


**ARKANSAS RIVER COMPACT ADMINISTRATION
MINUTES OF SPECIAL MEETING
WEDNESDAY, AUGUST 4, 1999**

HELD VIA TELEPHONIC CONFERENCE CALL
WEDNESDAY, AUGUST 4, 1999 AT 1:30 M.D.T. (2:30 C.D.T.)
[Transcript of Recorded Conference Call]

The following transcript is the official minutes of the Arkansas River Compact Administration's August 4, 1999 Special Meeting, as signified by the signature of the Chairman of the Administration, pursuant to Administration approval given on 12/12/06 at Lamar.


~~Larry E. Trujillo Sr., Chairman~~ *Chairman*
Arkansas River Compact Administration

Operator: This is a recording of the State of Colorado conference call, hosted by Mr. Steve Miller. The conference call is scheduled on August 4, 1999 on 1:30 P.M. Central Daylight Time. Good afternoon. I'd like to begin this conference today by saying this conference call is being recorded at the request of the State of Colorado. If anyone has any objections you may disconnect at this time. I'd like to begin with the roll call today. Do I have Ms. Mary Clay?

Clay: Here.

Operator: Thank you. And Mr. Randy Hayzlett?

Hayzlett: Here

Operator: Thank you. And Mr. Mark Rude?

Rude: Here.

Operator: Thank you. Mr. Tom Pointon?

Pointon: Here.

Operator: Thank you. Mr. Jim Rogers?

Rogers: Here.

Operator: Thank you. Mr. John Draper?

Draper: Here.

Operator: Mr. David Brenn?

Brenn: Here.

Operator: Thank you. Mr. Steve Witte?

Witte: Yes.

Operator: Thank you. And Mr. David Pope?

Pope: Here.

Operator: And Mr. David Barfield?

Barfield: Here.

Operator: Thank you. If you need further assistance throughout your call today, please press "star zero".

Miller: This is Steve Miller ... he didn't call my name but I'm here also, and Peter's here. I guess I'll let Peter say a few words but we should all know Mr. Trujillo won't be on the call.

Evans: Since Larry isn't on the call, David, you're going to chair the meeting, aren't you?

Pope: Yes, I assume that would be correct ... Larry Trujillo did call me just before lunch and indicated that he had a last minute conflict that had come up and that he was going to try to give you or Steve a call, and so I did agree to chair the meeting as Vice-Chairman, assuming that would be acceptable with the body.

Evans: Acceptable to us. You bet.

Pope: OK...with ...are there other preliminary comments that either you or Steve or anyone has, if not, we'll go ahead and kick off the meeting.

Miller: I'll just say that the recording will be transcribed and we'll take care of doing that, and present some minutes of this to the Administration in December.

Pope: OK, that's good, and I certainly appreciate that. I think we had a roll call called by the conference operator that indicates to me that all the compact commissioners are on the line with the exception of the Chairman. So with that I think the thing to do would be to move into the agenda. My understanding of the notice of the Special Telephonic Meeting that Steve has taken ... thanks to Steve for taking care of all the logistical arrangements of coordinating this and getting it out to every one. Let me just ask as a formality and make sure that all the members of the Administration and other interested parties do have copies of the Notice and of the ... with the agenda and with the proposed items for consideration: the two resolutions. Does everyone have those available to them?

(General affirmation, no names given)

Pope: If anyone doesn't ... I guess that's what we really need to hear. OK, given that being the case, the meeting of course is being called for the limited and specific purpose of two things ... the first of those is to consider a resolution to amend the bylaws of the Compact Administration to specifically allow a different date to be considered by resolution of the Administration for the annual meeting ... if such action is taken ... and the second purpose is to go ahead and if that resolution does

pass then to go ahead and move ... agree to moving the meeting date to December 7th. If that is clear to everyone, why don't we go ahead and take up the first order of business ... that is the resolution of the Ark River Compact Administration concerning an amendment to the Bylaws ... the language basically says that "Be resolved" ... I'm going to paraphrase ... by the Compact Administration that Article IV, Paragraph 1 of the Bylaws be hereby amended to read as follows, number one would be "Unless otherwise scheduled in advance by resolution of the Administration, the annual meeting of the Administration shall be held on the 2nd Tuesday in December of each year." And then the normal closing and signature aspects. Does everyone understand the proposed resolution? Or if you don't, please ask questions at this time.

