

Executive Committee Minutes September 12, 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, Treasurer Allen Coyne, and Committee Directors Brian Kembel (Zoom) and Joe Patterson. Directors Dan Kendrick, Jack McClary, Cody Poitz, Carson Smart and Brad Stromberger were also in attendance along with staff members Manager Joe Frank, Rick Fleharty, Craig Brownell and Deanna Eskew and Bruce Gerck from Julesburg.

Board Minutes:

Director Poitz made the motion to approve the August 8, 2023 Board Minutes. Director Patterson seconded. Motion passed unanimously.

Financial Report:

- ✓ Treasurer Coyne presented the financial report for the month of August. Director Coyne then made the motion to approve payment of District checks 16826 – 16864 and Julesburg Recharge check 1217. Director Patterson seconded. Motion passed unanimously.
- ✓ David Kauffman of Liittjohann, Kauffman and Pederson presented the 2022 audit report to the board. The board asked that wording in the audit report be amended regarding correction of capital on page 21 and one of the dates on page 18. Mr. Kauffman agreed and will make corrections before submitting the report to the state. Director Coyne made the motion to accept the amended audit report. Director McClary seconded the motion which passed unanimously.
- ✓ Manager Frank reviewed the preliminary 2024 proposed budget with the directors. The updated proposed budget will be presented to the board at the October meeting.

River Monitoring:

Division I Water Court Resume':

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

Julesburg Recharge Project:

Director Coyne made the motion to file an amendment to the District's augmentation plan for expanded acres on the Bruce Gerck well. Director Kendrick seconded. Motion passed unanimously.

Heyborne Recharge Project:

Manager Frank reported that the high flows have washed out the sand dam at Heyborne so Blochowicz Ditching will be returning to the site to put in a culvert and reconstruct the sand dam in the slough channel in preparation for fall recharge.

The project also needs to have some of the trees thinned out from the ponds.

Legal Report:

Manager Frank reviewed the building contract that was signed by both Fix Construction and the District. Director Poitz made the motion to ratify the building contract. Director Patterson seconded the motion which passed unanimously.

President's Report:

Director Coyne made the motion that the Board of Directors appoint Bruce Gerk to represent Sedgwick County on the board. Director Kendrick seconded. Motion passed unanimously. Mr. Gerk will be filling the position vacated by Don Schneider.

Manager's Report:

Included in Manager Frank's report were the following:

Legislative Matters:

Manager Frank stated that both the Dredge and Fill and Stream Restoration bills will probably be introduced in the 2024 legislative session.

Included in this month's board packet is the "Fact Sheet for the Final Rule: Amendments to the Revised Definition of Waters of the United States." However, the state is now developing a task force to develop legislation in Colorado which would give them authority for permitting waters that they deem are not covered under the Federal 404 process.

General Matters:

- ✓ Colorado Water Congress -
 - Manager Frank noted that there was a panel discussion at the Colorado Water Congress Summer Convention entitled "Who's My Neighbor." The discussion did include comments on the Perkins Canal.
 - Manager Frank also participated in a panel discussion at the Convention regarding the South Platte River Compact. The presentation is included in this month's board packet.

- ✓ South Platte Water Related Activities Program (SPWRAP) –
 - SPWRAP has applied to the South Platte Basin Roundtable for funds to complete the 17th well at Tamarack.

- ✓ South Platte Basin Roundtable (SPBRT)
 - The next meeting of the SPBRT will be held later this afternoon.
- ✓ South Platte Regional Opportunities Water Group (SPROWG) –
 - The Group continues to focus on outreach of potential partnerships.
- ✓ Lower South Platte Children’s Water Festival
 - Manager Frank reminded the directors that the Children’s Water Festival will be held next week on September 20th at the Logan County Fairgrounds in Sterling.
- ✓ Platte Valley Water Partnership –
 - The board will need to go into executive session to discuss; 1) review an amendment that will be filed within the next two months, 2) Participation Agreement and Common Interest Agreement with Castle Rock that also needs to be reviewed. The board will need to decide in executive session whether a special board meeting needs to be held later in September or wait until the regular October meeting.

New Business: None

Executive Session:

At approximately 12:35 p.m. Director Coyne made the motion that the board recess 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 negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4) e.

Director Kendrick seconded the motion. Motion passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 1:59 p.m.

Old Business: None

Adjournment:

There being no further business, Director Coyne made the motion to adjourn. Director Poitz seconded. Motion passed unanimously. The meeting was adjourned at approximately 2:00 p.m.



Deanna Eskew, District Secretary