

MEETING MINTUES
REGULAR MEETING
BOARD OF DIRECTORS
MIDDLE PARK WATER CONSERVANCY DISTRICT
Frisco—Summit County Commons, Mount Royal Room
January 9, 2019, 1:00 p.m.

Directors:

Jack Buchheister – President (present)
Sean Flanagan – Vice President (present)
Jim Lenzotti – Secretary (present)
Richard Doucette – Treasurer (not present)
Mike Eytel (present)
Gary Bumgarner (not present)
Tom Long (present)

Others present:

MPWCD Engineer Kristina Wynne
MPWCD Attorney Stan Cazier
MPWCD Attorney Kent Whitmer
MPWCD Attorney Will Berry
Karn Stiegelmeier, Summit County Commissioner
Scott Vargo, Summit County Manager
Alan Martellaro, Division Five Engineer
Neal Misbach, Division Five Water Commissioner

Jack Buchheister called the meeting to order at approximately 1:00 PM. The Board generally followed the agenda, and the following topics and resolutions were discussed and passed, as the case may be, during the meeting (a copy of the agenda is attached):

1. CALL TO ORDER

A. Introductions

B. Approval of October 10, 2018 Minutes

- Tom Long moved to approve the minutes. Motion was seconded by Sean Flanagan. Motion carried.

2. REPORTS

A. Financial/Banking

- Kent Whitmer discussed Profit & Loss Budget vs. Actual (1/1/18 thru 12/18/18), Balance Sheet (12/18/18), Check Register (9/30/18 thru

12/18/18), and Accounts Receivable Aging Summary, the financial documents. Tom Long moved to approve the financials. Motion was seconded by Jim Lenzotti. Motion carried.

B. Attorney

- i. Attorney's Report—(Previously sent correspondence and update)
 - CWC updates—nothing important yet.
 - Board discussed the Hurd Creek Ranch sale. Kent reported that Hammond sale went for \$1.1 mil.
 - Diligence work (Fraser Valley, Ranch Creek): Colorado River Conservancy District, Grand County and MPWCD have been cooperating and scheduled meetings.
 - Water contract updates: Zook and 440-808 have requested water contract extensions.
- ii. Action Items Status List
 - There were no questions
- iii. Additions since Attorney's Report or Action Items Status List and were discussed.

C. Engineer

- i. Engineer's Report—(Previously provided)
 - Basin snowpack has fallen only a few percentage points. As of yesterday, the average snowpack was 105% of the median. Overall average and much better than last year.
 - The Shoshone Call and Windy Gap calls are currently on.
 - Kristina reviewed surveys sent out with the billing. Over 100 responded to the surveys.
 - Kristina also reviewed the potential additional water sources that the Board could look into securing in case of calls.
 - Board asked to receive Wild & Scenic updates quarterly.
- iv. CONTRACTS / REQUESTS
 - a. Richmond Request (Houpt 11-28-2018 letter)
 - New request from current contractee. He wants a yearly review of O&M and expense increases. Board decided to take the suggestion into account with their long-term planning considerations, but will not change any rates at this time.
 - b. Zook Request for Extension of Time to Enter Into Contract

- Six month extension request. Jim Lenzotti moved to approve extension and Tom Long seconded. Motion carried.
- c. 440-808 Request for Extension of Time to Enter Into Contract
 - Six month extension request. Jim Lenzotti moved to approve extension and Tom Long seconded. Motion carried.

v. LONG TERM PLANNING

- a. Staffs' Recommendation for Roadmap for Long Term Planning
 - Kent and Kristina recommended that they should update Mike Saylor's analysis and bring it current so the Board can reassess next steps for long-term planning.
 - Board inquired about how expansive that project would be and what other questions might come up.
 - Federal lawsuit concerning Chimney Hollow Reservoir was discussed with a projection of 5-10 years before Windy Gap water could become firm.
 - Other items in the long-term planning suggestions in the Board's materials were put on pause, until Mike Saylor's 2012 analysis of Middle Park's water status and needs could be updated and considered by the Board.
- b. Open Discussion
 - Sunset Ridge Pond was discussed. HOA has drained the pond, built a berm, and improved the pond. Can't test it this winter and they can't legally fill until runoff. Should be done by next spring. Regardless of the status of the improvements, they are planning to fill at runoff. Overall it's in the works and we'll have to wait and see what's needed to alleviate Fraser Valley water shortages. Grand County Water & San pond is also an option to consider.
- c. Direction from Board to Staff
 - Update Mike's report first, then consider other water sources and project development.
 - Call Sunset Ridge to get a better idea of how things are going with regard to winter releases.