Evans: Mr. Chairman, this is Peter Evans, and on that basis I would move that the Administration adopt this resolution amending Article IV Paragraph 1 of the bylaws.

Pope: OK, thank you, Peter. Do I hear a second?

Hayzlett: I'll second it. This is Randy.

Pope: OK, we have a second from Randy Hayzlett of Kansas. We now have a motion and a second. Let me add if there's any discussion or questions about the resolution, and if there are, we can try to deal with those. I don't hear questions from any members of the Administration. Let me ask briefly if there are other people attending any of the listening sites if they would like to be briefly heard before action is taken on this resolution.

Miller: We don't have anybody here in Denver, David. Mary Louise, do you have anybody?

Clay: Don Steerman is here.

Miller: Don Steerman? OK ... that's probably the only member of the public at any of the sites, is my guess.

Pope: I'm not ... there's no one else here in Topeka. I'm not aware of any at Garden City ... Mark, I guess, could address that issue.

Rude: There's five staff here in Garden City listening in, but no objections.

Pope: OK.

Miller: Don, did you want to say something?

Steerman: I have no objections to this amendment.

Miller: Thank you.

Pope: OK, if there is no further questions or comments, how does Colorado vote?

Evans: Colorado votes to adopt the amendment.

Pope: OK, and let me ... I think we've directly and indirectly conferred on the Kansas side ... given my role as Vice-Chairman I would just ask the two other member of the Administration if they concur with the action? Randy and Dave?

Hayzlett: Yes.

Brenn: Yes.

Pope: OK, hearing that, Kansas will vote yes on the question, and we will declare the resolution passed. Let's move to the second item on the agenda, and that is the resolution to basically to resolve to ... pursuant to the bylaws as just recently amended, the essence of the resolution would be to then have the 1999 annual meeting of the Administration on Tuesday December 7, 1999. Let me ask if, or entertain a motion ... or ask for any question on that motion or item first.

Evans: Mr. Chairman ... this is Peter Evans ... and I would ... excuse me ... move that we adopt ... I would move a motion that we schedule the annual meeting for Tuesday, December 7, 1999.

Pope: OK, thank you, Peter. Do I hear a second?

Brenn: Second.

Pope: OK ... and for the record, who was that?

Brenn: That's Dave Brenn.

Pope: Thank you, Dave. OK, we have a motion and a second ... let me ask again if there is any questions or discussion on the motion. OK, I don't believe so. At this point let me ask how Colorado votes?

Evans: Colorado has conferred previously and votes in support of this amendment ... this resolution, I'm sorry.

Pope: OK, thank you, and again, let me just sort of confirm that Kansas is also in support of the resolution ... is that the case, Randy and Dave?

Hayzlett: Yes

Brenn: Yes.

Pope: OK, with that, Kansas votes Aye on the Resolution and we will declare it passed as well. I think those are the two official items of business that we have scheduled. Steve, as a matter of logistics, will you be able to take care of getting the signatures on the resolutions?

Miller: Yes, and I have just one question. I've prepared this for Larry Trujillo's signature ... would it be better to have your signature, David. Or should I add a third signature line ... or can the Chairman ... I guess the Chairman can sign resolutions even if he wasn't at the meetings, so long as he's advised there was a quorum and it was passed.

Pope: I would assume that would be correct ... unless someone... I'm willing to go either way...but I think that may be the appropriate way to do it ... I think he is just signifying that it was, in fact, an official action. Does anyone have a difference of opinion on that?

Draper: This is John Draper. I agree with your position on that, David.

Pope: OK, thank you. I guess not hearing any dispute on that, why with that, why, Steve, if you would just take care of that ... if there's some question in the Chairman's mind, why, he can give me a call, or we can work through that.

Miller: OK, fine, I'll get those over to him today.

Pope: Well, with that, I think that we have concluded all the business scheduled, and unless there's further questions, I'd like to thank all of you all for your participation, and we appreciate this action. I believe I can confirm, and Mark Rude is on the line, that of course we are still planning to host the meeting in Garden City as previously scheduled pursuant to the action at the 1998 annual meeting, we're looking forward to that. I think Mark has the facility there at the Plaza Inn, a hotel there in Garden City reserved for both dates, so he'll now be able to tie that down to the specific one on the 7th, and Mark, is that correct?

