

LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT

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

June 8, 2021

DIRECTORS PRESENT:

Allen Coyne	Gene Manuello
Ken Fritzler	Bob Mari
Dan Kendrick	Joe Patterson
Brian Kembel Zoom	Don Schneider Zoom

DIRECTORS ABSENT:

Terry Linker	Bryan Ruf
Jack McClary	Brad Stromberger
Carson Smart	

DISTRICT STAFF PRESENT:

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

VISITORS PRESENT:

Darlene Carpio, Aide to U.S. Congressman Ken Buck

The meeting was called to order by President Fritzler.



APPROVAL OF THE MAY 11, 2021 EXECUTIVE COMMITTEE MINUTES:

Director Coyne made the motion to approve the May 11, 2021 Executive Committee Minutes as submitted. Director Manuello seconded the motion which passed unanimously.

FINANCE REPORT:

Treasurer Coyne presented the financial report for the month of May. Treasurer Coyne then made the motion to approve payment of District checks 15959 – 15979 and Julesburg Recharge check #1138. Director Patterson seconded. Motion passed unanimously.

RIVER MONITORING REPORT:

Division I, Water Court Resume':

No Statements of Opposition will be filed from the April 2021 Water Court Resume'.

Julesburg Recharge Project:

Manager Frank reported that he has not received a response from TGR Farms (Beau Davis/Anton Rainold, formerly owned by Jeff Herbert) regarding the letter Counsel Donovan had sent outlining the requirements for adding their well and recharge ponds to Lower's augmentation plan.

Notices, including late fees, will be sent this week to Charles Julius, Charles Bunner and Leon Woodhams who have yet to pay their pumping bill from last year.

Manager Frank also noted that pumping into the Heyborne site was turned off the end of May and the new Peterson Ditch diversion structure is operational and running.

LEGAL REPORT:

Manager Frank said that it will be necessary for the board to recess into executive session later in the meeting to discuss legal matters pertaining to the Parker/Lower Project 19CW3253.

PRESIDENT'S REPORT:

None

MANAGER'S REPORT:

Included in Manager Frank's report were the following:

Legislative Issues:

- Manager Frank noted that this year's legislative session has now concluded and the draft bill to "Establish A State Dredge and Fill Water Permit Program" by the Colorado Department Public Health & Environment was not introduced.
- Manager Frank and the directors discussed a proposed initiative known as the PAUSE Act (Initiative 16) which seeks to criminalize accepted veterinary and animal husbandry practices such as artificial insemination and pregnancy checks that farmers and ranchers say would destroy livestock production as well as the agriculture industry in Colorado.
- Manager Frank said that the Anti-Speculation Law Work Group of which he is a member will be submitting their final report to the general assembly by August. He reiterated his comments from last month that determining an upfront intent to speculate during the time of purchase is difficult if not impossible to judge and prohibit.

General Matters:

- SPWRAP
 - Manager Frank noted that the group is still looking for a permanent executive director.
- NE Colorado Water Cooperative
 - The Cooperative held their annual meeting on June 2, 2021 at the Morgan County Quality Water office in Ft. Morgan
 - The WaterSMART grant is being extended to December 2022.
 - The Cooperative continues to discuss possible future plans for with members and the board.
- SPBRT South Platte Basin Round Table
 - The next meeting of the Round Table will be held later today via GoToMeeting.
 - Manager Frank reviewed the Gap Analysis information which will be a topic of discussion at today's meeting.
- South Platte Regional Opportunities Water Group (SPROWG)
 - No current updates for SPROWG
- Manager Frank and Ron Redd from the Parker Water & Sanitation District will be speaking at the Colorado Ag Water Alliance Convention in Frasier on December 9-10 regarding the Parker/Lower Project.

NEW BUSINESS: None

OLD BUSINESS: None

PUBLIC COMMENT: None

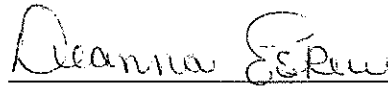
EXECUTIVE SESSION:

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)e regarding legal matters. The motion was seconded by Director Kendrick which passed unanimously.

President Fritzier adjourned the executive session and reconvened the board meeting at approximately 12:11 p.m.

ADJOURNMENT:

There being no further business, Director Kendrick made the motion to adjourn. Director Mari seconded. Motion passed unanimously. The meeting was adjourned at approximately 12:14 pm.



Deanna Eskew, Secretary