

LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT

100 BROADWAY PLAZA, SUITE 12 / STERLING, CO 80751 / PHONE 970-522-1378 FAX 970-522-0848

**MINUTES OF MEETING OF THE BOARD OF DIRECTORS  
OF THE  
LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT**

**November 9, 2021**

**DIRECTORS PRESENT:**

Allen Coyne	Gene Manuello	Brad Stromberger
Ken Fritzier	Joe Patterson	
Dan Kendrick	Carson Smart	
Brian Kembel via Zoom	Don Schneider via Zoom	

**DIRECTORS ABSENT:**

Terry Linker	Jack McClary
Bob Mari	Bryan Ruf

**DISTRICT STAFF PRESENT:**

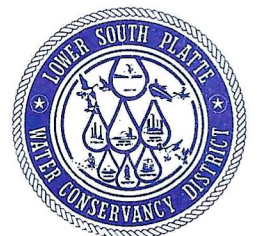
Joe Frank, General Manager  
Rick Fleharty, Technician  
Craig Brownell, Technician  
Deanna Eskew, Secretary

**VISITORS PRESENT:**

Darlene Carpio, Aide to U.S. Congressman Ken Buck  
Jeff Rice, Sterling Journal Advocate

The meeting was called to order by President Fritzier.

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## **APPROVAL OF THE OCTOBER 12, 2021 BOARD MINUTES:**

Director Coyne made the motion to approve the October 12, 2021 Board Minutes as amended. Director Patterson seconded the motion which passed unanimously.

## **FINANCE REPORT:**

Treasurer Coyne reviewed the financial report for the month of October. Treasurer Coyne then made the motion to approve payment of District checks 16116-16145. There were no checks written for the Julesburg Recharge Project. Director Patterson seconded. Motion passed unanimously.

## **CONSIDERATION & RESOLUTION TO ADOPT THE 2022 BUDGET:**

Legal notices were published in three newspapers of general circulation. A copy of the Budget was also available at the district office and on-line on the district's website. President Fritzler asked if there were any persons who had wished to speak concerning the Budget either in person or by mail. No comments were offered. Director Coyne made the motion to approve the Resolution to Adopt the 2022 Budget. Director Kendrick seconded the motion which passed unanimously.

## **LEGAL:**

*Division I Water Court Resume':*

Manager Frank will ask Counsel Woldridge if it is necessary to enter into the Morgan County Quality Water District case #19CW3230 as Lower is already in the original case.

No other statements of opposition will be filed from the September 2021 Water Court Resume.

*Julesburg Recharge Project:*

Manager Frank is working with Counsel Donovan to finalize the Special "D" Contract with Doyle Beavers.

Due to specific details related to the TGR recharge project, Counsel Donovan is in the process of working on an agreement instead of a Special "D" contract for Lower to cover TGR within the Lower augmentation plan.

*Heyborne Recharge Project:*

Blochowitz Ditching was able to clean out the slough in October, so the site is operational for the upcoming recharge season.

## **PRESIDENT'S REPORT:**

None

## **MANAGER'S REPORT:**

### *Legislative Matters:*

- Manager Frank stated that the Interim Water Resources Review Committee approved three bills one of which was bill #2 “Investment Water Speculation Prohibition.”

### *General Matters:*

- SPWRAP
  - All 16 wells were turned on Nov 1st at the Tamarack. SPWRAP plans to construct the 7<sup>th</sup> and final well at Tamarack in 2022 making all 17 wells operational for the 2022 water year. SPWRAP has agreed to pay the electrical charges to turn on three recharge wells on the Peterson Ditch to increase recharge supply.
  - The annual meeting for SPWRAP was held via Zoom on November 8<sup>th</sup>. SPWRAP is finalizing plans to hire an executive director for the organization. SPWRAP’s next quarterly meeting will be held in Sterling both in person and via Zoom on January 20<sup>th</sup>.
- NE Colorado Water Cooperative – The WaterSMART grant extension was approved which will extend the grant through December 2022. The group will be meeting in November to discuss the Cooperative’s future plans.
- South Platte Basin Round Table – The next meeting of the Round Table will be held later today via Zoom.
- Water Rights Development (Case #19CW3253) – Manager Frank reported that the water court trial is scheduled for January, 2024.
- South Platte Regional Opportunities Water Group – The next meeting of the Group will be held on November 16<sup>th</sup>.
- The Colorado Ag Water Summit will be held on December 9<sup>th</sup> in Frasier. Manager Frank and Ron Redd from Parker Water and Sanitation District will be on a panel to talk about the Platte Valley Water Partnership.
- The 2021 South Platte Forum will also be held on December 9<sup>th</sup> at the Westin in Westminster. The South Platte Basin Roundtable and the Metro Roundtable will be holding a joint meeting at the Westin following the Forum.

## **EXECUTIVE SESSION:**

At approximately 9:51 a.m. Director Coyne made the motion that the board recess into executive session for three specific purposes.

- For a conference call with the district's attorney for the purpose of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b),
- For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e),
- For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) regarding staff salaries and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees

Director Patterson seconded the motion which passed unanimously.

President Fritzier adjourned the executive session and reconvened the board meeting at approximately 12:02 p.m.

## **OLD BUSINESS:**

None

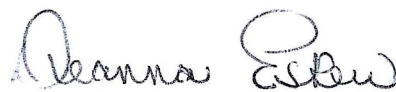
## **NEW BUSINESS:**

Director Manuello made the motion to approve a 3% salary increase beginning January 2022 for all staff other than Craig Brownell who shall receive a 15% increase beginning January 2022.

Director Kendrick seconded the motion which passed unanimously.

## **ADJOURNMENT:**

There being no further business, Director Coyne made the motion to adjourn. Director Patterson seconded. The motion passed unanimously. The meeting was adjourned at approximately 12:05 p.m.



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Deanna Eskew, District Secretary