

**UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES**

February 13th, 2018

The **February** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, February 13th, 2018 at 5:40 P.M.**, at the District Office, 520 Colorado Avenue, C, Calhan, CO by President Donald Booker, and determined a quorum was present.

Board Members in Attendance: President Donald Booker, Vice-President JR Bond, Secretary Dave Doran, Treasurer Mark Greeley

Board Members Absent: Dave Elliott

Others in Attendance: Mike Wireman, Anita Baker, Dan Farmer, Lisa Thompson, John Hill, Tracy Doran

PUBLIC NOTICE OF THE MEETING WAS POSTED

President Booker opened the meeting and called for approval or amendments to the agenda.

1. Agenda for February 13th, 2018:

Director Bond motioned to approve the agenda with the following additions to New Business: #17 El Paso County Review for Christian Brothers Automotive, #18 Water Well Permit Application for Clayton Homes, #19 Water Well Permit Application for Colorado State Land Board, #20 Water Well Permit Application for Holt. Director Greeley seconded the motion. Motion carried (4-0)

2. Minutes for January 9th, 2018, Special Meeting Minutes for January 25th, 2018, Special Meeting Minutes for February 13th, 2018:

Director Bond motioned to approve the January 9th, 2018 minutes, the Special Meeting Minutes from January 25th, 2018 and the Special Meeting Minutes for February 13th, 2018 that approved the December 5th, 2017 minutes. Director Doran seconded the motion. Motion carried (4-0)

3. Treasurer Report & Any Bills Needing Board Approval:

Treasure Greeley reported on the income and expenses for the month of January and motioned to accept the January Treasurer Report and pay the attorney bill in the amount of \$13,092.37. Director Bond seconded the motion. Motion carried (4-0)

4. Election 2018 Results:

Office Manager Doran briefed the Board on the election and the results. The winner of the election with a vote of 63 to 18 was Dan Farmer. Mrs. Doran advised that she had called Mr. Goss with the results after the election judges certified the results.

5. Swear in New Board Members:

JR Bond, Dave Doran and Dan Farmer were sworn in and given the Oath of Office at 5:47 P.M.

Don Booker spoke to the Board and Ms. Thompson about his time in office. The Board thanked him for his service to the District.

6. Nominate New Officers:

Director Farmer made a motion to nominate JR Bond as Secretary, Mark Greeley as Treasurer, Dave Doran as President, and Dan Farmer as Vice-President. Director Bond seconded the motion. Motion carried (4-0)

OLD BUSINESS

1. Cherokee Metro & Meridian Service Metro/Replacement Plan:

Attorney Thompson briefed the Board on this case and advised them that Cherokee has filed a Motion for Determination of Question of Law. Ms. Thompson further advised that this would be discussed in executive session.

2. Case No. 15GW14/Meridian Ranch Replacement Plan Application:

A. Application to Include New Recharge Structure:

Ms. Thompson reported that an application had been filed and that we had filed an objection but only because we wanted to make sure the terms and conditions were met.

B. Variance Request:

Ms. Thompson stated that we published the variance request two times in the paper. Ms. Thompson went over the procedures for the Hearing. The Board will decide on a date in March.

C. Ground Water Commission, Case No. 16GW05/Meridian's Petition for Determination of Jurisdiction over Surface Water Within the UBS District:

Attorney Thompson informed the Board that this is on the Ground Water Commission agenda for February 16th, 2018. Ms. Thompson related to the Board that all the parties have reached a consensus.

3. Blue Springs Ponds:

There were no updates on this item.

4. Legislation/Rules:

a. Case No. 17GW04 (Rulemaking): Amendments to Ground Water Commission Rule 7.4 (Change in Description of Irrigated Acres):

Ms. Thompson explained the details of this case and noted that it will be back before the Commission on February 16th, 2018. The Board directed Attorney Thompson to stay neutral but would like to see local control.

b. Case No. 17GW05 (Rulemaking)L Ground Water Commission Rule 5.6/5.8 (Aquifer Storage and Recovery (ASR) Draft Rules:

Ms. Thompson advised that this is the most active rule change. The Board discussed the rule and that the water quality does not go far enough. Attorney Thompson advised that the District send in comments and stay active and present. Mike Wireman spoke to the Board about having more control at the District level. Discussion followed.

c. General Amendment to all Designated Basin Rules 4, 5 & 7:

Ms. Thompson explained that this has not been set for Hearing yet and they are taking comments. Ms. Thompson reported that we sent in comments in January.

d. Monitoring Bills:

Ms. Thompson outlined that Aurora has sponsored a Bill on Aquifer Storage & Recovery Plans. Ms. Thompson advised that right now they are saying the Commission has the authority to review. Ms. Thompson reported that it has been introduced and no amendments make and that Aurora says they are not going to change it. Ms. Thompson advised against hiring a lobbyist and to just monitor it.

NEW BUSINESS

1. Mike Wireman/

Mr. Wireman introduced himself and gave a brief bio of his work history to the Board. Mr. Wireman passed out a handout to the Board and they discussed all the different talking points on ground water and water quality. They further discussed Ground Water Commission Rule changes to 5.6 & 5.8, and the water quality commission and the water master plan. Director Bond motioned to employ Mike Wireman as our Hydro Geologist. Director Greeley seconded the motion. Motion carried (4-0)

2. Exemption from Audit/

Mrs. Doran explained to the Board that they will all need to be at the next meeting to review the Audit Exemption and to sign the Resolution and forms.

