

RECORD OF PROCEEDINGS OF THE REGULAR MEETING OF THE  
SAN JUAN WATER CONSERVANCY DISTRICT BOARD OF DIRECTORS  
**FEBRUARY 11, 2019 REGULAR MEETING MINUTES**

**Attendance**

The following Directors were in attendance at the February 11, 2019 San Juan Water Conservancy District (SJWCD) Board of Directors (BOD) regular meeting: Bill Hudson, Candice Kelly, Susan Nossaman, John Porco, and Al Pfister. Director Doug Secrist was in attendance via phone. Also in attendance were Chris Mannara (Pagosa Springs SUN) and Denise Rue-Pastin.

**1. Call to Order**

The regular meeting of the SJWCD was called to order at approximately 6:10 p.m. on February 11, 2019 by Director Porco. There was a quorum present.

**2. Changes to Agenda**

Added a brief conversation about the audit and Southwest Basin Roundtable update.

**3. Approval of December 12, 2018, March 26, 2018, June 11, 2018, July 6, 2018, July 9, 2018, and August 30, 2018 meeting minutes**

There was a motion to **APPROVE** the **December 12, 2018 minutes**, there was a second and the motion carried.

There was a motion to **APPROVE** the **August 30, 2018 minutes**, there was a second and the motion carried.

**July 9, 2018 minutes were APPROVED** at the August 20, 2018 BOD meeting.

There was a motion to **APPROVE** the **July 6, 2018 minutes** as amended, there was a second and the motion carried.

There was a motion to **APPROVE** the **June 11, 2018 minutes**, there was a second and the motion carried.

There was a motion to **APPROVE** the **March 26, 2018 minutes**, there was a second and the motion carried.

It was decided that minutes would be taken for special meetings but not work sessions. Also, minutes from regular meetings can be approved at special meetings as long as it was noticed on the agenda.

- **4. Public input (for matters not otherwise on the Agenda/3 minute time limit/no disrupting, pursuant to §18-9-108, C.R.S.)**
  - There was no public comment or input.
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- **5. Committees, officers, and professional consultant reports/updates**
  - **a. Treasurer's report:** Director Kelly updated the BOD on financials and January income and expenses. She also provided an update on workers compensation insurance and indicated it is not required, therefore for budget year 2020 this would be addressed in October. Director Kelly provided an update on Holsinger expenses. There was concern about legal expenditures. (Attachment A) Director Kelly will forward this expense summary to Director Secrist. There was discussion about the account coding system and potential revisions, as well as the importance of communication related to legal expenses and keeping costs within budget. Director Kelly provided an update on ColoTrust signers and those wanting to see statements. She also questioned why the District still has an impact fee account at TBK Bank and the possibility of transferring those funds to

ColoTrust in order to earn interest. Currently the Town deposits impact fees into the TBK impact account. Director Hudson would like to add TBK Bank impact fee account discussion to the next meeting agenda.

