

Executive Committee Minutes March 14, 2023

The meeting was called to order by President Fritzler at approximately 9:00 a.m. at the District office. The following Executive Committee Directors were present: President Ken Fritzler, Vice President Gene Manuello, Treasurer Allen Coyne, Committee Directors Brian Kembel and Joe Patterson. Directors Dan Kendrick (Zoom), Bob Mari, Carson Smart and Brad Stromberger were also in attendance along with Tracy Anderson from Stantec and staff members Manager Joe Frank, Rick Fleharty, Craig Brownell and Deanna Eskew.

Board Minutes:

Director Coyne made the motion to approve the February 14, 2023 Board Minutes. Director Patterson seconded. Motion passed unanimously.

Financial Report:

Treasurer Coyne presented the financial report for the month of February. Director Coyne made the motion to approve payment of District checks 16633 – 16664 and Julesburg Recharge checks 1190 - 1191. Director Manuello seconded. Motion passed unanimously.

River Monitoring:

Division I Water Court Resume':

No Statements of opposition will be filed from the January, 2023 Water Court Resume'.

Manager Frank noted that he had included copies of the Diligence Application (23CW3000) and Decree for Wildcat Reservoir in the director's legal packet for review.

Lower Platte & Beaver also filed for diligence (23CW3003) on their augmentation/recharge plan decreed in 03CW443.

Julesburg Recharge Project:

Manager Frank stated that the subcommittee members have approved the draft billing for the 2022 pumping season so bills will be mailed this month to the well owners.

Manager Frank noted that Lower is still waiting to settle the case with Harmony on Case #21CW3135.

Heyborne Recharge Project:

The project is not currently operating due to freezing weather.

Legal Report:

An executive session will need to be held to receive legal advice from the District's attorney regarding proposed agreements and negotiations.

President's Report:

None

Manager's Report:

Included in Manager Frank's report were the following:

Legislative Matters:

- WRASP meetings are held Fridays at 3:00 p.m. and CWC State Affairs meetings are held on Mondays at 8:00 a.m.
- Legislation of note:
 - DNR – Stream Restoration and Water Administration Legislation – A draft bill to exempt stream restoration projects from water rights administration.
 - Draft bill concerning water used in oil and gas operations.

General Matters:

- SPWRAP
 - The board discussed the possibility of needing an Operations Agreement with SPWRAP and water users in Water District 64.
 - The board also discussed the need to hold the May quarterly meeting of SPWRAP at Lower in order to have a local discussion with the SPWRAP board.
 - Issues with delayed payments from SPWRAP were discussed. Manager Frank noted that SPWRAP has now hired an executive director which may help with the situation.
- NE Colorado Water Cooperative
 - The final report on the WaterSMART grant was submitted in December. However, Manager Frank is still working on getting the final reimbursement from the Bureau of Reclamation.
- South Platte Basin Roundtable (SPBRT) –
 - The next meeting of the SPBRT will be held later today. Manager Frank hopes to discuss the draft Stream Restoration Bill.
- South Platte Regional Opportunities Water Group (SPROWG) –
 - Manager Frank noted that copies the current SPROWG charter is included in the director packets this month for their review.

- Platte Valley Water Partnership (PVWP) –
 - Manager Frank will update the directors of ongoing legal agreements in executive session later today.
 - The board will discuss a proposal regarding the scope of services from Stantec in the executive session as well.

- Other Discussion Topics –
 - Waters of the United States (WOTUS) – Manager Frank stated that the U.S House of Representatives passed a bill advancing the argument that the Biden regulations are an environmental overreach.
 - Manager Frank sent a copy of the District Programs document to Counsel Woldridge for her review before it becomes a public document.
 - The District has received a Colorado Water Plan grant for \$12,000 for each of the next three (3) years to sponsor the Children’s Water Festival. The 2023 Children’s Water Festival will be held on September 20, 2023. Festival invitations will be mailed to the schools this month.

Executive Session:

At approximately 11:23 a.m. Director Coyne made the motion that the board recess into executive session 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)(c) regarding agreements and for a conference call with the district’s attorney for the purpose of receiving legal advice on specific legal questions regarding agreements under C.R.S. Section 24-6-402(4)(b). Director Patterson seconded the motion which passed unanimously.

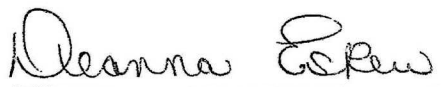
President Fritzler adjourned the executive session and reconvened the board meeting at approximately 1:50 p.m.

New Business: None

Old Business: None

Adjournment:

There being no further business, Director Coyne made the motion to adjourn. Director Patterson seconded. Motion passed unanimously. The meeting was adjourned at approximately 1:51 p.m.



Deanna Eskew, District Secretary