vi. BOARD ADMINISTRATION

- a. 2019 Meeting Dates (April 10th, July 10th and October 9th)
 - July 12th meeting rescheduled for **July 10th**.
- b. Board Appointments
 - One opening and one applicant (Mike). His application was submitted to the two District Court judges last week. Next up they'll review his application and hopefully appoint him.

- There needs to be a bond filed on a yearly basis for the directors. Bond for the BODs right now \$50,000 on Treasurer and \$1,000 on the rest. The premium on the bond is \$240. This is a statutorily required bond for each appointment. Board agreed that these bonds are ok. No action necessary.

c. Approval of Posting of Place of Meetings and Agenda

- Presently, Town of Kremmling and Summit and Grand County C&R's offices. Motion to approve by Jim Lenzotti, seconded by Mike Eytel. Motion carried.
- Also motion by Tom Long, with Mike Eytel seconding to have the official records address moved from Stan's office to Kent's office. Motion carried.

vii. COLORADO RIVER WATER USERS CONVENTION

a. Re-Cap from Stan, Dick and Mike

- Stan discussed recent Colorado River Water Users Association convention. Gave overview of what was discussed, including new Board member, and the inclusion request of Indian tribes into the Upper Colorado River Commission. Also, there were drought contingency plan presentations and Commissioner of Bureau of Reclamation gave directions to seven basin states.

viii. CRCA PERMANENCY

a. Update

- Kent gave an update on the status of negotiations.


b. Middle Park Representation in Small Group

- Board might want to be concerned about MPCWD's lack of participation in the negotiations. Stan recommends better involvement—maybe not somebody on the Board but at least somebody representing Grand or Summit.
- Jack recommends that Kent be the representative if it comes up.

ix. OTHER BUSINESS

- Board asked Alan Martellaro if he's working on anything new. There has been some turnover lately in the Division Five Engineer's office. Board asked that with Kyle Whitaker leaving, how does the Division Five check their accounting? Alan said they have an augmentation team who closely monitors conservancy district's accounting.
- Alan also discussed including water development and looking at what you've done in the past and what you're going to do in the future. He recommends that the board cite their efforts in the long range plan and highlight that the conditional water rights will be part of the plan but evolving and need to look at overall development process.

x. ADJOURNMENT The meeting was adjourned by Jack Buchheister at 2:45 PM.


Richard Doucette, Treasurer

ATTEST:


Gary Bumgarner, Assistant Secretary

NOTICE OF MEETING AND AGENDA
REGULAR MEETING
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1. CALL TO ORDER

- A. Introductions
- B. Approval of October 10, 2018 Minutes *

2. REPORTS

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- ii. Balance Sheet (12/31/18)
- iii. Check Register (9/30/18 thru 12/31/18)
- iv. Accounts Receivable Aging Summary
- v. Approve Financials*

B. Attorney

- i. Attorney's Report—Questions?
- ii. Action Items Status List—Questions?
- iii. Additions since Attorney's Report or Action Items Status List.

C. Engineer

- i. Engineer's Report—Questions?

3. CONTRACTS / REQUESTS

- A. Richmond Request to Decrease Water Rates
- B. Zook Request for Extension of Time to Enter Contract*
- C. 440-808 Request for Extension of Time to Enter Contract*

* Denotes an action item.

4. LONG TERM PLANNING

- A. Staffs' Recommendation for Roadmap for Long Term Planning
- B. Open Discussion
- C. Direction from Board to Staff*

5. BOARD ADMINISTRATION

- A. 2019 Meeting Dates (April 10th, July 12th and October 9th)
- B. Board Appointments
- C. Approval of Posting of Place of Meetings and Agenda*

6. COLORADO RIVER WATER USERS CONVENTION

- A. Re-Cap from Stan, Dick and Mike

7. SHOSHONE PERMANENCY

- A. Update
- B. Middle Park Representation in Small Group

8. OTHER BUSINESS

9. ADJOURNMENT

* Denotes an action item.