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Monument Board of Trustees, Jan. 6

Renewable water source investigation tabled

By Jim Kendrick

Arkansas River basin water consultant Gary Barber, of WestWater Research LLC in Colorado Springs, discussed his proposed study to develop options for town purchase of renewable rights as well as investing in reuse of the town's treated wastewater at the Jan. 6 meeting of the Monument Board of Trustees.

On Dec. 16, Barber presented a proposed letter of engagement to the staff that was requested by the board on Dec. 2 after the board approved the renewable water source study Barber had proposed to the town staff on Nov. 27.

On Jan. 6 the board again expressed frustration over the numerous delays that it had previously voted for before making any decisions regarding Barber's renewable/reuse water study proposal. The board then tabled the Dec. 16 letter of engagement because this contract was not distributed to the board members or Town Attorney Gary Shupp for their preliminary review until just before the Jan. 6 meeting. Trustee Jeff Bornstein had also asked that the contract be tabled until he could address the board in person.

Trustees Bornstein and Jeff Kaiser were absent from the meeting.

Recent background on Barber study

The board has been considering the purchase of renewable water for the past eight years using saved funds from the town's Acquisition, Storage, and Delivery (ASD) fund, which is funded by a voter approved 1-cent sales tax fee. The current amount available in the ASD fund for these normally restricted kinds of purchases is about \$700,000.

The town's successful 1989 ballot issue language that created the 1-cent water sales tax states specified that the sole purpose and permitted use for the water tax revenue is the town water system. The separate ASD fund was created to avoid the TABOR restriction that tax revenues could not exceed 10 percent of the town's water enterprise budget. (ocn.me/v5n11.htm#bot1017)

Each year \$168,092 from the ASD fund is used pay the Colorado Water Conservation Board for the town's annual payment on the Monument Lake dam rehabilitation loan. Also, an ASD fund payment of \$365,598 is made to Wells Fargo Securities each year for the construction lease-purchase loan for Town Hall. This non-water loan was approved by town voters in the November 2005 election. These lease-purchase payments for Town Hall will continue until August 2016.

During the Jan. 7, 2013 meeting, the board requested a briefing from Barber at a future board meeting on reuse options for providing sustainable water.

At the March 18, 2013 board meeting, Town Water Attorney Bob Krassa and Town Water Resource Engineer Bruce Lytle gave an hour-long presentation on the complexities of water law, ownership of various kinds of water rights, and the legal and practical pros and cons



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