

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

April 2nd, 2019

The **April** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, April 2nd, 2019 at 6:04 P.M.**, in the conference room inside Farmers State Bank, 1500 8th Street, Calhan, CO. by President Dave Doran who determined a quorum was present.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer, Treasurer Mark Greeley, J.R. Bond

Board Members Absent: **NA**

Others in Attendance: John Hill, Tracy Doran

PUBLIC NOTICE OF THE MEETING WAS POSTED AND OPEN TO THE PUBLIC

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

1. Agenda for April 2nd, 2019:

Director Farmer motioned to add Bob Longenbaugh under Cherokee Replacement and add Office Manager under New Business. Director Bond seconded the motion. Motion carried (4-0)

2. Minutes for March 12th, 2019:

Director Greeley motioned to approve the March 12th, 2019 minutes. Director Farmer seconded the motion. Motion carried (4-0)

3. Treasurer Report & Any Bills Needing Board Approval:

Treasurer Greeley went over the income for the month and reported that we did not have any outstanding bills as the attorney had not submitted their invoice. Treasurer Greeley motioned to approve the March treasurer report. Director Farmer seconded the motion. Motion carried (4-0)

OLD BUSINESS

1. Rules & Legislation Updates:

a. GWC General Amendments to Designated Basin Rules 4, 5 & 7:

President Doran advised the Board that we filed an application for party status on March 14, 2019. The Hearing Officer has scheduled an initial status conference for April 2nd, 2019 to establish pre-hearing deadlines.

b. Case No. 17GW05 (Rulemaking): Rule 5.6 & 5.8 Amendments ASR (Aquifer Storage & Recovery) Draft Rules:

President Doran reported that the amended rules were published in the Colorado Register on March 25, 2019, and will become effective on April 14, 2019.

2. Meridian Service Metropolitan District/Application for a Well Permit and an Amendment to a Replacement Plan/Case No. 19-GW :

President Doran noted that Tom Kirby would like Mike Wireman and a Board member to visit the new site. President Doran advised that he will contact Mike Wireman again to see when he is available.

3. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71/Cherokee Motion for Determination of Question of Law related to Case No. 98CW80:

President Doran noted that there is a status conference on September 10, 2019.

President Doran advised that Bob Longenbaugh had called Lisa and he has some concern and wanted to know if the District needed any assistance with the Cherokee replacement plan case, in terms of development of any factual arguments (on a volunteer basis, since he's no longer consulting). He's concerned about Cherokee's activities/water quality, and says that if the District plans to hire a consultant for this hearing, he'd be willing to meet with us/the new consultant to discuss his past work on Cherokee matters to make sure everyone is on the same page and that we have all the information we need from him. Director Farmer said that Bob has some concerns about Cherokee being out of compliance for the past 9 years and he would like to talk to Mike Wireman about the hydrology of the basin. Director Bond motioned to give Bob the go ahead to confer with Mike Wireman and to let us know how much he wants to be involved. Director Farmer seconded the motion. Motion carried (4-0)

4. District Violations:

President Doran reported on the email regarding Mr. Huddleson and the potential pond violation. Discussion followed on the email.

5. Gonzalez/Determination of Water Rights/Division 2 Water Court/JM Enterprises Augmentation Plan:

President Doran reported that Lisa advised that counsel for Gonzalez has requested that we provide information regarding the export hearing (publication requirements, scheduling of the hearing, hearing procedures, etc..). Discussion followed with the Board on how we could schedule a hearing on export when we are objecting to their determination of water rights and the water court case. Discussion further continued on what the applicant is intending to do. Director Farmer motioned to direct Lisa to contact their counsel to have their application published. Director Bond seconded the motion. Motion carried (4-0)

6. District Rulemaking:

President Doran briefed the Board that there is a work session scheduled for Thursday, April 4th, 2019 at 10:00 a.m. with Meridian, Cherokee, Woodmen Hills, and Paint Brush Hills at Meridian Ranch Recreation Center, 10301 Angeles Road, Peyton, CO. The notice has been posted on the window because there will be a full board. Discussion followed. President Doran noted that Lisa and Mike Wireman will also be in attendance. There will be no action taken at this work session.

NEW BUSINESS

Water Well Permit Applications:

1. NA

Determination of Water Rights:

1. Tran:

The Board discussed the application. Discussion continued on storage, meter readings, water quality for replacement, prior years of growing seasons in violation of well permit, and the districts rules 17, 18 & 19. Director Farmer motioned to object to the Tran determination. Director Bond seconded the motion. Motion carried (4-0)

2. Alleci:

The Board discussed the application and the TDS limits and discussed talking to Lisa about this. The Board did not have objections to this application.

El Paso County Reviews:

1. TimberRidge Estates LLC/Final Plat/Out of District:

The Board took no action on this item.

Miscellaneous Items:

1. Office Manager:

Director Farmer said he wanted to do something for Tracy because of the move. Discussion followed. President Doran was recused from this conversation. The Board went into executive session.

ANY OTHER BUSINESS THE BOARD MAY HAVE:

Board Reports:

1. Ground Water Contamination Study:

President Doran briefed the Board on the meeting he just attended on March 25, 2019. President Doran reported that Mike Wireman called in for the meeting. President Doran noted that hopefully by the next meeting they will have the results.

The Board further discussed 2019 contributions and that we need to talk to the Metro districts and get them to contribute again.

VISITOR INPUT

NA

Vice-President Dan Farmer motioned to go into executive session at 6:46 p.m. to discuss personnel matters. Director Bond seconded the motion. Motion carried (3-0) Director Doran recused

EXECUTIVE SESSION

Please take notice that Vice-President Dan Farmer Pursuant to C.R.S. §24-6-402(4)(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, April 2nd, 2019, regarding the following matters:

1. Personnel Matter

Vice-President Farmer motioned to come out of executive session and back into regular session at 6:50 p.m. Director Bond seconded the motion. Motion carried (3-0) Director Doran recused

EXECUTIVE SESSION REPORT

Director Greeley motioned to allocate \$2,000.00 to Manager Doran for the move. Director Farmer seconded the motion. Motion carried (3-0) Director Doran recused

ADJOURNMENT

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:18 P.M.

Respectfully submitted,

Tracy Doran/Office Manager