

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

November 5th, 2024

The **November** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, November 5th, 2024**, at 6:00 P.M., at 1500 8th Street (inside the conference room at Farmers State Bank, enter through the courtyard) & also Via Zoom. The meeting was open to the public.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer, Secretary Darrel Nily Via Zoom, Treasurer Mitchell Baldwin

Board Members Absent: NA

Others in Attendance: **In Person:** John Hill, Carl Tatum, Tracy Doran

On Zoom: Luke O'Brien, Lisa Thompson, Jeff Munger, Vic?

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

1. Call to Order/Roll Call:

President Doran called the meeting to order and took roll call and determined a quorum was present.

2. Agenda for November 5th, 2024:

Director Baldwin motioned to approve the November 5th, 2024 agenda. Director Farmer seconded the motion. Motion carried (4-0)

3. Minutes for October 1st, 2024 Meeting:

Director Baldwin motioned to approve the October 1st, 2024 minutes. Director Farmer seconded the motion. Motion carried (4-0)

4. Treasurer Report & Any Bills Needing Board Approval:

Treasurer Baldwin reported on the income and expenses for the month of October 2024. Director Farmer motioned to approve the October treasurer report and pay the attorney bill for \$8,382.07 & engineering bill for \$2136.00. Director Baldwin seconded the motion. Motion carried (4-0)

5. Budget Hearing 2025:

Director Baldwin motioned to go out of the regular meeting and into the budget hearing at 6:05 PM. Director Farmer seconded the motion. Motion carried (4-0)

President Doran opened the floor to public comments
Seeing no public comment President Doran closed the floor to public comment

President Doran opened the floor to board comments
There was discussion about auto mileage
Seeing no more board discussion President Doran closed the floor to board comments

Director Baldwin motioned that the 2025 budget is accepted with the following change: The budget shall be updated to reflect the final re-certification values published by the County in December and to give authorization to sign the document with the final mill levy certification, and to accept the resolutions to set the mill levy and set the spending limits for 2024, and to authorize those signatures upon the updated figures, and to move money within the budget to make line items balanced. Director Farmer seconded the motion. Motion carried (4-0)

Director Baldwin motioned to leave the budget hearing and back into the regular meeting at 6:14 PM. Director Farmer seconded the motion. Motion carried (4-0)

VISITOR INPUT

OLD BUSINESS

1. **Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71:**
Attorney O'Brien advised the board that the Order has been signed and the it was sent to the board on October 16th, 2024. Discussion followed.
2. **District Violations/Enforcement Actions:**
President Doran updated the board on the progress on the Old West (Old T-Cross) ranch ponds and that it is moving along. He reported that they need to do some re-channelization of those ponds to get it back to where it was before. President Doran also updated the board on Falcon Marketplace and the surface water and that the County has been told by the State that any surface water has to be replaced.
3. **USGS Monitoring Program/Water Quality Study:**
President Doran noted that all the new contracts have been signed and we will be continuing on with both studies. He further advised that the report is in the final stages to be published and would like USGS to go in front of the County with their findings. Discussion continued.
4. **Cherokee Change of Water Right Application-Poleson Well (Export):**

Attorney O'Brien advised the board that this went to hearing on October 24th, 2024, it was supposed to be a 4-day hearing but was done in one day. He noted that both parties are doing written closing statements and they are due on November 14th, 2024. When those are submitted, he advised we then wait for the hearing officer's order.

5. Paint Brush Hills Determination of Water Right Objection:

Attorney O'Brien reported that the applicant submitted 4 applications on October 4th, 2024. Attorney O'Brien went over the applications, that they are seeking a well field request and to use that water on district boundaries. Mr. O'Brien stated that they are going to ask the State for clarification on why they are taking this approach on the non-contiguous parcels. Discussion followed.

