

City of Greeley
Water and Sewer Board
Minutes of March 19, 2014
Regular Board Meeting

Chairman Harold Evans called the Water and Sewer Board meeting to order at 2:05 p.m. on Wednesday, March 19, 2014.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Bob Ruyle, Norman Dean, Tony Miller, Fred Otis, Mayor Norton, and Assistant City Manager Victoria Runkle

Water and Sewer Department staff:

Director of Water and Sewer Jon Monson, Deputy Director of Water Resources Eric Reckentine, Deputy Director of Operations Burt Knight, Water Resources Manager Jim Hall, and Government and Public Relations Donna Brosemer

Legal Counsel:

Environmental and Water Resources Attorney Katie Wiktor, Environmental and Water Resources Attorney Jerrae Swanson, Environmental and Water Resources Attorney Andy Nicewicz, Law Clerk Dan Biwer, and Water and Sewer Board Counsel Jim Witwer

There were several Water and Sewer staff members present for the reading of the Resolution in Appreciation of Jon Monson, Water and Sewer Director.

2. Approval of Minutes

A motion was made by Chairman Evans and Mr. Ruyle seconded to approve the February 19, 2014 Water and Sewer Board meeting minutes as presented. Motion carried 5-0.

3. Approval of and/or Additions to Agenda

Mr. Monson requested moving Item 8 to before the Director's Report. Chairman Evans approved the modification to the agenda.

Vice-Chairman Todd joined the Board meeting at 2:07 p.m.

4. Action: Approve Resolution in Appreciation of Jon Monson

Chairman Evans summarized many of Mr. Monson's successes and how he has influenced those around him. He pointed out that Mr. Monson has lead several roles in the continuance of bring great water to the City of Greeley and carrying on his legacy. Chairman Evans recited the last couple paragraphs of the resolution to the Board.

Chairman Evans moved, and it was seconded by the entire Board to adopt the Resolution in Appreciation of Jon Monson. The motion carried 6-0. (Resolution No. 3, 2014)

Mr. Monson mentioned today marked his 212th Water and Sewer Board meeting. He stated that he thrives on working with the Board, co-workers, and Council. He also spoke about his past experiences and what the future may hold. Mr. Monson emphasized on the WD Farr legacy of providing water to the City of Greeley.

Mr. Ruyle mentioned he admires Mr. Monson for taking on various tasks. Mayor Norton commented he commends him for a great career in a difficult position. Mr. Miller mentioned Mr. Monson is very professional and helpful. Vice-Chairman Todd spoke highly of Mr. Monson's integrity. Mr. Dean stated Mr. Monson's skills as a leader are tremendous and wished him well. Mr. Otis expressed Mr. Monson's teaching ability is appreciated.

5. Executive Session

A motion was made by Chairman Evans, and Mr. Miller seconded to move into executive session at 2:26 p.m. to address the following matters (Motion carried 6-0):

The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest under C.R.S. § 24-6-402(4)(a) and Greeley Municipal Code § 2.04.020(a)(1). Conferences with an attorney for the purposes of receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b) and Greeley Municipal Code § 2.04.020(a)(2). Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. § 24-6-402(4)(e) and Greeley Municipal Code § 2.04.020(a)(5).

The following topics were discussed in executive session: (1) Acquisition of New Cache la Poudre Irrigating Company shares; (2) Update on Case No. 07CW190, Greeley's Water Supply and Storage Company ("WSSC") change case; and (3) Purchase of Best-Way Park Minor Subdivision property.

Mr. Witwer left the Board meeting at 2:28 p.m. due to a conflict with the New Cache la Poudre Irrigation Company discussions.

Present during the executive session were:

Chairman Harold Evans, Vice-Chairman Mick Todd, Norm Dean, Bob Ruyle, Tony Miller, Fred Otis, Director of Water and Sewer Jon Monson, Deputy Director of Water Resources Eric Reckentine, Deputy Director of Operations Burt Knight, Water Resources Manager Jim Hall, Water Resource Administrator II Leif Lesoing, Water Resources and Environmental Attorney Katie Wiktor, Water Resources and Environmental Attorney Jerrae Swanson, Water Resources and Environmental Attorney Andy Nicewicz, Law Clerk Daniel Biwer, Assistant City Manager Victoria Runkle, Mayor Norton, Government and Public Relations Donna Brosemer, and Senior Administrative Specialist Yvonne Thornberg.

Mr. Lesoing left the Board meeting during executive session at 2:49 p.m.

Mr. Otis left the Board meeting during executive session at 2:50 p.m. due to a conflict with the Bestway Subdivision discussion.

Mr. Witwer rejoined the Board meeting during executive session at 2:50 p.m.

Acting City Manager Becky Safarik joined the Board meeting during executive session at 2:54 p.m.

Joe Murphy joined the Board meeting during executive session at 3:03 p.m.

Mayor Norton left the Board meeting during executive session at 3:20 p.m.

The executive session ended at 3:31 p.m. and the regular meeting resumed.

Mr. Ty Notestine joined the Board meeting at 3:32 p.m.

