

**Center of Colorado Water Conservancy District
Meeting of the Board of Directors
November 8, 2023**

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, November 8, 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 1:04 PM.

The members present in the office were Lynne Buchanan and Chris Fuller. Lisa McVicker and Craig Steinmetz was present via teleconference. Nola Knudsen, Administrator, was present in the office as was Lisa Barden Brown, Operations Manager. David Shohet, legal counsel, was present via teleconference.

APPROVAL OF THE AGENDA

Chris Fuller moved to approve the agenda as presented. Lynne Buchanan seconded and the motion carried unanimously.

APPROVAL OF THE MINUTES

Lynne Buchanan moved to approve the October minutes as presented. Chris Fuller seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

Administrative Report: Nola reviewed the October invoices and warrants that totaled \$28,267.31. The check register for October Cash assets after payment of the October invoices is \$1,894,791.59.

Nola advised the Board she had advertised for the notice of Budget for the District for two weeks which satisfies requirements of the State. Nola also advised the Board about her cancellation of insurance for property liability in her leased area. She will forward her own personal liability insurance to David Shohet to see if that will suffice for the CCWCD required insurance coverage. Chris Fuller discussed a form CUSP uses called Declaration of Independent Contractors Status. The form is signed and notarized by the Contractor and CUSP. The items on that form would state she is responsible regardless. Nola also updated the Board with information that Highline, the building internet supplier had replaced the equipment in the area that had been faulty at no charge.

Treasurer's Review: Lynne Buchanan said for income in November, we received rent from Knudsen Counseling and Summit Community Care Dental Clinic. Both HASP and USP will be paying for the year. We do not have the lease as yet but David Shohet spoke with Alison Gorsevski and she indicated she would connect with David Wissel and Jon Rice to get those leases completed.

Regarding property tax amounts, we did receive October taxes after the last CCWCD meeting for a total of \$6,876.40 and just received funds this month for \$3,224.83. In the Colotrust Account, we received interest in the amount of \$8,830.97.

Lynne stated we will review the final budget next month and approve it in the December meeting. In October when we discussed the 2024 budget, we talked about whether we wanted to increase the grant funds up from the current \$80K as we received a number of applications at a higher amount. Lynne asked for discussion on whether we want to leave it the same or increase it. Lisa McVicker would like to discuss increasing the fund to \$150K. She said we had a couple of grant applications and the one that has to do with Winding River Ranch, and with the potential of that dam collapsing, he is asking for a \$150K grant. We don't have to fund the whole amount, however, but if we decided to say we would provide \$75K. Then if there is another grant that seems to have good potential and would help the county for \$40K, then we would already be well over the present \$80K. Chris Fuller suggests instead of operating with a fixed amount, the District consider using a percentage. Lynne Buchanan said \$80K is roughly 4% of the budget which is what we originally started with. Chris Fuller moved to increase the grant cap to 8% of the funds the District has in the Colotrust account. The motion was seconded by Lynne Buchanan and carried unanimously.

Lynne Buchanan noticed the County Commissioners were talking about mill levy reductions because of the high property taxes. This will be placed on the December agenda as well as a discussion of the grant applications received in 2023. Lynne said there was a law passed at the state level to allow a reduction in mill levies but she does not know how to go about that. David Shoet will research the issue to determine whether the District can do this.

Approval of warrants and invoices: Chris Fuller moved to approved the invoices and warrants as presented. Craig Steinmetz seconded and the motion carried unanimously.

OPERATIONS MANAGER'S REPORT

Lisa Barden Brown reviewed the Manager's October report previously distributed to all Board members.

Smelter Pipeline Reservoir (SPR):

- On October 1, the gage height was 9.61' for 25.43 AF in storage.
- On October 10, I began the fall augmentation release of 0.33 AF for Adventure Placer 2. The starting gage height was 9.52' or 25.15 AF. The release was completed on Oct. 13 and the valves were closed at a gage height of 9.41' or 24.81 AF in storage. On Oct. 31, I obtained a gage height reading of 9.36' for 24.65 AF in storage.
- The beavers had been building up the dam next to the access road. On the day that I started the release, I also removed the whole beaver dam and dropped the level of the creek next to the road by about two feet. They had not rebuilt it when I checked last week, and ice is starting to form on the creek, so it shouldn't be a problem this winter.

Chatfield Reallocation Project (CRP):

- Accounting through September was received and there was 134.89 AF in storage on September 30.

- I virtually attended the CRMC annual and regular meetings on October 25.
 - New directors were nominated and elected for the upcoming year. Randy Ray (CCWCD) remains as president, Kris Wohlers (CPW) is vice-president, Kirk Russell (CWCB) is the new treasurer, Matt Benak (Castle Rock) is secretary, and Rick McCloud (CWSD) is director at large.
 - The operations budget was approved for FY 23-24. Members will be assessed at \$90/share and will be billed in January. Ongoing monitoring saw a slight increase due to clean-up issues caused by the full pool. Costs are still expected to decrease over time as mitigation goals are met, projected to be between \$30-\$40/share eventually.
 - CRMC is reimbursing CPW for repairs that were needed at the park caused by the full pool in the amount of \$53,660.
 - Charly Hoehn will be meeting with Jara Johnson (DWR hydrographer) to make design changes to the Plum Creek gage, which has had numerous problems since its installation.
- Changes to the Operating Agreements have gone through many modifications, and the latest edition was received on Nov. 2. The modifications clarify how water stored in priority, under “free river” or under a refill right is accounted for. They also clarify the distinctions between Denver’s original water rights/Recreational Pool water and Denver’s shares in the Reallocation Pool and how that will be managed.

