

**Lake San Cristobal Water Activity Enterprise  
Annual Board Meeting Minutes  
Monday, May 25, 2021**

The Board of Directors of the Lake San Cristobal Water Activity Enterprise conducted its regular, annual meeting on Tuesday, May 25, 2021 at 3:00 p.m. in the Upper Gunnison River Water Conservancy District offices at 210 West Spencer, Suite B, Gunnison, Colorado 81230.

Board members present:

Thomas Carl, LSCWAE Board Member

Robert Hurd, Hinsdale County

Bill Nesbitt, Upper Gunnison River Water Conservancy District (UGRWCD)

Michelle Pierce, Upper Gunnison River Water Conservancy District

Camille Richard, Lake Fork Conservancy (via Zoom video/teleconferencing)

Henry Woods, Town of Lake City (via Zoom video/teleconferencing)

Others present:

John McClow, General Counsel UGRWCD

Beverly Richards, Administrative Assistant UGRWCD

Jill Steele, Accountant/Office Manager UGRWCD

Sue Uerling, Administrative Assistant UGRWCD

Sonja Chavez, General Manager UGRWCD

**1. CALL TO ORDER**

LSCWAE Board President Michelle Pierce called the meeting to order at 3:00 p.m.

**2. AGENDA APPROVAL**

**Director Bill Nesbitt moved and Director Robert Hurd seconded approval of the agenda as circulated. The motion carried.**

**3. APPOINTMENT OF OFFICERS**

The current officers of the LSCWAE are: President Michelle Pierce, Vice President Henry Wood and Secretary/Treasurer Bill Nesbitt. All agreed to continue to serve in Their current roles for the 2021-2022 fiscal year.

**Director Bill Nesbitt moved and Director Camille Richard seconded the approval of the LSCWAE slate of officers for 2021-2022. The motion carried.**

**3. APPROVAL OF MAY 26, 2020 LSCWAE MINUTES**

**Director Camille Richard moved and Director Robert Hurd seconded approval of the May 26, 2020 meeting minutes as circulated. Director Bill Nesbitt abstained. The motion carried.**

**4. APPROVAL OF AUGUST 28, 2020 SPECIAL MEETING MINUTES**

**Director Robert Hurd moved and Camille Richard seconded approval of the August 28, 2020 special meeting minutes. The motion carried.**

**5. APPROVAL of 2020 AUDIT**

UGRWCD Accountant/Office Manager Jill Steele briefly reviewed highlights of the 2020 audit. Jill pointed out that in Paul Miller's Independent Auditor's Report Letter under "Emphasis of Matter," Mr. Miller notes that the Management Discussion and Report is missing. Jill said this is because he has nothing for comparison. Since the LSCWAE audit is required every five years, the auditor will be able to use the 2020 audit for the Management Discussion and Report next time.

Director Nesbitt asked how many LSC augmentation units are still available for sale and Jill answered that there are 7,350 units available.

**Director Bill Nesbitt moved and Camille Richard seconded the approval of the 2020 Audit. The motion carried.**

**6. DISCUSSION AND ADOPTION OF 2021 BUDGET**

UGRWCD General Manager Sonja Chavez briefly highlighted some of the components of the 2021 budget, including a \$6,000 line item expense for Obermeyer to come to LSC for a service call/equipment repair; a \$2,000 line item for general maintenance of the outlet; and \$12,270 for operations of the USGS stream gages. Director Hurd and Sonja both noted how difficult it has been to get Obermeyer to commit to a date as to when they can make the service call. It was agreed that if Obermeyer cannot make it within the next week or so, then the service will need to wait until fall. Sonja noted that there is also a new line item for training costs for Hinsdale County to train two new LSC gate outlet technicians who can eventually take over for Robert Hurd.

Bev also reported that a service call to repair the camera will take place on June 4, 2021. Director Hurd noted that he does not access to the camera. Director Camille Richard said that \$1,500 for signage at the outlet had been approved for the 2020 budget, but since the sign had not yet been installed, she did not have a bill to submit for payment from the 2020 budget. It was recommended that a line item for LSC signage in the amount of \$1,500 be included in the new budget.

**Director Robert Hurd moved and Director Bill Nesbit seconded the motion to adopt the 2021-22 Budget as presented with the addition of a \$1,500 line item for signage at the Lake San Cristobal outlet. The motion carried.**

## **7. CURRENT OPERATIONS STATUS**

### **A. Contract with Robert Hurd**

President Michelle Pierce referenced the contract with Director Robert Hurd for maintenance of the LSC outlet and LSCWAE voiced their approval of having Robert Hurd continue in this role until at least two new technicians can be hired and trained. Robert has disclosed and will continue to disclose any conflict of interest that may arise with him now also serving as a Hinsdale County Commissioner.

### **B. County Staff Training on Gate Operation**

Director Hurd said he is hoping to hire and train a couple of new people, possibly from the road and bridge department, to learn the outlet operations. It was noted that Robert did express his desire to bow out of the technician role in a couple of years after the new hires have been fully trained.

### **C. REVIEW OF GATE OPERATIONS 2020/21**

Director Robert Hurd reported that new filters were installed in the outlet this past year and that this has helped some in keeping the readings consistent, as they keep moisture out of the electronic system. Robert's biggest concern now is getting Obermeyer to come out to service the system so that his readings match the USGS readings. Robert said he can adjust the settings to get the system to match the USGS readings but then after 7-10 days, the readings are off again. The system is not holding the revised settings. Obermeyer has not been returning calls to the UGRWCD, so the service call will probably have to be put off until fall due to the need to conserve water.