6. Action: Approve Acquisition of Six Shares of New Cache la Poudre Irrigating Company from Union Colony Agriculture LLC (The Schroeder Farm)

A motion was made by Chairman Evans and Vice-Chairman Todd seconded to approve the Acquisition of Four Shares of New Cache la Poudre Irrigating Company from Union Colony Agriculture LLC (The Schroeder Farm). Motion carried 7-0.

7. Action: Approve Acquisition of Four Shares of New Cache la Poudre Irrigating Company from Union Colony Agriculture LLC (The Buxman Farm)

A motion was made by Chairman Evans and Mr. Miller seconded to approve the Acquisition of Four Shares of New Cache la Poudre Irrigating Company from Union Colony Agriculture LLC (The Buxman Farm). Motion carried 7-0.

8. Action: Approve Purchase of Best-Way Park Minor Subdivision Property

A motion was made by Mr. Dean and Vice-Chairman Todd seconded to approve the purchase of the Best-Way Park Minor Subdivision properties as per the Contract to Buy and Sell Real Estate previously distributed to the Board.

Chairman Evans moved to amend the motion to include a restriction on future water uses on this site; once determined, the water fund would be reimbursed or compensated for the water requirements of such uses. Mr. Murphy seconded.

A discussion took place regarding Chairman Evans' amended motion on reimbursement/compensation.

Chairman Evans then moved to amend his previous motion to amend to require that any agreement regarding any use of the purchased property that requires water be first approved by the Board. Mr. Murphy seconded. Motion as amended carried 6-0, Mr. Otis abstained.

9. Action: Approve Common Interest and Joint Defense Agreement with Leprino Foods

Mr. Witwer discussed the details of this agreement with Leprino Foods. A discussion took place regarding an assigned team to communicate with the Leprino representatives.

Vice-Chairman Todd moved, and Mr. Ruyle seconded to approve the Common Interest and Joint Defense Agreement with Leprino Foods. Motion carried 7-0.

10. Legal Report

Mr. Witwer described the following cases to the Board for approval to file Statements of Opposition.

Statement of Opposition:

Northern Colorado Water Association (2014CW3008): This is a second filing of plan for augmentation involving wells in northern Larimer County; prior case dismissed due to objections raised by City of Fort Collins. Greeley previously participated (and had stipulated to proposed decree) in prior case, and applicant again listed annual leases of replacement water from Greeley as one of replacement supplies.

Mr. Ruyle moved, and Vice-Chairman Todd seconded to enter the Statement of Opposition in the Northern Colorado Water Association case. Motion carried 7-0.

11. Director's Report

- **Fix a Leak Week Proclamation**

Mr. Monson mentioned Mayor Norton made a proclamation about the Fix a Leak and Water Conservation Coordinator Ruth Quade accepted.

- **Tri-City Meeting – Hosted by Fort Collins on May 22nd**

Mr. Monson reminded the Board of the upcoming Tri-City meeting, where the Boards get together.

- **Rocky Mountain Fly Casters and Trout Unlimited**

Mr. Monson reviewed the non-consumptive water use comments that were sent to the South Platte Roundtable. He mentioned that a couple reservoirs operated in tandem, where the environmental benefits outweigh the environmental damages.

- **Climate Task Force Letter from Mayor Norton**

Mr. Monson spoke about the letter and discussed the wetlands that reservoirs can provide.

- **Children's Water Festival on April 30th at Island Grove**

Mr. Monson briefly discussed the upcoming Children's Water Festival.

- **Cleaning Sewers the Greeley Way**

Mr. Monson spoke about the Utility Management Conference and stated he highly recommends City of Greeley employees to attend, as it focuses on Utility Management and how to run utilities.

12. Such Other Business That May Be Brought Before The Board And Added To This Agenda By Motion Of The Board

Chairman Evans mentioned he will meet with the Colorado Water Conservation Board regarding various project permitting issues.

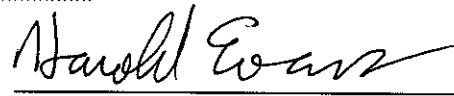
Chairman Evans mentioned he attended the Colorado Foundation of Young Water Leaders event that was recently held earlier this week and recommends City of Greeley employees get involved. He also pointed out the importance of the decisions being made today that help the future water users. Mr. Witwer also attended and was pleased

with the event. Chairman Evans expressed his gratitude to the staff for their help in preparing the presentation.

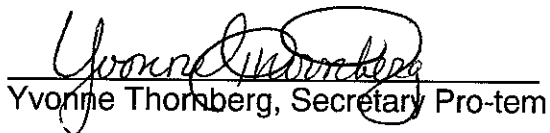
Mr. Monson mentioned that Ms. Brosemer is an incredible presenter at the Capital.

Chairman Evans mentioned to the Board that the Department's interim-director will be Mr. Burt Knight, and it will be business as usual.

There being no further business, Chairman Evans adjourned the meeting at 4:04 p.m.



Harold Evans, Chairman



Yvonne Thornberg, Secretary Pro-tem