James Tingle Reservoir (JTR):

- Accounting for September was received in October and CCWCD had 105.31 AF in storage on September 30. October accounting was just received, and CCWCD had 98.84 AF in storage on October 31.
- 3.58 AF of stored Randall Ditch credits will be released during November.
- An invoice was sent to Centennial for leased water in the amount of \$ 17,936.64.

South Platte Enhancement Board (SPEB):

- I virtually attended the monthly SPEB meeting on October 18. This month’s meeting will be in person. I plan to attend, weather permitting.
- SPEB funded a study by American Whitewater focusing on ideal flows for recreational boaters last year, and they have made some recommendations for changes to flows to create more ideal conditions. This has caused much discussion regarding how changes to the South Platte Protection Plan and the streamflow management plan might be made, if at all.
- Denver water expects to hold a meeting to discuss the upcoming end of the Moratorium sometime this month. At the time of the SPEB meeting, they had not yet determined the exact date.
- The flow through the Roberts Tunnel will be reduced to 50 CFS for the winter.
- The annual monitoring of the Pawnee Montane Skipper has been collected by the Forest Service and is being evaluated. It is still currently listed as a federally threatened species.

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

Currant Creek Two (CCT):

- I visited the property on October 8. Everything was in order at the cabin, and I also walked the fence line. There were no new breaks in the fence. The property next door, formerly the Smith property, doesn't have any cattle currently, but it looked like they did cut a little hay at the end of the summer.

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

CCWCD Website Issues: No changes since last report.

OLD BUSINESS

548 Front Street Update: Nola Knudsen relayed the use of the conference room for the county was very positive and individuals who attended were unaware of the value of the District. Chris Fuller said we should have a way to schedule the room. Lisa McVicker suggested if others are allowed to use the new AV equipment

Lisa Brown said the concrete under the portico and the curbs were poured yesterday and they are planning to pour the sidewalks next week. The Contractor has a stamp that meets town requirements and has colors to choose from for the stamped sidewalks. Lisa Brown will show everyone present today at the office. The Contractor also sent her samples of decorative iron work to review.

Lisa Brown said presently, the painting is being done. The AV equipment installation will occur on Saturday. Craig Steinmetz met with an HVAC man today. Lisa said there are a couple loose ends to catch up with the electrical. She has been contacted by Xcel who is working on a rebate for the LED fixtures. Lisa talked to a carpenter to fix the bottom of the front street door and he is also giving us a bid to replace the exterior trim on the main front street door. The wood is deteriorating and in the future the Board could consider replacing the trim. The estimate is approximately \$3K to replace with the door with cedar and a clear coating. A few individuals have been talked to regarding plowing for the winter and shoveling the snow away from the stucco. Craig Steinmetz and Lisa Brown met with roofers to discuss options and if the District would want to replace tiles on the portico and install gutters. Craig Steinmetz said glaciers are forming in the alley way. He said when gutters are put on the building, he would put heat tape in the gutters. Craig requested Nola compile the dollar per gallon price per gallon.

Craig met with the HVAC contractor. He is going to the three primary sections of the building and determine what is needed. A thermostat will be added in the big conference room. Discussed human body puts out about 200 CO's an hour and when you have a room full of people, we want exchange air so we can control atmosphere in these rooms.

Craig said the stamped concrete will be one color only. The curbs are to prevent parking on our sidewalk. We will put a single large downspout from the top of the portico to the street. When snow was plowed in the neighbor's alley, snow was shoveled up about 3 feet onto our building. We will need to make sure it isn't shoveled up that way again. Lisa Brown said a leak was discovered in the USP office. Once the snow is off the roof, they can do a roof check.

Lisa Brown talked to the Sign company. They are working on a schedule to get around the weather.

Craig said in the dental area, there are items against the electrical panel. They need to be at least three feet away from the panels and requested the tenants be advised of this and request they move those items.

EXECUTIVE SESSION

Chris Fuller moved to go into executive session pursuant to Section 24-6-402(4)(b) C.R.S. for the purpose of legal advice regarding negotiations for purchase of Lost Park water rights. The motion was seconded by Lynne Buchanan. The Board returned to regular session at 1:59 PM. There were no decisions made. The Board received legal advice on possible steps moving forward looking at Lost Park water rights.

Chris thinks because it is a sensitive matter and throwing numbers at the HOA without explaining what they would see and happen wouldn't be appropriate.

DIRECTOR'S ISSUES

Chris Fuller said with the historical value of the South Platte Forum in Greeley, she is trying to figure out if she can go. Lisa McVicker said she and Lisa Brown are going to attend. If Chris can register, attend and make a hotel reservation, she will be reimbursed.

Lynne Buchanan made a motion to adjourn. Chris Fuller seconded and the Board adjourned at 2:10 PM.