6. Special Election:

Manager Doran read the resolution to the ballot language in Resolution 24-1. Discussion followed. Director Baldwin motioned to approve Resolution 24-1. Director Farmer seconded the motion. Motion carried (4-0)

Discussion followed on doing some advertising and using the Ellicott Fire Dept. for the polling location. Attorney O'Brien stated that the polling place did not need to be finalized until 20 days before the election. Discussion followed on different publications for articles. Manager Doran stated she was leaning toward the Falcon Fire Station on Hwy 24 as the polling location as it might get a better turn out. Mr. O'Brien noted that the ballot needs to be certified by December 6th, 2024. Discussion followed that just because the board would have no term limits doesn't mean that someone couldn't run against them or that they could not be removed from the board. They would still need to run for elections and gather petitions like they do now but would not be limited to two terms. Discussion continued on how hard it is to get volunteers to sit on the board.

NEW BUSINESS:

Water Well Permit Applications:

1. Hintzke:

The applicants are applying for a well permit in the Denver aquifer underlying 35.85 acres, 1 acre-foot, 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, and stock watering.

2. Buchanan:

The applicant is applying for a well permit in the Denver aquifer underlying 35 acres, 1 acre-foot, 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and stock watering.

3. Cejudo:

The applicant is applying for a well permit in the Laramie-Fox Hills aquifer underlying 35.65 acres, with 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and stock watering.

4. Buffalo Valley Estates/Kunau:

The applicant is applying for a well permit under DWR No. 4602-BD for the Laramie-Fox Hills aquifer underlying 35 acres, for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and stock watering.

5. Skaggs:

The applicant is applying for a well permit under DWR No. 4709-BD in the Denver aquifer underlying 38.2 acres, for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and stock watering.

6. Hren:

The applicant is applying for a well permit in the Denver aquifer underlying 40 acres, with 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering.

7. Saultz:

The applicant is applying for a well permit under DWR No. 4462-BD in the Denver aquifer underlying 35.01 acres, with 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering. They will be limited to 2 homes per our rules and regulations.

Director Baldwin motioned to approve well permits 1-6 to the State and on #7 comment on the number of homes allowed. Director Farmer seconded the motion. Motion carried (4-0)

Large Capacity Well Permit Applications:

NA

Replacement Well Permit Applications:

NA

Change of Use Well Permit Application:

NA

Determination of Water Rights:

1. Chambers:

The applicants are applying for determination of water rights in the Denver, Arapahoe, & Laramie-Fox Hills aquifers underlying 35.09 acres. The beneficial uses they are seeking are: Domestic, commercial, industrial, irrigation, stock watering, greenhouse, washing, bathing, pool/hot tub, fire protection, recreation, wildlife, and replacement for such uses either directly or after storage. There is a reduction in the Arapahoe aquifer due to an existing well with permit no. 335776.

The board directed attorney O'Brien to review and comment on storage.

El Paso County Reviews:

1. Falcon Highlands South Filing No. 1:

The applicants are requesting approval of a final plat for 24 detached single-family lots and landscape/open space tracts. Wastewater will be provided by Woodmen Hills; Falcon Highlands Metropolitan District will provide the water.

2. Solberg Pit Site Development Plan:

A site development plan for the gravel pit that was granted a Special Use Permit in 2023 to conducting sand and gravel extraction. This is a requirement of the SUP approval.

3. Latigo Trails Filing No. 10 (6 applications):

The applicant is proposing a 125.6-acre development consisting of 43-2.5-acre lot single family residences with associated roads, utilities, open space and other infrastructure in El Paso County. Meridian Ranch will be providing the water and there will be individual septic systems for each lot.

4. Sterling Ranch Sketch Plan Minor 4th Amendment:

The applicants are seeking an amendment to the southeastern portion of the Sterling Ranch Sketch Plan to remove a school site, revise approved densities, and make other minor clarifications.

5. Lazy Y RVP Site Development Plan:

The applicants are proposing a site development plan for a new RV Park on 28.72 acres of the 36.24-acre parcel. The RV Park/campground will have a maximum of 100-campsites, recreation facilities, a small camp store, bathroom facilities and substantial open space and trails for guests. Water will be provided for by onsite wells and on-site septic system.

6. 15620 Hwy 94 (AT&T) Tower Equipment Swap:

The applicant is proposing to swap antennas and associated equipment existing wireless communication facility.

7. Osban Final Plat No. 1 lot:

This is a replat of an illegally platted lot. The site is to be developed as a single residential lot.

