

RECORD OF PROCEEDINGS

UPPER YAMPA WATER CONSERVANCY DISTRICT
COMBINED GOVERNANCE COMMITTEE AND SPECIAL BOARD MEETING
MONDAY, AUGUST 22, 2022 (12:00 PM)
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO
ONLINE MEETING:

<HTTPS://US06WEB.ZOOM.US/J/89267966176?PWD=R0XSWDHEY09oU3JMSMXAY0LVDLRAQT09>

MINUTES

Vice President Webster Jones called the meeting to order and declared a quorum present. In addition to Vice President Jones, the Board Members present were Doug Monger, Tom Sharp, Jim Haskins, Nicole Seltzer, Ken Brenner and Lyn Halliday. General Manager Andy Rossi, District Engineer Emily Lowell, Business Manager Deb Bastian, Chief Accountant Karina Craig, General Counsel Bob Weiss and Special Counsel Scott Grosscup were also present.

This meeting was held in person and by videoconference utilizing Zoom. The meeting agenda included instructions to the public describing the process to participate in the meeting and comment on agenda items.

The following agenda was proposed:

AGENDA

- (1) **12:00 PM** Establishment of Quorum and Call to Order
- (2) **12:00 PM** Approval of Agenda for Meeting **Action item**
- (3) **12:05 PM** Public Input and Comment
The Committee will make no decision nor take action, except to direct the General Manager. Those addressing the Committee are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
- (4) **12:10 PM** Status of Water Rights Cases
- (5) **12:30 PM** Upper Yampa Water Conservancy District Strategic Plan
 - a. Strategic Plan Discussion and Direction for 2023 Draft Budget
- (6) **2:00 PM** Executive Sessions:
 - a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description). Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
- (7) **2:15 PM** Committee actions in regard to Executive Session **Action Item**
- (8) **2:20 PM** Adjournment.

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Vice President Jones established a quorum and called the meeting to order at 12:10 PM.

Meeting Agenda. Director Haskins moved to approve the agenda. Director Halliday seconded the motion which was unanimously approved.

Public Input and Comment. Vice President Jones invited members of the public to comment on items not otherwise scheduled on the agenda. There was no comment.

Status of Water Rights Cases. Special Counsel Grosscup discussed the pending abandonment proceeding involving three Tri-State water rights.

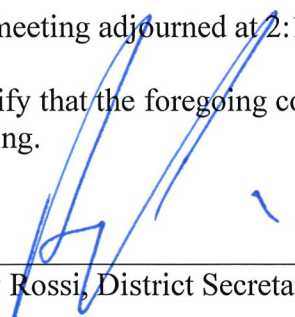
Executive Session. At 12:15 PM Director Sharp moved, Director Brenner seconded, and it was unanimously agreed to go into Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on the potential litigation of Tri-State water rights. Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.

Committee Action Regarding Executive Session. Director Sharp moved that the Board of Directors authorize Special Counsel Grosscup to prepare a motion to intervene in the abandonment case from the Division Engineer with respect to the three water rights of Tri-State that the Division Engineer proposes for partial abandonment and that the Board further authorize the filing of the intervention by the end of this month unless it is determined by our special counsel that such filing is not necessary. Director Brenner seconded the motion which was unanimously approved.

Strategic Plan Discussion and Direction for 2023 Draft Budget. General Manager Rossi provided an overview of the Strategic Plan process and solicited input and ideas from the Governance Committee. The committee discussed. General Manager Rossi requested the committee to forward potential additions to the Strategic Plan for inclusion in the discussion at the September 22, 2022, Board of Directors meeting.

The meeting adjourned at 2:17 PM.

I certify that the foregoing constitutes a true and correct summary of the proceeds at the above referenced meeting.



Andy Rossi, District Secretary/Manager

Date: _____

9/22/23

STATEMENT FROM ATTORNEY REGARDING ATTORNEY-CLIENT PRIVILEGE

The undersigned Robert G. Weiss, legal counsel for the District, hereby attests, pursuant to CRS Section 24-6-402(2)(d.5)(II)(B), that the portion of the executive session that was not recorded and which related to the legal issues on the potential litigation of Tri-State water rights constituted a privileged attorney-client communication under CRS Section 24-6-402(4)(b).



Robert G. Weiss, Counsel

Date: _____

9-22-2022