

Ute Water Conservancy District  
Board Meeting  
**December 13, 2023**

Meeting No. 990 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: Briana Board, Pat Brennan, Newt Burkhalter, Carl Conner, Dan Cronk, Tammy Eret, Robert Foster, Greg Green, Ken Henry, and Bob Wilson were present. Sally Huddle, Ben Miller, Bruce Talbott, and Troy Waters were absent.

Ute Water employees at the meeting included: Nick Bierman, Jayton Brach, Braden Box, Sam Briscoe, Larry Clever, Gary Coup, Tanner DeGuire, John Eklund, Jamie George, Tony Ibarra, Jesse Klingler, Andrea Lopez, Jeremy Lyon, Justin Marchun, Tim Moore, Scott Olsen, Pat Orient, Dave Payne, Dave Priske, Rick Stengel, Logan Wagner, and Greg Williams. Ute Water's general counselors, Chris Geiger and Sara Dunn were also in attendance. Ms. Dunn attended remotely. Ute Water's lobbyist, Kathleen Curry, attended remotely.

**PUBLIC COMMENTS**

No public comments were made.

**MINUTES**

A motion was made by Robert Foster to approve the November board meeting minutes, No. 989. Patrick Brennan seconded the motion. The board voted unanimously in favor of approving the November board meeting minutes.

**BILLS**

A motion was made by Bob Wilson to approve the November bills. The motion to approve the bills was seconded by Briana Board. The board voted unanimously in favor of approving the November bills.

Board member, Robert Foster, asked if the Excel Energy cost related to the commissioning of the Pre-Sedimentation Basin was the actual cost or if it was anticipated to be negotiated lower. Assistant Manager, Dave Payne, explained that the power use agreement for pumping water into the basin is not subject to Excel Energy's ratchet rate structure, but all power usage is paid in full otherwise. Mr. Payne stated that the commissioning process illustrated some of the costs that the District would experience if the basins were fully utilized for an extended period of time.

**RESOLUTION UW 23-02 ADOPT 2024 BUDGET**

The Public Notice, regarding the adoption of the District's 2024 Budget was published in the Daily Sentinel on October 13, 2023, and posted in the District's lobby and website. The notice specified that a hearing on the proposed budget would be held at the December 13, 2023, board meeting. The District's budget was advertised to the public in accordance with the law. There were no requests for copies of the proposed 2024 budget or filed objections. President Green opened the

hearing on the proposed budget. Hearing no comments from the public, the public hearing was closed.

Bob Wilson made a motion to adopt Resolution UW 23-02, a resolution summarizing expenditures and revenues and adopting the budget for Ute Water Conservancy District. Tammy Eret seconded the motion. The board voted unanimously in favor of the motion.

#### **RESOLUTION UW 23-03 APPROPRIATE SUMS OF MONEY**

Briana Board made a motion to adopt Resolution UW 23-03, a resolution appropriating sums of money for 2024, in the amount of \$27,003,766 for the Ute Water Conservancy District. The motion was seconded by Robert Foster. The board voted unanimously in favor of the motion.

#### **RESOLUTION UW 23-04 SET THE MILL LEVY**

Newt Burkhalter made a motion to adopt Resolution UW 23-04, which will set the 2024 mill levy to zero. Carl Conner seconded the motion. The board voted unanimously in favor of the motion.

#### **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.

#### **ENGINEERING DEPARTMENT REPORT**

No additional questions were asked of the Engineering department.

#### **DISTRIBUTION DEPARTMENT REPORT**

Distribution Superintendent, Tim Moore, gave an update on the progress of the potholing to inspect service lines for their material type, in compliance with the revised Lead and Copper Rule. The Lead and Copper crew inspected 114 service lines in November. No lead has been found. Since efforts began, 6,132 service lines have been inspected.

#### **TREATMENT & SOURCE DEPARTMENT REPORT**

Board member, Bob Wilson, asked about the current water treatment chemical pricing. Mr. Payne reported that prices are elevated but have appeared to stabilize. According to Mr. Payne, prices may rise pending regulation of chlorine production.

Board member, Robert Foster, asked about the District's participation in class action lawsuits regarding per- and polyfluoroalkyl substance (PFAS) chemical impacts from manufacturers 3M and DuPont. Mr. Payne explained that the District has tested for 29 PFAS chemicals and has shown non-detects for quarterly samples to date under the Unregulated Contaminant Monitoring Rule, therefore, the District has opted out of involvement in the lawsuits.

#### **FINANCE DEPARTMENT REPORT**

No additional questions were asked of the Finance department.

#### **HUMAN RESOURCES/RISK MANAGEMENT DEPARTMENT REPORT**

No additional questions were asked of the Human Resources/Risk Management department.

### **EXTERNAL AFFAIRS DEPARTMENT REPORT**

No additional questions were asked of the External Affairs department.

### **MANAGER'S REPORT**

General Manager, Larry Clever, provided updates on Lake Powell and Lake Mead. Lake Powell is 35.15 percent full. Lake Mead is 34.36 percent full.

Mr. Clever invited the board to attend the Colorado Water Congress Winter Convention in Aurora from January 31<sup>st</sup> to February 2<sup>nd</sup>, 2024. Mr. Clever also announced that registration has opened for Water Education Foundation's Lower Colorado River Tour, scheduled to take place from March 12<sup>th</sup> to March 15<sup>th</sup>, 2024. Mr. Clever instructed board members to let District staff know if they were interested in attending either event.

The District will be participating in the Grand Valley Irrigation Company (GVIC) auction of water shares on December 14<sup>th</sup>, 2023. A motion was made by Tammy Eret to authorize two Ute Water staff members as check signatories on Thursday, December 14<sup>th</sup>, 2023, for an amount greater than \$25,000 if any GVIC water shares are purchased by the District. The motion to authorize staff was seconded by Pat Brennan. The board voted unanimously in favor of the motion.

### **GENERAL COUNSEL REPORT**

General Counsel, Chris Geiger, provided an update on Case No. 15CW3019. According to Mr. Geiger, a formal recommendation regarding the settlement has not been provided. The Division Engineers' Office is anticipated to meet on January 4<sup>th</sup> to discuss the settlement proposal.

### **GENERAL INFORMATION/DISCUSSION**

Kathleen Curry, the District's lobbyist, reminded the board that the legislative session will begin on January 10<sup>th</sup>. The board will discuss resuming the Legislative Committee meetings at the January 10<sup>th</sup> board meeting.

President, Greg Green, adjourned the meeting at 6:15 p.m.

Respectfully submitted,



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Briana Board, Secretary