

RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO
WATER CONSERVANCY
DISTRICT MINUTES
May 15, 2025**

A meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, May 15, 2025, at 9:33 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado. The ZOOM platform was also made available for Board members and visitors.

Attendance:

Board Members Present:

Alan Hamel	Greg Felt	Seth Clayton
Andy Colosimo	Justin DiSanti	Tom Goodwin
Ann Nichols	Matt Heimerich (remote)	
Bill Long	Mike Bartolo	
Dallas May(remote)	Pat Edelmann	

DIRECTOR(S) ABSENT AND EXCUSED:

Abby Ortega, Curtis Mitchell and Kevin Karney

DISTRICT OFFICIALS:

Executive Director Leann Noga; Legal Counsel, Lee Miller; Staff Attorney, Peter Levish; Senior Policy and Issues Manager, Chris Woodka; Engineering Manager, Gordon Dillon; Administrative Support Specialist Margie Medina and Patty Rivas; Finance Manager Stephanie Shipley; Accountant, Meg Scarlett; AECOM, Curtis Thompson; Burns, Figa & Will, April Hendricks and Pete Jaacks; H2O Consultants, Roy Vaughan; Kogovsek & Associates, Christine Arbogast; and Tyner Consulting, Bill Tyner.

PRESENT VISITORS:

Aurora Water, Abba Ahmed; CBIZ, Alexis Shorie and Mitch Downs; USBR, Patrick Fischer, Tim Miller and Mike Holmberg; USGS, Andrew Klakulak and Krystal Brown; Colorado Springs Utilities, Christopher Olney; Pueblo West Metro District, Elissa Velasquez and Jeffery DeHerrera; Wilson Water Group, Mitch Frischmeyer.

VISITORS CONNECTED VIA ZOOM:

Wilson Water Group, Lisa Brown; Representative Jeff Hurds Office, Cathy Garcia; Otero County Commissioner, Tim Knabenshue; and Otero County Admin, Amy White-Oquist.

RECORD OF PROCEEDING

CONSENT ITEMS: MINUTES

Mr. Hamel moved, seconded by Mr. Felt, to approve minutes from the April 17th District Board Meeting, and the March & April Treasurer Reports. Motion unanimously carried.

ACTION ITEMS:

ELECTION OF OFFICERS

Annually the election of officers is conducted in the month of May following the appointment of the Board of Directors in April.

Current officers are:

- **Bill Long, President**
- **Curtis Mitchell, Vice President**
- **Seth Clayton, Secretary**
- **Ann Nichols, Treasurer**
- **Leann Noga, Executive Director (nonvoting member ex officio)**

Mr. Felt moved, seconded by Mr. DiSanti to continue with Bill Long as the Board Chair.

Mr. DiSansti moved, seconded by Mr. Colosimo to continue the current remaining slate of Elected Officers of the Board: Curtis Mitchell-Vice President, Seth Clayton-Secretary, Ann Nichols-Treasurer and Leann Noga- Executive Director (nonvoting member ex officio)

President Long convened the Enterprise Board meeting to order at 9:40 a.m. to be held in conjunction with the District Board meeting to present the 2024 Annual Audit presentation.

PRESENTATION ITEM:

2024 ANNUAL AUDIT

Mr. Mitchell Downs from CBIZ who represents the firm that conducted the 2024 audit, presented the Audit and read the Independent Auditor's Report.

ACTION ITEMS (CON'T):

APPROVAL OF 2024 ANNUAL AUDIT

Mrs. Noga presented the Audit to the Board. Ms. Nichols moved seconded by Mr. Clayton, the audit of the 2024 financial statement of the District and Enterprise be approved as presented. Motion unanimously carried.

APPROVAL OF 2024 FINANCIAL STATEMENTS

Mrs. Noga presented the 2024 Financial Statements to the Board.

Ms. Nichols moved, seconded by Mr. Clayton, the 2024 financial statements of the District and Enterprise to be approved as audited. Motion unanimously carried.

President Long recessed the Enterprise Board meeting at 9:46 a.m. that was held in conjunction with the District Board meeting.

RECORD OF PROCEEDING

BOARD CONDUCT POLICY

Mrs. April Hendricks from Burns, Figa & Will's presented an action item recommending that the Board of Directors adopt a Board Conduct Policy that (1) recognizes that the members of the Board are local government officials under the Colorado State Code of Ethics and (2) pursuant to the Code of Ethics, requires all Board members to disclose their conflicts of interest on an annual basis, consistent with their obligation to act in good faith and for the benefit of the District's constituents.

The codified Standards of Conduct do not impose specific obligations on board members of a water conservancy district to avoid or disclose conflicts of interest. Rather, the applicable statutes apply to "local governments," or "special districts," which are not terms that are broad enough to include water conservancy districts. Even so, the intent behind these statutes is to address the high ethical standards to which government officials, at all levels, are expected to adhere. Under these statutes, local government officials must disclose potential conflicts of interest which may affect their ability to perform their official duties faithfully and objectively.