Rude: That is correct.

Pope: So I think we're all ready to go.

Rude: I might add that they boast a brand new sound system, so Steve, they say there shouldn't be any problem in amplification.

Miller: Well, that's good.

Pope: Well again, we look forward to that and certainly encourage everyone in both states to advise the water users and interested parties of the change in date and in the fact that the meeting will be in Kansas this year, which is kind of a departure from what we've done for many years, and encourage them to attend. We're sure the hotel would be willing to accommodate as many people as they can right there, so ...

Miller: This is Steve Miller. I suspect we'll probably want to do some sort of committee meeting or something on the 6th, but I guess we'll have to wait and see how the agenda develops for the compact meeting itself, the annual meeting, and decide if we want to meet the night before on anything.

Pope: OK, I think that's a point well taken. I know historically we have done that, and we should probably think in terms of maybe getting a room reserved, one or more rooms, whatever we need, as soon as we can.

Rude: Dave, I might add that for the night before the, at least one segment of the ballroom is already reserved for those committee meetings.

Pope: OK, it sounds like we're in pretty good shape here. OK, with that, unless there's further business, I don't know whether we need a motion or whether we can just declare the meeting adjourned, I think that's all that's necessary. Hearing no objection, I will declare the meeting adjourned and thank you for your participation.

Evans: Thank you, and we'll look forward to the meeting in Garden City.

(General good-byes and hang-ups)

End of tape and end of telephonic meeting.

ATTACHMENTS
TO MINUTES OF ARCA SPECIAL MEETING

- A. Notice of Special Telephonic Meeting
- B. Proposed Resolution of the Arkansas River Compact Administration Concerning an Amendment to the Bylaws.
- C. Proposed Resolution of the Arkansas River Compact Administration Concerning Scheduling the 1999 Annual Meeting.
- D. Adopted Resolution of the Arkansas River Compact Administration Concerning an Amendment to the Bylaws.
- E. Adopted Resolution of the Arkansas River Compact Administration Concerning Scheduling the 1999 Annual Meeting.

ARKANSAS RIVER COMPACT ADMINISTRATION

307 SOUTH FIFTH STREET, LAMAR, COLORADO 81052

719-336-9696

CHAIRMAN AND FEDERAL REPRESENTATIVE

LARRY E. TRUJILLO, SR.
PUEBLO, COLORADO

FOR COLORADO

PETER H. EVANS, DENVER
THOMAS R. POINTON, LAS ANIMAS
JAMES G. ROGERS, LAMAR

FOR KANSAS

DAVID L. POPE, TOPEKA
DAVID A. BRENN, GARDEN CITY
RANDY HAYZLETT, LAKIN

NOTICE OF SPECIAL TELEPHONIC MEETING
OF THE
ARKANSAS RIVER COMPACT ADMINISTRATION

Wednesday, August 4, 1999

12:30 - 1:00 P.M. MDT

(1:30 - 2:00 P.M. CDT)

A Special Meeting of the Arkansas River Compact Administration (ARCA) will be held by telephonic conference call at the time noted above. The meeting will be convened for the limited purposes of:

1. Adoption of the following change to Bylaw Article IV, paragraph 1, as noted by the underlined text:

ARTICLE IV MEETINGS

1. Unless otherwise scheduled in advance by a resolution of the Administration, the annual meeting of the Administration shall be held on the second Tuesday in December of each year.
2. Agreeing pursuant to the revised Bylaw to hold the 1999 Annual Meeting on December 7, 1999 (the first Tuesday in December). Note that at the 1998 Annual Meeting the Administration determined pursuant to Bylaw Article IV, paragraph 4, that the 1999 Annual Meeting will be held in Garden City, Kansas.

Any person wanting to monitor or participate in the telephonic meeting should contact one of the proposed listening sites listed below prior to the meeting. Listening sites with speaker phones have been tentatively established (depending on demand and necessity) at the following locations:

<u>SITE</u>	<u>COORDINATOR</u>	<u>PHONE</u>
1. ARCA Office, 307 S. Main Street, Lamar, CO	Mary Louise Clay	719-336-9696
2. Kansas Div. of Water Resources, Topeka, KS	David Pope	785-296-3717
3. Colorado Water Conservation Board, Denver, CO	Steve Miller	303-866-3441
4. Colorado Div. of Water Res., Div. 2 Engineer, Pueblo, CO	Steve Witte	719-542-3368
5. Kansas Div. of Water Resources, Garden City, KS	Mark Rude	316-276-2901

Notice issued by the Colorado Water Conservation Board pursuant to the authority of the ARCA Recording Secretary, Mary Louise Clay.

