

TOWN OF LA JARA

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Special Meeting
Date: August 25, 2020

A permanent set of these minutes are maintained in the Town Clerk's Office. Approved Minutes are also available on the web at www.colorado.gov/townoflajara

Call to Order

A Special Meeting of the La Jara Town Board of Trustees was called to order by Mayor Medina at 6:00 p.m. Meeting was held at Northerner's Senior Center (413 Main Street)

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Medina.

Roll Call

Present were Trustees: Chavez, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.

Absent: Trustees Espinoza and Gallegos

A quorum was present.

Also present were: Town Manager Zaragoza, Town Attorney Pacyga, Police Chief Lujan and Town Clerk Pagnotta.

A special meeting was called to discuss and review the participation contract with Rio Grande Water Conservation Subdistrict 6. Town Manager Zaragoza explained augmentation requirement as set forth in the State's Groundwater Rules. In the past it was discussed to try and get some credit for discharging water from sewer lagoons as well as joining a subdistrict. The former town manager suggested joining the subdistrict in the southern end of the valley so that the town could have a voice. After speaking with Amber Pacheco from Rio Grande Water Conservation District Town Manager Zaragoza thought this subdistrict is worth looking into. He introduced Pacheco and asked her explain augmentation and the subdistrict in more detail.

Pacheco gave a background and stated that Rio Grande Conservation District has formed several subdistricts around the valley that cover all the non-exempt wells. She explained the state puts together ground water models that define where each individual well lays in correlation with the injury to the stream. She explained that the Town of La Jara is modeled to be included in Subdistrict 6 from the Alamosa - La Jara response area. The town is just outside the Conejos Subdistrict and is not covered in this area. She explained that she and Cleave Simpson had spoken to the board during the formation process to describe how the subdistrict would operate. At that time, they thought it would be best for all the towns to contract with a subdistrict because it gave more flexibility. She explained that with a contract for a subdistrict the town could negotiate terms where as if the town was under the petition process the town would have to comply the same as other entities. Pacheco explained the participation contract allows the town to get out of a subdistrict more easily than have being in a petition process. She states that the town can still seek an augmentation plan and seek the augmentation water by itself rather than paying a subdistrict to do that, she mentioned that the town would always have the option of seeking augmentation water even if the contract was signed. Trustee Wagoner questioned if the benefits are more positive for the town with one over the other? Pacheco then begins to explain the augmentation -vs- subdistricts. One

of the benefits for joining the subdistrict is the lower cost to the members because the wells are pooled together. Pacheco explained how the Town of Sanford looked into a water right and it was going to cost about a million dollars on one river. She mentioned the depletion process of having to find water on the three rivers, the Alamosa, Conejos and Rio Grande, which would have to be administered on a daily basis and go through court to change that water right to the use for augmentation. She explained the subdistrict provides that service as a group for all of its wells rather than every single well. Pacheco explained the requirements for filing an augmentation plan with the courts individually, whereas the subdistrict files a report every year on behalf of all the members.

Pacheco moved on to explain the cost process is determined by a board of eleven members of the subdistrict. Mayor Pro Tem Valdez asked if the water from the lagoons could be used as credits for augmentation. Pacheco explained that the stated does not recognize this water as a return to a stream. However, she explained that the subdistrict recognizes that the town is not using all the water that it pumps, as result the town is being charged a lower fee. For this year they set the rates to cover the depletion which is owed through April 30, 2021. Pacheco stated that the contract is a one-year contract with an automatic renewal. She explained that if the town ever wanted to seek an augmentation plan on its own town is not held in a long term contract.

Mayor Medina asked Attorney Pacyga if he had a chance to look at the contract, which he had and Pacyga stated that he wants to make sure that we can comply with the measurement requirements. He also asked about the management plan. Pacheco explained that the management plan was approved by the state engineer on September 25, 2019 with the annual replacement plan deadline for September 25, 2020 for the next year. Pacheco mentioned if the town chose not to put the contract in at this time, the subdistrict would still file its annual replacement plan with the current wells and the town's wells would not be included until May 1, 2021. Pacheco mentioned that the states ground water rules go into effect on March 15, 2021, and if the town is not in a subdistrict under its own augmentation plan or have an SWSP filed with the state in demand, the state could red tag the wells or charge you a penalty for using them.

Town Manager Zaragoza mentioned the benefits of joining the subdistrict which will allow for more flexibility down the road. He mentioned that it is nearly impossible to augment or purchase water, therefor he thinks the price and plan is beneficial for the town.

Motion: Trustee Wagoner made a motion to join subdistrict 6 and sign the contract; seconded by Mayor Pro Tem Valdez.

Vote Result: Ayes: Trustees Chavez, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.
Nays: None
Motion Carried.

Motion: Mayor Pro Tem Valdez made a motion directing Attorney Pacyga to draft a resolution for the subdistrict 6 contract, seconded by Trustee Chavez.

Vote Result: Ayes: Trustee Chavez, Villagomez, Wagoner, Mayor Pro Tem Valdez and Mayor Medina.
Motion: Carried

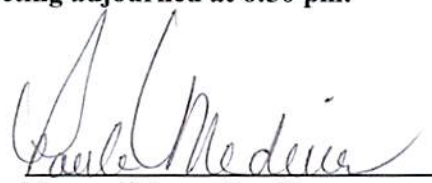
Adjournment:

Mayor Pro Tem Valdez moved to adjourn. The meeting adjourned at 6:30 pm.

Respectfully Submitted by


Town Clerk – Shawn Pagnotta




Mayor / Mayor Pro Tem