3. Water Well Permit Application/Bar-N-Hart:

Director Bond motioned to approve the Bar-N-Hart application. Director Greeley seconded the motion. Motion carried (4-0)

4. Water Well Permit Application/Geraci:

Director Bond motioned to approve the Geraci application. Director Greeley seconded the motion. Motion carried (4-0)

5. Application to Appropriate Designated Ground Water/Cherokee:

Director Greeley motioned to have Attorney Thompson send comment letter to Cherokee. Director Bond seconded the motion. Motion carried (4-0)

- 6. Determination of Water Rights Application/Home Run Restorations Inc:**
The Board directed Mrs. Doran to write the State that the District had no objections.
- 7. El Paso County Review/Fawnwood Ranch LTD/Equine Boarding/William Fuller/Special Use:**
The Board directed Mrs. Doran to write to the County to express that they need to make sure they have an adequate water supply for the amount of horses they are wanting to board.
- 8. El Paso County Review/Vacation Replat/Property Line Adjustment/Richardson**
The Board directed Mrs. Doran to write to the County that they did not have any objections.
- 9. Water Well Permit Application/Perez:**
Director Bond motioned to approve the Perez application. Director Greeley seconded the motion. Motion carried (4-0)
- 10. Change of Use Application/Hibbert/Jackson Creek Kennel:**
Director Bond motioned to approve the Hibbert change of use application. Director Greeley seconded the motion. Motion carried (4-0)
- 11. El Paso County Review/Requesting to Plat Existing Lot to Make Legal Parcel/Hammers Construction:**
The Board directed Mrs. Doran to write to the County that they did not have any objections.
- 12. Water Well Permit Application/Santistevens:**
Director Bond motioned to approve the Santistevens application for .5 acre-feet in the Denver aquifer as there was no subdivision supply letter. Director Greeley seconded the motion. Motion carried (4-0)
- 13. Water Well Permit Application/Kennedy:**
Director Greeley motioned to approve the Kennedy application. Director Bond seconded the motion. Motion carried (4-0)
- 14. Water Well Permit Application/Ayre:**
Director Bond motioned to approve Ayre application but noted that they will need to change the application to 2 homes. Director Greeley seconded the motion. Motion carried (4-0)
- 15. El Paso County Review/Meridian Ranch/Winding Walk Filing 1/PUD & Preliminary Plan:**
The Board directed Attorney Thompson to take a brief review and comment if necessary.
- 16. El Paso County Review/Meridian Ranch/Enclaves at Stonebridge/Preliminary Plan:**
The Board directed Attorney Thompson to take a brief review and comment if necessary.
- 17. El Paso County Review/Christian Brothers Automotive**
The Board directed Mrs. Doran to write the County that they have no objections.
- 18. Water Well Permit Application/Clayton Homes:**

Director Bond motioned to approve the Clayton Homes application. Director Greeley seconded the motion. Motion carried (4-0)

19. Water Well Permit Application/Colorado State Land Board

Director Greeley motioned to approve the Colorado State Land Board application for a stock well. Director Bond seconded the motion. Motion carried (4-0)

20. Water Well Permit Application/Holt:

Director Bond motioned to approve the Holt application. Director Greeley seconded the motion. Motion carried (4-0)

ANY OTHER BUSINESS THE BOARD MAY HAVE

1. Groundwater Contamination Study/DD:

Director Doran briefed the Board on the last meeting. Discussion followed on having Mike Wireman attend the meetings as well as any other board member. Director Doran will forward the emails for both the study and the committee.

2. County Water Master Plan Steering Committee/DD:

Director Doran also briefed the Board on the last meeting. Discussion followed. Director Doran invited all the Board to attend and would like to see Mike Wireman attend.

3. Checking Account Signers:

Director Bond motioned to take Don Booker off as a signer on the checking account and put Dan Farmer on as a signer. All other board members, Dave Doran, JR Bond and Mark Greeley will also stay on as signers. Mrs. Doran will let them know when they need to go to the Bank to do this.

VISITOR INPUT

NA

Director Bond motioned to go into executive session at 8:49 P.M. to discuss all legal matters, Case No. 08GW71, Cherokee's Motion for Determination of Question of Law, and Commission Rules Changes on ASR, Rule 5.6 and 5.8; Management District Rule Changes. Director Greeley seconded the motion. Motion carried (4-0)

EXECUTIVE SESSION

Please take notice that Attorney Thompson Pursuant to C.R.S. §24-6-402(4)(b)(e) (f) is requesting an Executive Session with the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District during its regular meeting scheduled on Tuesday, February 13th, 2018, regarding the following matters:

1. All Legal Matters
2. Case No. 08GW71, Cherokee Motion for Determination of Question of Law
3. Commission Rule Change on ASR, Rule 5.6 and 5.8; Management District Rule Changes

Director Greeley motioned to come out of executive session at 9:02 P.M. Director Bond seconded the motion. Motion carried (4-0)

EXECUTIVE SESSION REPORT

There was no action taken

ADJOURNMENT

President Doran called for the meeting to be adjourned.

Director Greeley made a motion to adjourn the meeting. Director Bond seconded the motion. Motion carried (4-0)

The meeting adjourned at 9:04 P.M.

Respectfully submitted,

Tracy Doran/Office Manager