

RECORD OF PROCEEDINGS
SAN JUAN WATER CONSERVANCY DISTRICT
OCTOBER 15, 2019 REGULAR MEETING

Attendance

The following Directors were present: John Porco, Susan Nossaman, Candice Kelly, Bill Hudson, Al Pfister, and Merlin Wheeler.

Also present were: Renee Lewis (telephonically), Jeff Kane (telephonically), James Olson (SP?), and Chris Mannara.

Call to Order

The Regular Meeting for the San Juan Water Conservancy District (SJWCD) was called to order by Chairman John Porco at 10:33 a.m.

Revisions to Agenda

The Board considered revisions to the October 15, 2019 Regular Meeting Agenda (copy attached). No revisions were made.

Declaration of Conflicts of Interest

The Board considered Declarations of Conflicts of Interest. No conflicts were declared.

Public Comment

Chairman Porco opened the meeting to public comment. No comments were offered.

Consideration of Attorney Report and Clarification of Legal Representation Agreement with Jeffrey Kane, Southwest Water and Property Law, LLC

The Board considered Attorney Report and Clarification of Legal Representation Agreement with Jeffrey Kane, Southwest Water and Property Law, LLC. Jeffrey Kane, Southwest Water and Property Law, LLC, presented Attorney Report and Clarification of Legal Representation Agreement with Jeffrey Kane, Southwest Water and Property Law, LLC, stating Director Wheeler was officially appointed Board Member of SJWCD on September 26, 2019, Director Pfister's term expires on November 29, 2019 and needs to be advertised in The Pagosa Springs SUN 45 days prior to an appointment by District Court, and that he hoped to reach resolution on the Bootjack Ranch water rights cases in 2020 with the next status conference being January 10, 2020. Mr. Kane also provided a clarification to the September 30, 2019 minutes, stating the issue regarding the Statement of Opposition - 18CW3051 - Second Amendment to Bootjack Ranch Application and Proposed Ruling agenda item was not a Statement of Opposition, but whether or not to oppose the second amendment to the application. Mr. Kane also recommended he research whether or not SJWCD was contractually obligated to maintain the additional liability insurance of \$2 million considered at the September 30, 2019 Special Meeting. A motion was made by Director Pfister and seconded by

Director Hudson to have Mr. Kane research whether SJWCD was contractually obligated under the restructuring agreement with CWCB to maintain the additional liability insurance. The motion passed unanimously.

Director Kelly requested clarification of a statement by Mr. Kane that he was not receiving the agendas and meeting minutes in a timely fashion. The Board briefly discussed what it had agreed to prior to executing Mr. Kane's Representation Agreement in June 2019 in regards to agendas, meeting minutes, and attendance of meetings. The Board directed Ms. Lewis and Mr. Kane to develop and present a resolution for addressing the concerns.

Consideration of SJWCD Facebook Page

The Board considered SJWCD Facebook Page. Director Hudson presented Consideration of SJWCD Facebook Page, stating that he thought it had been deleted and curious if anyone was maintaining the page. Following some discussion, the Board agreed no one was currently maintaining the page and that it ought to be deleted. Chairman Porco offered to contact the previous administrator to see if he would assist in deleting the page.

Consideration of SJWCD Draft 2020 Budget

The Board considered SJWCD Draft 2020 Budget (copy attached). Director Kelly presented Consideration of SJWCD Draft 2020 Budget, stating that all revisions from previous meetings have been incorporated. She highlighted the recent revision to the audit line item of \$750 for an audit exemption for 2020 versus \$3082 for the full audit completed in 2019. Director Kelly also reiterated the revisions made earlier in the meeting to the legal expenses line items per Jeff Kane. A motion was made by Director Hudson and seconded by Director Pfister to accept the Draft 2020 Budget and make it available for public view in the office, on the website, and in The Pagosa Springs SUN. The motion passed unanimously.

Approval of August 19, 2019 Regular Meeting and September 30, 2019 Special Meeting Minutes

The Board considered Approval of August 19, 2019 Regular Meeting and September 30, 2019 Special Meeting Minutes (copy attached). Renee Lewis presented Approval of August 19, 2019 Regular Meeting and September 30, 2019 Special Meeting Minutes (copy attached), stating she had not received any comments from the Board regarding the minutes prior to this presentation. A motion was made by Director Hudson and seconded by Director Kelly to approve the August 19, 2019 Regular Meeting minutes as presented and the September 20, 2019 Special Meeting minutes as revised by Jeff Kane above. The motion passed unanimously.

Treasurer's Report – Director Kelly

The Board considered Treasurer's Report – Director Kelly (copy attached). Director Kelly presented the Treasurer's Report, stating the highlights of the deposits, expenses, and ending balances.

Consideration of Cloud Seeding Presentation

The Board considered Cloud Seeding Presentation. Director Hudson presented Consideration of Cloud Seeding, stating he felt the presentation during the earlier work session was good, but questioned the overall benefit of the program to the Pagosa Springs area. Following a lengthy discussion, a motion was made by Director Hudson and seconded by Director Wheeler to have Renee Lewis research whether it is possible for SJWCD to contribute to cloud seeding research within the District's watershed. The motion passed unanimously.

Consideration of Board of Directors Manual

The Board considered Board of Directors Manual. Director Kelly presented Board of Directors Manual, stating she believed there was a need, particularly for in-coming Board Members, to have a manual in place that explains the general operations of the District. The Board agreed this was a worthwhile effort and directed Renee Lewis to work with Director Kelly on this project.

There being no further business to come before the Board, the meeting was adjourned at 11:48 a.m.

Respectfully submitted,

Renee Lewis
Recording Secretary
For the Board of Directors