



WATER COMMISSION MEETING

MONDAY, JANUARY 27, 2025

MINUTES

Monday, January 27, 2025

3:30 – 5:00 PM

Hearing Room

1. Call to Order and Roll Call

Chair Hilbert called the meeting to order at 3:33 p.m. and asked for a roll call.

PRESENT: Chair, Jack Hilbert (Dist. I)
Vice Chair, Donald Langley (Dist. I)
Regular Member James Eklund (Dist. I)
Regular Member Clark Hammelman (Dist. II)
Regular Member Jim Maras (Dist. II) (*remote*)
Regular Member Harold Smethills (Dist. III)
Regular Member Evan Ela (Dist. III) (*remote*)
Regular Member Mickey Conway (Dist. III)
At-Large Sean Tonner
At-Large Tricia Bernhardt

2. Approval of Water Commission Meeting Minutes from December 16, 2024

Chair Hilbert asked for comments or a motion for the December 16, 2024, Water Commission Meeting Minutes.

Member Smethills proposed a correction to complete his statement that he believed one of the applicants (Intera Incorporated) was superior.

Sean Tonner moved to approve the December 16, 2024, meeting minutes with the correction.

RESULT:	APPROVED
MOVER:	Sean Tonner
SECONDER:	Tricia Bernhardt
AYES:	Hilbert, Langley, Eklund, Hammelman, Maras, Smethills, Ela, Conway, Tonner, Bernhardt
NAYS:	None
ABSTAIN:	None

3. Referral Items for Possible Consideration – a “No Comment” will be provided for any and all items unless the Commission indicates otherwise

- a. ZR2024-008 - Struby Resurvey, Lots 7-11
- b. ZR2024-030 - 9315 Sand Creek Road

No comments were provided.

4. Discussion and Action Items

a. Water Plan RFP Process Update

Kati Carter, Assistant Director of Planning Resources, provided an update on the next steps for the Water Plan RFP process. The BOCC meeting is scheduled for January 28, 2025. Upon BOCC approval, staff will coordinate with Forsgren to schedule kick-off meetings with staff and Water Commission members.

Member Tonner inquired about subcommittees for the process. Kati Carter stated that following the initial meeting with Forsgren, staff will begin developing a plan for executing the scope, with final decisions to be made by the Water Commission.

Member Bernhardt asked if the February meeting would initiate discussions with Forsgren.

Kati Carter confirmed that was her understanding.

The Chair summarized the discussion. Staff will communicate the next steps to Water Commission members.

b. Colorado Supreme Court – well permit case update

Chris Pratt, Managing County Attorney, provided an update on the Colorado Supreme Court well permit case update. There was a petition for rehearing, the decision of the Colorado Supreme Court stays the same. This is the case where Colorado Supreme Court ruled that the state engineer may consider the 100-year flow rate as a cap on the total amount of water that can be withdrawn from a well, applying retroactively to all well permits, not just future ones. The impact and implementation process are still to be determined.

The Commission discussed the Colorado Supreme Court well permit case, including engineering materials, legal updates, and the hiring of counsel. Topics included retroactive non-exempt well metering, potential requirements for private well owners, Commissioner involvement in rulemaking, costs of well meters, the impact on affected wells, and distinctions between exempt residential and municipal wells. It was noted that the timing aligns well with Water Plan development.

5. Member Discussion

The Commission discussed a response to the 2050 Comprehensive Douglas County Water Plan RFI that was submitted after the formal deadline and was not a part of RFI/RFP consideration. While not required by the process, the BOCC requested staff present it as an informational item to the Water Commission.

Member Smethills suggested exploring the company's technology and encouraged the County and Forsgren to consider integrating it into the Water Plan. Given the company's global expertise, he recommended prescreening it and referring it to the BOCC for consideration.

MINUTES

The Commission engaged in further discussion on the topic. Members expressed interest in broadening discussions on technology, developing a structured process for engaging different vendors, and incorporating educational presentations from local water providers into future meetings. Members were asked to submit ideas for educational topics via email so staff can begin integrating them into the meeting schedule.

Member Smethills also highlighted the budget constraints at the State level for water projects and encouraged Commissioners to monitor the budget process. He emphasized the importance of supporting efforts to preserve critical Water Conservation Funds and engaging lobbyists in this effort.

The Commission also discussed tracking State water legislative items and incorporating them into monthly meetings, with Member Tonner offering to share executive summaries of relevant bills. Kati Carter proposed adding a standing agenda item for legislative updates and preparing a summary of Water Congress updates for members. It was agreed that a shared folder on SharePoint will be created to track legislative updates.

Additionally, members discussed Water Congress attendance and participation.

6. Adjournment

Chair Hilbert declared the meeting adjourned. The meeting was adjourned at 4:25 p.m.