Similarly, members of the District's Board of Directors have sworn to honestly, faithfully, and impartially perform the duties of their office; to remain disinterested in the District's contracts; and to act in good faith and for the benefit of the District's constituents for the duration of their tenure on the Board. Consistent with that oath, the District's Board of Directors should acknowledge that board members are local government officials who must timely disclose any potential conflicts of interest (both to the District and to each other) prior to taking action on behalf of the District. Under the Board Conduct Policy, as proposed, it is the responsibility of each Board member to disclose their actual, potential, or apparent conflicts of interest and then determine whether abstention from any District votes may be necessary as a result of any such conflict. By requiring such disclosure, the District is promoting transparency, fairness, and openness among all Board members.

There is some risk to the District and to the Board member, should a Board member decide to take official action on behalf of the District when a conflict of interest is present. It is important to note that taking official action on behalf of the Board, where an undisclosed conflict of interest is present, may result in criminal liability under the Colorado Criminal Code, C.R.S. §§ 18-8-308. Moreover, if a Board member does take official action on behalf of the District, even when a conflict has been disclosed, the Board's action may be called into question or even overturned at a later date. Ultimately, under the Board Conduct Policy, each Board member is responsible for determining whether he or she should participate in a Board decision, in light of any actual or apparent conflicts they may have disclosed.

Mr. Edelman moved, seconded by Mr. Hamel, the motion as is to authorize the Board of Directors to approve the attached Conflicts of Interest Policy. Motion carried unanimously.

RECORD OF PROCEEDING

MONTHLY/QUARTERLY REPORTS:

UNITED STATES BUREAU OF RECLAMATION

Mr. Mike Holmberg presented a PowerPoint to the Board that reviewed the following topics.

- As of May 11, 2025:
 - 229,143 acre-feet stored in Pueblo Reservoir
 - 127,016 acre-feet of Project Water
 - 40,479 acre-feet of Excess Capacity Water
 - 38,744 acre-feet of Winter Water/Carryover
 - 118,357 acre-feet of Project Water Space Available in Pueblo
 - 45,294 acre-feet of Project Space in Twin & Turquoise Lake
- Graphs 2023-2025:
 - Turquoise Lake
 - Twin Lakes
 - Pueblo Reservoir
- April 30, 2025:
 - Total M&I PW in system = 126,668 AF
 - 1. EAST = 22,710
 - 2. WEST = 10,803
 - 3. PUEBLO = 18,898
 - 4. OTHER = 3,950
 - 5. FVA = 70,307
 - A. CSU – 50,979
 - B. FOUNTAIN = 6,409
 - C. SECURITY = 5,677
 - D. STRATMOOR = 1,807
 - E. WIDFIELD = 5,434
- Snowpack
- Current Operations
- Boustead Tunnel, East Portal
- 2025 Import Forecast
 - April 1
 - 10% - 33,900 AF
 - 30% - 41,000 AF
 - 50% - 42,300 AF
 - 70% - 50,800 AF
 - 90% - 57,900 AF
 - February 1: 57,500 AF
 - March 1: 55,800 AF
 - April 1: 58,100 AF

Questions were asked of Mr. Holmberg.

RECORD OF PROCEEDING

COLORADO RIVER ISSUES

Mr. Lee Miller reported The Basin States representatives have met regularly since the beginning of the year; however, no significant progress to reaching a consensus proposal to address post-2026 Colorado River Operations has been reported.

Provided to the Board were copies of:

1. Letter dated April 22, 2025, from Colorado River Upper Division State Representatives of Colorado, New Mexico, Utah, and Wyoming to The Honorable Doug Burgum re: Colorado River Post-2026 Operational Guidelines "Alternatives Report"
2. Petition to the Secretary of the Interior to Enforce Reasonable Use Requirements for Colorado River Lower Basin Water Deliveries by Issuing Guidance in the Reclamation Manual dated May 6, 2025.

Anticipated is that the Colorado Water Conservation Board will begin the process of considering the River District's request to accept a donation of the Shoshone Power Plant water rights for instream flow purposes. Once the proposal has been made public, we will provide updates to the Board.

INFORMATIONAL ITEMS:

The Board was provided written material on the following topics, which were posted to OnBoard and the Board website:

- Water Court Resume
- Special Water Counsel Legal Report
- Committee Appointments
- State Legislative Update
- Other Business Matters:
 1. NWRA Western water Seminar – August 6-8, Park City, UT
 2. CWC Summer Conference – August 19-21, Steamboat

President Long adjourned the District Board Meeting at 10:40 a.m.

RECORD OF PROCEEDING

Respectfully submitted,

Patty Rivas
Administrative Support Specialist

Seth Clayton – Secretary

Bill Long – President

Greg Felt

Curtis Mitchell – Vice President

Justin DiSanti

Ann Nichols- Treasurer

Kevin Karney

Abby Ortega

Matt Heimerich

Alan Hamel

Mike Bartolo

Andy Colosimo

Pat Edelmann

Dallas May

Tom Goodwin