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

**June 18, 2024**

### **DIRECTORS PRESENT:**

Allen Coyne Zoom	Joe Patterson
Ken Fritzler	Cody Poitz
Bruce Gerk	Bryan Ruf
Brian Kembel	Carson Smart
Dan Kendrick	Brad Stromberger
Gene Manuello	

### **DIRECTORS ABSENT:**

Bob Mari  
Jack McClary  
Kent Pflager

### **DISTRICT STAFF PRESENT:**

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

### **VISITORS PRESENT:**

Darlene Carpio, Zoom

The meeting was called to order by President Fritzler.

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## **APPROVAL OF THE MAY 14, 2024 EXECUTIVE COMMITTEE MINUTES:**

Director Manuello made the motion to approve the May 14, 2024 Executive Committee Minutes as submitted. Director Patterson seconded the motion. Motion carried. Director Coyne abstained.

## **FINANCE REPORT:**

After reviewing the financial report for the month of May, Director Coyne made the motion to approve District checks 17165-17192, Julesburg Recharge checks 1247-1248 and District Water Festival check #1010. Director Patterson seconded the motion which passed unanimously.

## **RIVER MONITORING:**

*Division I, Water Court Resume':*

No statements of opposition will be filed from the April, 2024 Water Court Resume'.

*Julesburg Recharge Project:*

Manager Frank again noted that there had been an error in accounting of last year's well pumping and adjustment checks were issued to Carol Gillham, Ray Randall, Town of Ovid, Tim Haynes, Charles Bunner and Ted Watchorn. Also, deductions will be made next year on monies the Town of Julesburg, Wildcat Dairy, and Hensley Family Farm received on overpaid accretion credits this year.

TGR owed the recharge project an additional \$15,173.00 due to the Harmony opposition. TGR paid one-third of their bill (\$5,057.68) on May 16<sup>th</sup> leaving \$10,115.38 which will be paid in two additional installments.

Bruce Gerk has been billed for the final costs of the well additional to the District's augmentation plan.

*Heyborne:*

Flow into the Heyborne site was shut down June 1<sup>st</sup>. The site is being prepared for normal maintenance work to be performed this fall.

## **LEGAL REPORT:**

Manager Frank said that the board will need to go into executive session later in the meeting for the following:

1. Conference with the District's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b),
2. 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).

Counsel Donovan noted in his Attorney's Report that Harmony has dropped the claim to make any amount absolute on their case #23CW3102.

### **PRESIDENT'S REPORT:**

Director Coyne, who was unable to attend last month's executive committee meeting due to health issues, was in attendance today via Zoom. President Fritzler extended everyone's well wishes for a full and speedy recovery.

### **MANAGER'S REPORT:**

#### *Legislative Matters:*

- WRASP/Colorado Water Congress –
  - Manager Frank reiterated the need to stay engaged as there will be approximately fifteen public meetings regarding the rule-making process.
  - The Colorado Water Congress Summer Convention will be held at the Cheyenne Mountain Resort in Colorado Springs on August 20 – 22, 2024.

#### *General Matters:*

- Perkins Canal –
  - Manager Frank updated the board on the workings of the Perkins Canal Workgroup as well as the Water Supply Development subcommittee.
- South Platte Water Related Activities Program (SPWRAP)-
  - The next SPWRAP quarterly meeting will be held on July 18, 2024. The Lassiter (Carlson Ditch) Project will be one of the items of discussion.
- South Platte Basin Round Table (SPBRT)-
  - The next meeting of the Roundtable will be held on July 9, 2024. One of the items for discussion will be the process of reviewing and approving grant applications.
- South Platte Regional Opportunities Water Group (SPROWG) –
  - July 16, 2024 has been scheduled as the next meeting date for SPROWG.

## **EXECUTIVE SESSION:**

At approximately 11:08 a.m. Director Poitz made the motion to adjourn into executive session for the following:

1. Conference with the District's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b),
2. For the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e).

Director Kendrick seconded the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 12:35 p.m.

## **OLD BUSINESS:**

None

## **NEW BUSINESS:**

Director Manuello made the motion to stipulate to the Frico Milton Enlargement decree in Case .  
Director Kendrick seconded. Motion passed unanimously.

## **ADJOURNMENT:**

There being no further business, Director Gerk made the motion to adjourn. Director Kembel seconded. Motion passed unanimously. The meeting was adjourned at approximately 12:40 p.m.



Deanna Eskew, District Secretary