

**Upper Gunnison River Water Conservancy District  
Meeting Minutes of the Board of Directors  
Monday, November 25, 2024**

The Board of Directors of the Upper Gunnison River Water Conservancy District (UGRWCD) conducted a regular Board meeting and budget hearing on Monday, November 25, 2024 at 5:00 p.m. at the Upper Gunnison River Water Conservancy District, 210 West Spencer, Suite A, Gunnison, Colorado and via Zoom video/teleconference.

Board members present: Joellen Fonken, Rebie Hazard, Stacy McPhail, Julie Nania, John Perusek (via Zoom), Mike Rogers, Don Sabrowski, and Andy Spann

Board members absent: Rosemary Carroll and Brooke Zanetell

Others present:

Sonja Chavez, UGRWCD General Manager

Bailey Friedman, UGRWCD Water Resources Project Manager

Luke Mecklenburg, Colorado District Attorney's Office (via Zoom)

John McClow, UGRWCD General Counsel

Alana Nichols, UGRWCD Fellow

Beverly Richards, UGRWCD Office/Senior Program Manager

Robert Sakata, Ag Water Policy Advisor, Colorado Department of Agriculture (via Zoom)

Sue Uerling, UGRWCD Administrative Asst./Communications Specialist

Ari Yamaguchi, UGRWCD Water Resources Technician

**1. CALL TO ORDER**

President Stacy McPhail called the meeting to order at 5:30 p.m.

**2. AGENDA APPROVAL**

**Director Julie Nania moved and Director Mike Rogers seconded approval of the agenda as presented. The motion carried.**

**3. CONSENT AGENDA ITEMS**

**Director Joellen Fonken moved and Director Julie Nania seconded approval of the consent agenda as presented. The motion carried.**

**4. GENERAL COUNSEL UPDATE**

General Counsel John McClow reported that the letter to Commissioner Tutton, as included in the Board packet, has been delivered. Counselor McClow explained the purpose of the letter to Commissioner Touton

was in response to her complaints about Commissioner Rebecca Mitchell regarding her “hardline” approach to issues to be addressed in the post-2026 Guidelines . Mr. McClow clarified that Commissioner Mitchell is taking positions in alignment with Colorado’s water users’ demands, which is the focus of the letter.

He also noted that in the packet was a summary of Colorado Water Plan Grants for fiscal year 2023-24.

Regarding the extension of the 1975 Storage Exchange Agreement, he reported that the Bureau of Reclamation (BOR) did not receive a Basis of Negotiation as previously reported. It is expected soon. However, both the BOR, Colorado River District and the UGRWCD appointed their negotiating teams.

## **5. GENERAL MANAGER UPDATE**

General Manager Sonja Chavez referred to her memorandum included in the meeting packet and provided an update on a treasury note that matured, stating the funds have been moved into ColoTrust for now, which is earning 5.02 percent. She also noted a correction to the value of the bond at maturity which was \$215,434.

She reported that the Nature Conservancy District has agreed to provide the District with a grant of \$25,000 for the purchase of a Wet Meadows UTV and trailer, contingent on board approval.

The Bureau of Land Management (BLM) approached the District about providing additional monies for the Wet Meadows program and cheatgrass management. Ms. Chavez noted that she is hesitant to take on the management of the cheatgrass program since that has been under Gunnison County’s umbrella, but she is comfortable with being the fiscal agent of those funds.

The Watershed Management Planning Committee (WMP) met on November 13, 2024 and the minutes were included in the packet. Ms. Chavez reported that Water Resources Project Manager Bailey Friedman will be taking over the coordination of the WMP. Ms. Friedman will be working on drafting of the final plan and working with consultants to prepare their PowerPoint presentations of assessment outcomes.

Ms. Chavez reviewed some of the details included in her memo on WQCD Reg 87: Dredge & Fill, stating there is a link in the packet for those interested in reading more about the ongoing process.

She also briefly discussed an article by *Aspen Journalism* stating that Grand Valley water users are accusing the System Conservation Pilot Program of negatively impacting their irrigation company’s operations and the local ag community in general. President Stacy McPhail said that she had just read a couple of journal articles on the ecological benefits of flood irrigation, one provided by the University of Montana. Both articles showed support for flood irrigation in mimicking historic hydrological systems. She offered to send the links for these articles to the Board.

Ms. Chavez reported the Doppler radar project is making progress. Electrical wiring was supposed to be installed last week which would have to be followed by the state electrical inspection before the radar could become fully operational.

Ms. Chavez and Senior Program Manager Beverly Richards reported that North American Weather Consultants (NAWC), the company the District uses for the cloud seeding program, has been sold to Rainmaker. Ms. Richards said there would be no impacts to the program this winter and that a new contract will be developed for 2025-26.

