale checks for Dan Drucker and Briggs Cunningham for reissue.

OPERATIONS MANAGER'S REPORT

Lisa Barden Brown shared her monthly Operations Manager's report with the Board.

Smelter Pipeline Reservoir (SPR):

On August 1, I observed a gage height of 9.15' or 24.0 AF in storage. We started to get some wet weather after that, and when I visited on August 8, I noticed that it looked like we had increased in storage capacity, so I obtained another reading of 9.28' or 24.40 AF. I subsequently discussed with David Shohet and Matt Loose whether it would be worth trying to exchange some water out of Chatfield up to the SPR to top it back off. It was decided that we should do that, and with coordination with DWR and Denver Water, the exchange was authorized and executed on August 15th. When the head gate was opened, the staff gage read 9.24' or 24.28 AF. I closed the head gate the next day when the level reached 9.89' or 26.30 AF. On September 3, the staff gage read 9.82' or 26.08AF. We had some major storms in the middle of the month, and I did some repair work to the driveway.

The beavers have decided to start rebuilding their dam next to the driveway, so I spent time ripping it down to keep the driveway from flooding. Plans are in the works to

build a pass-through before it starts freezing up. I would like to have some road base placed as you go down the hill from the entrance to the reservoir. Another casualty of the wet weather was a Moose. One of the uprights was knocked loose with moose prints around it. It will need a little concrete to repair. After tearing down the beaver dam, they began reconstruction. I know of another beaver deceiver that is not in use. I may be able to harvest some materials for use.

Chatfield Reallocation Project (CRP):

Accounting for July was received on August 31. On July 31, there was 139.81 AF in storage. On August 4, there was another brief period of no call on the S. Platte, and we refilled the remaining space to 141 AF. This caused questions about the refill rules and accounting to ensue.

There were two more Participant's meetings in August, discussing possible amendments to the Agreements. David Shohet is now involved in these discussions. Madoline Wallace-Gross is spearheading a task force to review the rules.

The CRMC bi-monthly board meeting was held on August 17. The budget is looking like it will hold at a member assessment of \$90/share. The big topic is with the reservoir remaining full, how is the tree health being affected? There are no noticeable effects on the trees and they are closely monitoring birds. They are wanting to bring the water levels down before freezing. There was a meeting later in the month with the ACOE, and currently all of the EFU's are being met and they will not be placing any restrictions on storage levels.

James Tingle Reservoir (JTR):

Accounting for August was recently received. On August 31, there was 109.47 AF in storage for CCWCD. 0.70 AF of stored Randall Ditch credits will be released in September.

I attended the annual dam safety inspection on August 10. The report rated the reservoir as satisfactory for full storage, which is the highest rating from the Dam Safety Branch. A few items for attention were noted, however. The main area of concern is a minor crack in the upstream wall of the spillway. Glen Church of Schnabel Engineering was present at the inspection, and he believes it can be addressed with an epoxy injection. Swithin Dick is coordinating with him to make that repair. Also, some burrow holes were

observed on the outside of the dam, which were filled in. The raptor pole rotted and fell down; rebuilding the raptor pole will hopefully help with this problem. Chris Fuller was advised there are some thistles coming up at the toe of the dam.

South Platte Enhancement Board (SPEB):

There was no regular meeting this month. It was replaced by a field trip to observe the work on the Lake George Diversion Dam removal project. This is a \$4.2 million dollar project that has been nearly a decade in planning. Many entities are coordinating on it, and the actual removal will soon be commencing. At the time of the visit, the coffer dam and new river channel were nearly completed. The demolition of the dam is expected to be completed by December. River rehabilitation and restoration of the surrounding trail should be completed by next May or June.

See attached pictures. Provided is a picture of a diversion dam before the pipeline across South Park was installed.

Michigan Creek Restoration Plan (MCR): No changes since last report.

Bar Star Corporation (BSC): No changes since last report.

Indian Mountain Plan (IMP): No changes since last report.

Guffey-area Augmentation Plan (GAP): No changes since last report.

Division Two Delivery (DTD):

No changes since last report, but I plan to head there next week to check on the cabin before the weather starts to change.

Currant Creek Two (CCT): No changes since last report.

Kenosha Trout Club (KTC): No changes since last report.

CCWCD Website Issues:

Daisy has been doing a great job of keeping up with updates. She has added the rack card from the Open House to the site, and will be adding the Power point presentation. Daisy has detected an issue, and working with the Website host, has determined that we are on a legacy plan, which has a very slow server. Unfortunately, when we renewed our plan with Host papa, they did not inform her of faster, more modern options. She recommends that we upgrade to their pro plan, which would cost approximately \$253 additional for the next three years of hosting, but would eliminate the possibility of the website being taken down again. She is also working on updating our Theme.

OLD BUSINESS

4.1 548 Front St. Building Updates: Craig Steinmetz said last month the stucco work was approved for \$43,240. Then we made a payment to AVV Plastering for \$17,296.00. This Monday night, Lisa Brown and Craig Steinmetz are going to go to a 6:00 meeting where they will hopefully get a permit. They have submitted plans and are hoping to receive a Certificate of Appropriateness. Craig said we have made up a list of items we are going to be working on. We will look at sidewalks, windows, stucco exterior, electrical emergency and ceiling lighting to be presented. Coit cleaning has been approved for \$1039.00, proposed painting for the interior. If we want paint on the outside, we will have to investigate that. We also need gutters and downspouts. Monday night will hear from the Town of Fairplay. If they say yes, we will do the sidewalk as soon as we can. If they don't, we will put mesh on the building and skim coat it with an expansion joint horizontally 2' off the ground and have the stucco troweled down to that joint until the sidewalk can be done. The stucco people will come into Fairplay and stay locally to complete the job.