8. Overlook at Homestead Filing No. 1 (2 applications):

Final Plat of Filing No. 1 which consists of approximately 202.72 acres which will be subdivided into 36 5-acre parcels. They will have individual wells and septic.

9. Jimmy Camp Creek DBDS:

Drainage Basin Planning Study in the unincorporated County only.

10. Lazy Y Minor Subdivision:

The applicant is proposing a subdivision to create 2 new lots from the existing 36.24-acre parcel at 12960 Peyton Highway. The subdivision will create one 5.19-acre lot in the RR-5 zone and a second 28.72-acre lot in the RVP zone.

11. Rolling Hills Ranch North Filing No. 2:

Final Plat for Rolling Hills Ranch North Filing No. 2 consisting of 202 single-family lots and 39.8 acres of tracts for landscaping/open space/drainage/utilities in the existing Meridian Ranch Community. Meridian is providing the water and wastewater for the development.

12. Villages at Sterling Ranch East PUD Preliminary Plan:

PUD Development Plan/Preliminary Plan for 227 lots to contain attached and detached single-family homes in addition to tracts and rights-of-way. FAWWA will be providing water and wastewater.

13. Esteban Rodriguez Rezone RR-5:

The applicant is seeking to rezone to RR-5 of the 110.6-acre parcel of the overall 493.21-acre property. It is currently zoned A-35.

14. Esteban Rodriguez Rezone RR-2.5: same as above

15. Esteban Rodriguez Rezone CC: same as above

16. Bar X FAWWA Segment 2 Pipeline:

The applicants are proposing to construct a pipeline. The future pipeline will connect to Winsome, Bar-X, and Shamrock West.

17. 18412-18440 Black Squirrel Rd Minor Sub:

Seeking approval for a 3-lot subdivision. Individual wells and septic. It is a 19.839-acre parcel.

18. Sterling Ranch East Filing No. 6 Rezone:

The applicants are seeking to rezone 11.191 from PUD to RS-5000.

19. Sterling Ranch East Filing 7 Rezone:

The applicants are seeking to rezone 106.6 -acres from RR-5 to RS-5000.

20. Grandview Reserve Phase 3:

Melody Homes, Inc. is requesting approval of a Grandview Reserve PUD/Preliminary Plan for Phase 3. The total property consists of 102.82-acres. The plan proposes up to 322 single family residential dwelling, along with parks & open space. Grandview Metropolitan District is going to be the water supplier and wastewater will be conveyed to the Woodmen Hills Wastewater plant via the proposed lift station at Judge Orr and Curtis Rd.

21. Owl Marketplace-Starbucks Site Development Plan:

Development Plan for a restaurant building and associated parking and landscaping. Woodmen Hills will provide the water and sewer.

22. Sterling Ranch East Filing No. 6 Preliminary Plan:

A preliminary plan for 198 single-family lots, parks and open space, and ROW. FAWWA providing water and Colorado Springs Utilities for sewer, but they also have access to 1.006 MGD of wastewater treatment in the Cherokee Wastewater Treatment Plant via Meridian Service Metro District.

23. Sterling Ranch East Filing No. 3 Final Plat (3 applications):

A final plat to allow 187 new residential lots, a future elementary school site for D 20, 3 tracts for landscape, open space and utilities, and a tract for sub-regional detention. FAWWA providing water and Colorado Springs Utilities for sewer, but they also have access to 1.006 MGD of wastewater treatment in the Cherokee Wastewater Treatment Plant via Meridian Service Metro District.

Director Doran motioned to approve on consent the applications excluding 1,3,5,8,10,13,14,15 & 20 which the board would like Mr. O'Brien and Mike

Wireman to review and comment on. Director Baldwin seconded the motion.
Motion carried (4-0)

Any Other Business the Board May Have:

NA

Executive Session:

NA

Executive Session Report:

NA

Next Meeting Date: January 7th, 2025

Adjournment:

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:08 P.M.

Tracy Doran/Office Manager

Topic: September Meeting

Join Zoom Meeting

<https://us06web.zoom.us/j/82717012681?pwd=HWamnQLQzHRBqswzYP6iRoaWkYa5bx.1>

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