

TRI-COUNTY WATER CONSERVANCY DISTRICT

July 17, 2024

Present: Ted Collin, Jack Sibold, Steve Glammeyer, Richard Wojciechowski, Vicki Ripp, Jack Flowers, Jim Hokit, Leslie Brown, David Kienholz, Zack Ahlberg, Jan McCracken, Joanne Fagan, Glen Black

Absent: Wayne Schieldt

TCW Staff: Jerry Young (Jerry), Mike Berry (Mike), Sandy Flowers, Kyle Thompson

Attorney: David Skarka (David)

Public: Don Moreland, Don Moreland & Associates P.C.
Pete Foster, Wright Water Engineers, Inc. (Virtual)

Call Session to Order

The meeting was called to order by President, Vicki Ripp. A quorum was present.

Changes to the Agenda

- Attorney's report – A.1 Include case number 21CW3064 2021 opposition case.
- Managers' report – 7.F. Wright Water Engineers, Inc. update

Approval of Minutes

Jack Flowers moved to approve the minutes. Zack Ahlberg seconded and the motion carried unanimously.

Handouts

Vicki asked for questions or comments on the handouts.

2nd Quarter Financial Report

The second quarter 2024 financial reports were reviewed.

Project 7 Report – Vicki Ripp

Vicki Ripp provided the Project 7 update.

Attorney's Report

Ouray County Water Rights Application (2019 Application) and 21CW3064 2021 Opposition Case

David provided an update on the Ouray County Water Rights Application (2019 Application) and discussed the 21CW3064 Opposition Case requesting a motion to have Somach Simons & Dunn engage as co-counsel in this case as well. Richard Wojciechowski made a motion to engage Somach Simons and Dunn in the 21CW3064 Opposition Case. Leslie Brown seconded and the motion carried unanimously.

Attorney’s Report Continued:

Ram’s Horn / Dallas Divide Diligence Case (2021 Application) and Sneva Reservoir and Dallas Divide Reservoir Enlargement Diligence (2023 Application)

David reported on the status of the Ram’s Horn / Dallas Divide Diligence Case and the Sneva Reservoir and Dallas Divide Reservoir Enlargement Diligence Application stating he could provide additional information in executive session under CRS 24-6-402(4)(b). Richard Wojciechowski moved the Board convene in Executive Session as allowed by 24-6-402(4)(b), C.R.S., “Conferences with an attorney for the public entity to receive legal advice on specific legal questions. Mere presence of the attorney is not sufficient.” Jack Flowers seconded, and the motion carried unanimously. Pete Foster and Don Moreland recused themselves from the meeting for the duration of the executive session. Steve Glammeyer moved to reconvene the meeting and directed the minutes reflect the Board did not stray from the announced topic for the Executive Session. Glen Black seconded, and the motion carried unanimously. Peter Foster and Don Moreland returned to the meeting.

Exchange Agreement Water Rights (2023 Application)

David reported on the status of the Exchange Agreement water rights application. Jim Hokit moved to make 159cfs absolute and leave the remaining 41cfs conditional. Richard Wojciechowski seconded and the motion carried unanimously.

Augmentation Contract Renewal – The Ullman Family Trust Dated May 24, 1996 As Amended

David introduced the renewal contract for The Ullman Family Trust Dated May 24, 1996 As Amended to purchase 4 AF of augmentation water. Jim Hokit moved to approve the augmentation water contract with The Ullman Family Trust Dated May 24, 1996 As Amended for 4 AF of augmentation water. Jack Flowers seconded and the motion carried unanimously.

Request permission to change signers at BMO Bank from Mike and Kathleen to Jerry and Sandy

Richard Wojciechowski moved to authorize Jerry Young and Sandy Flowers as signers on the BMO Bank account. Leslie Brown seconded and the motion carried unanimously.

Manager’s Report

Water Strategic Plan – Wright Water Engineers Update

Peter Foster provided an update on the Water Strategic Plan and stated there should be a draft available for review next month.

July 15 CBRFC Runoff Forecast

Jerry reported the July 1 runoff forecast added 10,000 AF over June and July and the July 15 forecast reduced that back to 6,000 AF. He also confirmed that rainfall is included in the runoff forecast. Jerry also reported on the status of the Ridgway Reservoir stating that it is approximately 4 feet from spilling.

Ridgway Reservoir Operations and ROC Update

Jerry shared the reservoir spilled twice over 2 different weekends in June due to the unprecedented rainfall. He also informed the group that Steve Pope did pose a question regarding the April demand for irrigation water from the irrigation storage pool and asked about refilling that account since the reservoir filled and spilled. Bob Hurford, Division IV Engineer, responded and stated any water called for by UVWUA out of storage was debited to the appropriate account. Mike commented that in the past, under certain circumstances, the water was credited back to the irrigation storage pool but a letter from BOR in 2023 discontinued that practice. Ed Warner also reaffirmed Bob and Mike’s comments.

Manager’s Report Continued:

City of Montrose Draft Horse & 6600 Road Agreement - Update

Jerry reviewed the agreement between the City of Montrose and Tri-County to complete a proposed change to the service area boundary on Draft Horse & 6600 Road in Montrose. Richard Wojciechowski questioned whether or not a service area boundary change required a vote of the people and suggested David look into this matter prior to proceeding. Jan McCracken moved the City of Montrose and Tri-County Water Conservancy District 6600 Road Service Area Modification Agreement be approved by the Board and signed by Jerry. Zack Ahlberg seconded. Jan McCracken amended the motion to include the statement upon David’s review of the law governing service area boundary adjustments. Motion carried with 6 in favor and 5 opposed.

Sleeping Indian / J Bar M Line Extension

Jerry presented 3 options for adding a line extension to Sleeping Indian and J Bar M. It was the general consensus of the Board to opt out of all 3 options and decline to complete the line extensions.

Ouray County 2025 O&M Letter – Discussion

Jerry presented the Ouray County 2025 O&M Letter regarding O&M fees for the 2025 water year. Steve Glammeyer moved to approve the proposed Dallas Creek project agreement between Ouray County and Tri-County Water as drafted. Jack Flowers seconded and the motion carried unanimously.

2023 Audit Report – Don Moreland

Don provided the 2023 Audit report and Richard Wojciechowski moved to accept the report as stated. Jack Flowers seconded and the motion carried unanimously.

Announcements

- Board Meeting – Thursday, August 15, 9:00 am – Tri-County
- Colorado Water Congress – August 20-22, Colorado Springs

Public Comment / Adjourn

There being no further business to come before the Board, the meeting was adjourned at 11:55 am.

Vicki Ripp, President

Joanne Fagan, Secretary