Director Nesbitt asked if there was someone from the federal or state government that we are required to provide accurate reports to on LSC elevations or storage. General Counsel John McClow answered that the Water Commissioner keeps the records and that our only responsibilities are to not exceed the reservoir storage limit and to execute releases according to the augmentation contracts we manage. John pointed out that this is not Robert's responsibility and that these are two unrelated issues.

There was some discussion about how to encourage more augmentation contract sales. If the dry conditions continue to persist and some water right holders above the outlet get water calls, it may result in more units being sold.

#### **D. DIVISION OF NATURAL RESOURCES DECISION ABOUT GUNNISON TUNNEL CALLS**

General Manager Sonja Chavez referenced the newspaper article "No Gunnison Tunnel call this summer" circulated in the meeting packet and explained that in a nutshell, the Uncompahgre Valley Water Users Association (UVWUA) could not take all the water being released from the Aspinall Unit that was available for appropriation (i.e. there is water flowing over the Gunnison Tunnel diversion), therefore the Division of Water Resources cannot honor a UVWUA Gunnison Tunnel Call. The LSCWAE Board agreed that this was good news during the continuing drought.

#### **E. POTENTIAL FOR CWCB INSTREAM FLOW RELEASE IN 2021**

There was discussion about whether or not a water call will be placed on Lake San Cristobal this summer. It was reported that Peggy Smart would probably be the water commissioner making the call request and that it might not be a bad thing for the LSCWAE if a call is made. General Counsel John McClow said the LSCWAE can also make voluntary releases. The consensus of the group was to wait and see what the summer brings.

### **9. MISCELLANEOUS MATTERS**

#### **A. USGS TETHER POLES FOR LAKE RELEASE READINGS**

There was some discussion about whether or not poles could be erected on either side of the outlet with a tether of loop around the poles to manually

measure releases from Lake San Cristobal, something that was suggested by the USGS. Currently the county owns the property on one bank and the other bank (east side) is privately owned, although John McClow reported that the county has an easement on the east bank too. General Manager Sonja Chavez offered to reach out to Steve Anders of the USGS to see if this tether loop arrangement would have any real value to them or if they are satisfied with the electronic gage system. Director Henry Wood expressed frustration with having to pay the USGS every year for measuring saying, "It seems to me that they could pay for their own measuring." Harry also expressed concerned about whether or not the elevation of the lake is really 8,995 acre feet. He suggested installing another staff for manual measurements. President Michelle Pierce said that if the current gage wears out or is not accurate, the LSCWAE would look into replacing it at a different location. Sonja noted that she does not believe a manual lake elevation measuring device is necessary if we have electronic readings, that it would be expensive to move the staff gage, and that she does not want anyone trying to obtain manual measurements, especially in the winter, as it is way too dangerous and unnecessary. Sonja said she is confident in the electronic lake elevation readings and that the system is operating properly.

#### **B. COUNTY QUESTION: UPSTREAM INFLOW GAGE**

Director Robert Hurd said that if a new outlet gage was to be purchased, the best place to install it would be at the upper bridge. There was discussion that since the LSCWAE is already paying the USGS a substantial amount annually for measurements, is there really a need for another gage, which would also be expensive. General Counsel John McClow pointed out that if you know the measurement of your lake elevation and what your releases are, you can do a mathematical calculation for inflows and that adding an upstream inflow gage was entirely unnecessary.

#### **C. AQUATIC NUISANCE SPECIES: SIGNAGE**

There was discussion about whether there should be signage erected at Lake San Cristobal to let boaters know that they can get a hull inspection for aquatic nuisance species at Blue Mesa Reservoir. Director Robert Hurd noted that there is already such a sign at LSC, but it is currently covered up by willows. He offered to oversee getting the willows cut down so that the sign is visible. General Manager Sonja Chavez noted that during a Zoom meeting with Colorado Parks and Wildlife, CPW also said they would have one of their staff

conduct roving inspections at LSC. General Counsel John McClow also noted that the Colorado State Patrol has also been authorized to stop any driver towing a boat on Colorado highways to inspect it for nuisance species. There is also a service dog now trained to detect aquatic nuisance species.

**D. Other Miscellaneous Matters**

Bill Nesbitt (Secretary/Treasurer) also noted that the LSCWAE is carrying a significant balance of cash in its checking account, and he would like the Board to look at options to earn some interest. President Michelle Pierce asked if Bill, Accountant Jill Steele and General Manager Sonja Chavez could look into options for investing some of the LSCWAE cash in interest earning investments.

**10. UNSCHEDULED CITIZENS**


**11. FUTURE MEETINGS**

The next regularly scheduled meeting of the Lake San Cristobal Water Activity Enterprise will take place in May of 2022, unless any special meetings are called in the meantime.

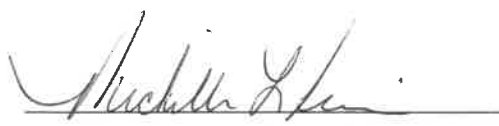
**12. ADJOURNMENT**

Board Chair Michelle Pierce adjourned the May 25, 2021 meeting at 4:05 p.m.

Respectfully Submitted,

  
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Bill Nesbitt, Secretary/Treasurer

APPROVED:

  
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Michelle Pierce, President