

Ute Water Conservancy District
Board Meeting
April 10, 2024

Meeting No. 994 of the Ute Water Conservancy District's Board of Directors and the Ute Water Activity Enterprise was called to order by President Greg Green at 5:30 p.m. at the District office.

ROLL CALL

Board Members: Pat Brennan, Newt Burkhalter, Carl Conner, Dan Cronk, Tammy Eret, Robert Foster, Greg Green, Ken Henry, Ben Miller, Troy Waters, and Bob Wilson were present. Briana Board attended remotely. Sally Huddle and Bruce Talbott were absent.

Ute Water employees at the meeting included Justin Bates, Sam Briscoe, Larry Clever, Gary Coup, Tanner DeGuire, John Eklund, Jamie George, Cody Grinolds, Tony Ibarra, Joe Isley, Jesse Klingler, Andrea Lopez, Jeremy Lyon, Tim Moore, Brett Murphy, Scott Olsen, Pat Orient, Dave Payne, Dave Priske, Rick Stengel, and Greg Williams. Ute Water's general counselors, Chris Geiger and Sara Dunn, were also in attendance. Ms. Dunn attended remotely.

PUBLIC COMMENTS

No public comments were made.

MINUTES

A motion was made by Bob Wilson to approve the March board meeting minutes, No. 993. Newt Burkhalter seconded the motion. The board voted unanimously in favor of approving the March board meeting minutes.

BILLS

A motion was made by Carl Conner to approve the March bills. The motion to approve the bills was seconded by Tammy Eret. The board voted unanimously in favor of approving the March bills.

WATER & CONSTRUCTION COMMITTEE MEETING MINUTES

A motion was made by Pat Brennan to approve the Water and Construction Committee minutes. The motion to approve the minutes was seconded by Carl Conner. The board voted unanimously in favor of approving the Water & Construction Committee minutes.

FINANCE COMMITTEE MEETING MINUTES

A motion was made by Bob Wilson to approve the March Finance Committee minutes. The motion to approve the minutes was seconded by Pat Brennan. The board voted unanimously in favor of approving the Finance Committee minutes.

ENGINEERING DEPARTMENT REPORT

Dave Priske, District Engineer, provided the board with an update on the bid opening for the 10 Road waterline improvement project. Dirtworks Construction, LLC, had the lowest bid and was awarded the project.

Board member Robert Foster asked about the working relationship between the City of Grand Junction and the District regarding the F ½ Road Parkway project. According to Mr. Priske, the District's portion of the project will be split into phases, with the District's Transmission and Distribution department constructing waterlines from 24 ½ Road to 25 Road this year, and in 2025, the District will budget to reimburse the City of Grand Junction's contractor for waterline work.

DISTRIBUTION DEPARTMENT REPORT

No additional questions were asked of the Distribution department.

TREATMENT & SOURCE DEPARTMENT REPORT

Dave Payne, Assistant Manager, stated that the District has resolved the issue with some of the water tank vents. During a triennial Sanitary Survey inspection in November of 2023, a Field Services Engineer with the Colorado Department of Public Health and Environment (CDPHE) identified issues in both the design and craftsmanship of new tank vents approved for use by CDPHE and installed as part of capital upgrades that began in 2019 and were completed in 2021. According to Mr. Payne, the issues were corrected through the installation of a stainless-steel mesh screen and NSF 61-approved caulking.

Mr. Payne announced that the District will plan on submitting the narrative for the District's Lead and Copper Rule Revision compliance efforts by the end of the week. The deadline is October 2024. Mr. Payne has been in contact with the State of Colorado, in which he was directed to submit as a lead-free system based on the information provided. As a lead-free system, the District will have significantly reduced compliance efforts in the future.

The board congratulated Mr. Payne on his appointment by the Governor to the Colorado Ground Water Commission as a representative for western slope municipal and industrial users.

FINANCE DEPARTMENT REPORT

Scott Olsen, Finance Director, announced that Purchasing Agent Larry Byers, announced his retirement after 40 years with the District.

Mr. Olsen also informed the board that the Finance Committee will not meet in April, but will plan on meeting in May to review the first quarter variances. The meeting will be one week later due to the Children's Water Festival.

HUMAN RESOURCES/RISK MANAGEMENT DEPARTMENT REPORT

Jamie George, Human Resources/Risk Manager, invited the board to attend the Summer Picnic at Lincoln Park on June 19th.

EXTERNAL AFFAIRS DEPARTMENT REPORT

External Affairs Manager Andrea Lopez provided the board with an update regarding the 29th Annual Western Colorado Children's Water Festival, scheduled for Monday, May 13th, and Tuesday, May 14th, at Las Colonias Park & Amphitheater.

Ms. Lopez invited the board to attend the VIP Lunch and Tour of the Children's Water Festival on Tuesday, May 14th, at 11:30 a.m.

MANAGER'S REPORT

Larry Clever, General Manager, provided an update on Lake Powell and Lake Mead. Lake Powell is 31.56 percent full. Lake Mead is 36.89 percent full.

Mr. Clever also informed the board that the Colorado River District presented to the Mesa County Board of Commissioners asking for a monetary pledge for the acquisition of the Shoshone water rights. Commissioner Daniel voted in favor of the county committing 2 million dollars to purchase the water rights, and Commissioners Davis and Rowland voted against the fiscal ask. Mr. Clever encouraged board members to contact Commissioners Davis and Rowland and communicate the importance of the Shoshone water rights to the Western Slope communities.

GENERAL COUNSEL REPORT

President Greg Green asked what General Counsel Chris Geiger's thoughts were regarding House Bill 1379, Regulate Dredge and Fill Activities in State Waters, and if it would withstand litigation, if passed as written. Mr. Geiger explained that there are currently two bills regarding dredge and fill before the legislature as a result of the Supreme Court's Sackett decision to narrow the scope of federal jurisdiction of wetland areas in the United States. According to Mr. Geiger, House Bill 1379 provides more opportunities for discretionary rule-making by including fewer definitions in statute and a broader scope. Mr. Geiger stated that as written, he believed House Bill 1379 would be more burdensome and expansive, and the rulemaking from the bill is far more difficult to predict.

GENERAL INFORMATION/DISCUSSION

The board discussed House Bill 1379, Regulate Dredge and Fill Activities in State Waters, and the potential impact on the District's permitting regarding the expansion of Monument Reservoir in the future. The board then discussed if more action, such as adopting a resolution, writing a letter, or publishing a press release, would effectively communicate the District's opposition to the bill to legislators. It was decided that because the District's lobbyist, Kathleen Curry, is testifying and representing the District's position, and the District is recorded as "opposed" to the Secretary of State, no further action will be taken.

There was no additional information or discussion.

President Green adjourned the meeting at 6:52 p.m.

Respectfully submitted,



Briana Board, Secretary