ARKANSAS RIVER COMPACT ADMINISTRATION

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719-336-9696

FOR COLORADO

PETER H. EVANS, DENVER
THOMAS R. POINTON, LAS ANIMAS
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FOR KANSAS

DAVID L. POPE, TOPEKA
ROBERT BUERKLE, HOLCOMB
EUGENE OVERTON, SYRACUSE

RESOLUTION
OF THE
ARKANSAS RIVER COMPACT ADMINISTRATION
CONCERNING
AN AMENDMENT TO THE BYLAWS

BE IT RESOLVED by the Arkansas River Compact Administration that Article IV, Paragraph 1 of the Bylaws is hereby amended to read as follows:

1. Unless otherwise scheduled in advance by a resolution of the Administration, the annual meeting of the Administration shall be held on the second Tuesday in December of each year.

Entered this 4th day of August, 1999, at a special telephonic meeting of the Arkansas River Compact Administration.

ARKANSAS RIVER COMPACT ADMINISTRATION

By: _____
Larry E. Trujillo, Sr., Chairman

By: _____
Mary Louise Clay, Recording Secretary

ARKANSAS RIVER COMPACT ADMINISTRATION

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**RESOLUTION
OF THE
ARKANSAS RIVER COMPACT ADMINISTRATION
CONCERNING
SCHEDULING THE 1999 ANNUAL MEETING**

BE IT RESOLVED by the Arkansas River Compact Administration pursuant to Article IV, Paragraph 1 of the Bylaws as amended by the Administration on August 4, 1999 that the 1999 Annual Meeting of the Administration is hereby scheduled for Tuesday, December 7, 1999.

Entered this 4th day of August, 1999, at a special telephonic meeting of the Arkansas River Compact Administration.

ARKANSAS RIVER COMPACT ADMINISTRATION

By: _____
Larry E. Trujillo, Sr., Chairman

By: _____
Mary Louise Clay, Recording Secretary

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RESOLUTION
OF THE
ARKANSAS RIVER COMPACT ADMINISTRATION
CONCERNING
AN AMENDMENT TO THE BYLAWS

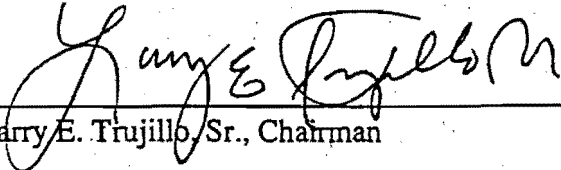
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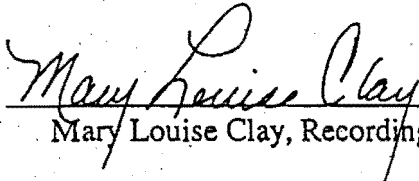
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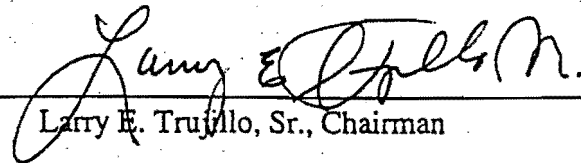
RESOLUTION
OF THE
ARKANSAS RIVER COMPACT ADMINISTRATION
CONCERNING
SCHEDULING THE 1999 ANNUAL MEETING

BE IT RESOLVED by the Arkansas River Compact Administration pursuant to Article IV, Paragraph 1 of the Bylaws as amended by the Administration on August 4, 1999 that the 1999 Annual Meeting of the Administration is hereby scheduled for Tuesday, December 7, 1999.

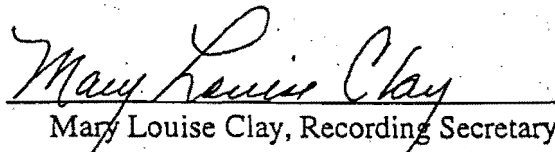
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