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- **Colorado Water Congress:** Director Porco provided an update on the Water Congress conference that took place at the end of January (Attachment B). He also provided information on the State's instream flow program. The Colorado Water Conservation Board (CWCB) does administer instream flow rights, they do not initiate proposed designation of such rights. All instream flows come from proposals (e.g., BLM, American Rivers, High Country Conservation Advocates, etc.). He also indicated that he had a conversation with Kirk Russell about the loan that the District applied for and received and that was contingent upon an increase in the mill levy—which did not pass. Director Pfister echoed Director Porco's comments and indicated that the loan could be extended possibly beyond 3 years out to 7.
- **Growing Water Smart Working Group:** Director Pfister indicated there would be a joint meeting on March 6, 2019 to present the growth projections that the consultant put together. There will also be a series of recommendations presented. It is anticipated that there will be a formal adoption of the findings and materials and put into an intergovernmental agreement (IGA). It is recommended that the growth numbers be looked at in 2 years. Each participating board will be asked to contribute \$1k for future efforts. The group recommended that the growth projections developed by RPI be approved and used by the community and moving forward.
- **San Juan Headwaters Forest Health Partnership:** Director Secrist indicated the January 18, 2019 meeting was not well attended due to weather. There was discussion related to funding, thinning projects, forest service plans, education and outreach and the importance of watershed management and how forests play a key role. There was also discussion about getting the word out to other organizations. The group was thankful that the District will be contributing \$1.5k in 2019. The next meeting will be February 15, 2019.
- **Southwest Basin Roundtable:** Director Pfister provided an update to include information on their grants and grant cycle. There was discussion about the drought contingency and mitigation plans. Much of the information is available on the CWCB website. The CWCB is also trying to find funding for Colorado Water Plan implementation. This amounts to between \$10 and \$30 million. Funds for this have been reduced due to severance tax decreases.
- **Legal Report (Attachment C):** Jeff Kane provided an update on legal matters. Their office has now received over 3,000 electronic files, plus 6 boxes of hardcopy files from the previous law firm, Holsinger.
- **Board Administration Matters (87CV100):** To include a letter to the courts related to resignations. Director Porco suggested we place an ad and submit a press release to the SUN and the Post for additional BOD members. Director Porco will write the press release and ad. The reference to "If you are interested in a position on the SJWCD board of directors, and you reside within the District service area, please submit a letter of interest" should be prominently on the Home Page.
- **District Water Rights Tabulation:** Mr. Kane recommended talking about water rights in executive session. Under the open meetings laws of C.R.S. § 24-6-402(4)(b) and (f) there was a motion to enter into executive session for purposes of discussing water rights and

personnel matters, there was a second, and the motion passed.

- Pending Water Rights Cases Status Update:
  - 10CW36 (Lovato): There was a motion to withdraw opposition to the Lovato case, there was a second and the motion passed.
  - 17CW3034 and 17CW3050 (Bootjack Ranch): There was a motion to file opposition, there was a second and the motion passed.
  
- **Executive Session** [executive session ended at approximately 9:20 pm]
- **Board action items**
- Resolutions - Meeting schedule and meeting notice posting for 2019: There was a motion to authorize the Board president to sign the resolution but move the meeting to the 3<sup>rd</sup> Monday of the month, there was a second and the motion passed.
- Personnel matters: There was an offer to extend a contract to Renee Lewis, there was a second and the motion passed.
- Strategic Plan: The next meeting will be February 18<sup>th</sup> at 4:00 pm.
  
- **New Business**
- Banks: The question of changing banks was discussed; no decision was made.
- Website: There was a motion and a second to authorize payment of the annual \$120 web hosting fee.
- Telephone/Internet: There was a motion and a second to eliminate the phone line. The motion passed. Director Porco offered to list his number as the contact. It was decided to purchase a modem for the District.
- Audit: Director Hudson indicated he had talked to the PAWSD and their auditor Ronny Farmer. Mr. Farmer said that he could do the work for \$3,000. He will pick up the paperwork on February 26<sup>th</sup>. There was a motion and a second to proceed with Ronny Farmer and not issue an RFP. The motion passed.
- State of the River meeting - February 23<sup>rd</sup> in Alamosa. SWCD meeting - April 5<sup>th</sup>.
- Director Porco will have limited availability from April 19<sup>th</sup> and for 2 weeks thereafter.
- **Old Business**
- Strategic Plan Status:
- Cloud seeding invoice: There was a motion to send the \$1,000 check, the motion failed. There was discussion and disagreement about whether the check should be sent after the consultants come in for a presentation.
- WIP Invoice: There was a motion to pay the annual \$2,500 fee, there was a second, and the motion passed. It was recommended that the WIP coordinator, Elaine Chick, attend the April meeting. Director Porco volunteered to be the WIP liaison in coordination with Director Secrist.

10. **Agenda items for next meeting:** Cloud seeding and strategic plan

11. **Adjournment:** The meeting adjourned at approximately 10:00 pm.

SAN JUAN WATER CONSERVANCY DISTRICT

By /s/ John Porco

Board of Directors, Chairman

DISTRICT SEAL