

## RECORD OF PROCEEDINGS

---

---

**UPPER YAMPA WATER CONSERVANCY DISTRICT  
BOARD OF DIRECTORS MEETING  
WEDNESDAY, SEPTEMBER 3, 2015 (12:00 PM)  
3310 CLEARWATER TRAIL, STEAMBOAT SPRINGS**

### MINUTES

Chairman John Redmond called the meeting to order and declared a quorum present. In addition to Chairman Redmond, the Board members present were Stephen Colby, Tom Sharp, Sam Haslem, Ken Brenner (via telephone), Webster Jones, Ron Murphy, Greg Hermann and Doug Monger. General Manager Kevin McBride, Office Manager Karina Craig, Special Counsel Josh Marks (via telephone) and General Counsel Bob Weiss were also present.

The following agenda was proposed:

### **AGENDA**

- (1) Establishment of Quorum and Call to Order;
- (2) Approval of Agenda for Meeting; action item
- (3) Public Input and Comment;
- (4) Status of Stahl litigation;
- (5) Executive Session with Bob Weiss, legal Counsel, under CRS § 24-6-402(4)(b) to discuss legal issues on Stahl litigation. Mere presence or participation of an attorney at an executive session of the local politic body is not sufficient to satisfy the requirements of this subsection (4).
- (6) Possible Continuation of Item 4; possible action item
- (7) New Business;
- (8) Adjournment.

The agenda of the meeting was unanimously approved.

## RECORD OF PROCEEDINGS

---

---

Robert Weiss, as counsel for the District, stated that in his opinion discussion of the matter announced to go into executive session constitutes a privileged attorney/client communication. He was therefore recommending that no further record be kept of the executive session. All present left the room, except Directors, the General Manager, Counsel Weiss and Mr. Marks.

Motion made, seconded and unanimously approved, to go into Executive Session under provision C.R.S. §24-6-402(4) (b) to discuss with counsel legal issues relating to the Stahl litigation. Mere presence or participation of an attorney at an executive session of the local public body is not sufficient to satisfy the requirements of this subsection (4).

Motion was made, seconded and unanimously approved to come out of Executive Session. The Executive Session commenced at 12:15 PM and concluded at approximately 1:00 PM.

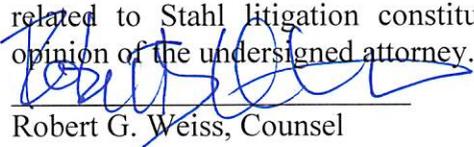
The Chairman then announced that if any person who participated in the executive session believed that any substantial discussion of any matters not included in the motion to go into executive session occurred in the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, that such person state their concerns for the record. No one stated concerns.

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

  
Kevin McBride, District Secretary/Manager

### STATEMENT FROM ATTORNEY REGARDING ATTORNEY-CLIENT PRIVILEGE

The undersigned Robert G. Weiss 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 Stahl litigation constituted a privileged attorney-client communication in the opinion of the undersigned attorney.

  
Robert G. Weiss, Counsel

Date: 11-19-2015

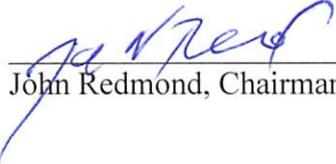
## RECORD OF PROCEEDINGS

---

---

### STATEMENT FROM CHAIR OF EXECUTIVE SESSION REGARDING ATTORNEY-CLIENT PRIVILEGE

The undersigned chairman hereby attests, pursuant to CRS Section 24-6-402(2)(d.5)(II)(B), that all of the executive session was not recorded and was confined to the topics authorized for discussion in an executive session pursuant to subsection (4) of CRS Section 24-6-402.

  
\_\_\_\_\_  
John Redmond, Chairman

Date: 1/15/2016