Ms. Chavez referred to the memorandum in the packet regarding the Wet Meadows Program as written by Amanda Aulenbach (Director) and Ari Yamaguchi (Field Supervisor). Ms. Chavez asked Mr. Yamaguchi to report on his research of renting a Utility Terrain Vehicle versus purchasing one as directed by the Board. Mr. Yamaguchi reported that due to the possibility of damages to a rented unit, the possible lack of availability during the busy tourist season and the positive news that The Nature Conservancy was willing to provide \$25,000 for the UTV and trailer, staff and General Manager recommendation is to move forward with purchase.

There was some discussion about insurance and Ms. Richards reported that she cannot get a quote until she has a serial number for any unit the District would purchase. Director Andy Spann suggested that the District purchase an extended warranty for the unit. There was also some discussion about companies in the area that might be able to do the warranty work (Montrose or Grand Junction Kubota).

**Director Andy Spann moved and Director Rebie Hazard seconded authorizing District staff to purchase a UTV and trailer in 2025 at an estimated cost of \$25,064 with the requirement that the vehicle be insured, senior staff be trained on safe operation and be the only operators of the UTV and that an extended warranty be purchased. The motion carried.**

The Grants Committee met on November 21, 2024. The purpose of the meeting was to review some policy updates for the District's 2025 Grant Program and a second request for a contract extension from the Wild-Rice Wetland Restoration Project. The project was initially to be completed by May 31, 2024. In December 2023, the applicants requested an extension to December 31, 2024, due to weather delays and difficulty in finding a contractor. This extension was approved by General Manager Chavez. The applicant has now come back a second time to request another extension through December 2025 as the remaining work can only be done during October when the water table is at its lowest point. Consistent with District grant policy, staff and the Grant Committee are requesting that the Board approve the second extension request.

**Director Joellen Fonken moved and Director Mike Rogers seconded authorizing the approval of a second and final contract extension for the Wild-Rice Wetland Restoration Project through December 1, 2025. The motion carried.**

Ms. Chavez concluded her update by reporting that on behalf of the District, she provided three letters of support for two proposed scientific studies and one USBR B2E grant proposal and all are consistent with the District's mission and goals. Copies of the letters were included in the packet

## **6. 2025 DRAFT BUDGET HEARING**

President Stacy McPhail noted that the meeting would now move into the public budget hearing for the District's 2025 draft budget. Senior Program Manager Beverly Richards was asked to review her memorandum included in the packet which outlined changes made since the draft budget was previously presented at the last Board meeting. Director Rebie Hazard asked how many of the current staff members' payroll is funded or partially supported by grant funding. Ms. Chavez replied that currently there are three such staff members. Director Hazard expressed concerns if grant funding might be reduced or eliminated when there are administration changes or reduced state budgets. Ms. Chavez said she believes that the funding has already been allocated and would not be at risk of being swept and that while Director Hazard's concerns are valid, the District has sufficient general fund reserves to cover any inter-annual variability in payroll expenses.

## **7. CITIZEN COMMENTS ON 2025 DRAFT BUDGET**

Former Director Bill Nesbitt submitted written comments regarding the budget and President Stacy McPhail read the full letter as a matter of record. The City of Gunnison had also submitted a letter asking for continued funding in the amount of \$750 for the free community swim lessons. Coal Creek Watershed Coalition also submitted a written request asking for 2025 funding to be increased by \$7,000 (Total in 2025 \$17,000) to cover Coal Creek water quality analysis expenses no longer covered by the Mount Emmons Mining Company.

There were also two citizens attending the meeting online via Zoom. President Stacy McPhail asked that they raise their hands if they had any comments or questions. No questions or comments were brought forth.

## **8. BOARD DISCUSSION ON PUBLIC HEARING COMMENTS**

President Stacy McPhail expressed her appreciation for former Director Bill Nesbitt's comments about how the District's rate of return was better than what he reported for US Treasury returns.

## **9. MISCELLANEOUS MATTERS**

President Stacy McPhail referred to the order of appointment by Judge Kellie Starritt appointing Camille Richard to fulfill the remaining term of former Director Michelle Pierce, representing Hinsdale County. Ms. Richard will be sworn in at the January 27, 2025 Board meeting.

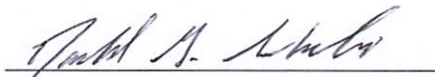
Board members were reminded that the Colorado Water Congress convention will be January 29-31, 2025 in Aurora, Colorado. Room reservations have been made at the Hyatt Regency, where the conference will be

held, for Board and staff members who have indicated they would like to go. Administrative Assistant Sue Uerling asked that if any other Directors want to go, to please let her know right away and to let her know if they intend to take part in the morning workshop on Wednesday, January 29<sup>th</sup> as she will be completing the conference registration process this week.

**10. ADJOURNMENT**

President Stacy McPhail adjourned the November 25, 2024 Board meeting at 5:48 p.m.

Respectfully Submitted,



Don Sabrowski, Secretary

APPROVED:



Stacy McPhail, President