The interior electric for the building for both interior and exterior is estimated at \$10,114.00 Lisa Brown will join Craig Steinmetz at the town meeting. At same time, we will finish the PPIP application. We are working with Alex Wagner to try to get \$5,395 for CCWCD. Dan Drucker moves to approve Qualis Electric proposal not to exceed \$11,000. The motion was seconded by Lynne Buchanan and carried unanimously. In the alley, the owner next door will allow excavation to produce a swale in her drive area to prevent water drainage toward out building. We may have to bring in some gravel. On Tuesday, the door installer will return.

4.1.1 Progress of concrete work: Craig talked to the concrete guy who anticipates pouring concrete this Friday.

4.1.2 Dental Office Update – Nola Knudsen has worked with Summit Community Care Clinic when moving in. She has received the deposit and first month's check.

Craig Steinmetz distributed a vendor list. He wants to see all board members on this list.

Nola discussed the disconnection of the CCWCD telephone number to the office area where Lisa Brown will be located. Lisa McVicker said we need to have a phone connection with voicemail. Lisa Brown advised the board that office furniture will be arriving this or next week. When carpets are cleaned, she will take the office desk to the SPR until carpets are cleaned.

The Board discussed some color changes. The rust colored wall will be painted blue. Some other colors will be discussed further after the board meeting.

NEW BUSINESS

5.1 Vote to change the date of the October meeting to October 4th: Chris Fuller moved to hold the regular October 11th meeting on Wednesday Oct 4th. The motion was seconded by Lynne Buchanan and approved unanimously.

5.2 Discuss updating AV equip: Lisa McVicker thinks we need a bigger television to be mounted on the wall. She believes she need up upgrade our audio system and while we need to go high end, we do need the upgrade. Lynne Buchanan sent a preview of a possible system for the Board to review. Lynne believes a 75"-80" television would suit us. Lisa McVicker likes an 85" TV. Audio \$1,000 up. They make speakers that can daisy chain together (Logitech). Craig Steinmetz suggests speakers in the ceiling, Lisa McVicker doesn't think that is effective. Lenox system. Find an AV guy. Dan suggests acquiring a dais to stand on.

5.3 Discuss sponsorship options for South Platte Forum: Lisa McVicker said at the recent joint HASP meeting that the Upper South Platte is committing \$525 to the South Platte Forum and asked if Center would consider doing the same. Lisa Brown read all the possible support options from \$525 to \$1750. We are not looking to have a table there but we could have a banner

Lisa McVicker moved to donate \$1K to the South Platte Forum. Dan Drucker seconded and the motion carried unanimously. Chris Fuller aye through the teleconference chat. Lisa Brown said she wants to attend the Ames Community College and stay for two nights.

UPDATE ON LEGAL ISSUES

David Shohet reviewed his legal report with the Board.

In regards to **Case 22CW3185, Johns Ranch, Case 22CW3200 Application of HASP for the Rosalie Ditch, Case 23CW3212 Application of McGowan**, all these cases are before the referee and waiting for applicant supply

Case 23CW3092 Application of CCWCD. The Center filed an application in August to make absolute portions of its water right decreed to Chatfield Reservoir. Any statements of opposition are due by the end of October.

E. Application of CCWCD & USPWCD. Both Districts obtained several conditional exchanges for the use and operation of the Deer Creek water rights. An application must be filed in November with the Water Court to make these water rights either absolute or to seek continuing diligence.

Other Legal Matters

HASP has received a couple of new applications last month. One is in Indian Mountain for one household use only well. The second is for a three-lot-subdivision.

At the last HASP meeting, the board determined to place a moratorium on applications for augmentation of ponds for the next year. Consideration was also given to a rate increase for its leased water. Board members discussed stepping up the base rate from \$500 per acre foot per year to \$650 per acre foot per year.

Center and HASP Operations: David Shohet advised the Board that Wheeler provided his operation report for August. David stated things are topped off and we are water full.

Chatfield Reservoir. Some issues arose with administration issues and how we will store water. It led to some discrepancies with how bylaws will be administered. Madoline Wallace-Gross is heading a task force to talk about the language changes needed to be made to the bylaws.

Lost Park Water Rights: David Shohet said the District has been talking to the former developers of the Lost Park development for years couldn't come to terms. They were sued by the HOA to enforce the terms of the agreement which requires the developers to pay for a portion of the repairs to the reservoir. The developer doesn't want to repair the reservoir and wants to know if CCW will step up. We need to know what are those repairs needed and we are trying to get a letter of intent together to see what due diligence would look like? There is not much updating yet.

Excluded Lands: When the district was formed there was 6 or 7 landowners that were excluded from the District boundaries. David Shohet needs to know where those lands are located so we do not sell water to people within our district boundaries. The board discussed various methods to try and discover where those lands are located.

DIRECTOR'S ISSUES

Dan Drucker commented three or four weeks ago he had talked to Briggs Cunningham and asked if Briggs thought he could return to the Board. He didn't know but asked the Board to give him six months and he will respond.

Dan Drucker moved to adjourn. Craig Steinmetz seconded and the motion carried unanimously.