

# RECORD OF PROCEEDINGS

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**UPPER YAMPA WATER CONSERVANCY DISTRICT  
BOARD OF DIRECTORS MEETING  
FRIDAY, JANUARY 15, 2016, 1:00 PM  
3310 CLEAR WATER 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, Doug Monger, Ken Brenner, and Ron Murphy. General Manager Kevin McBride, Andy Rossi, District Engineer 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) Mountain States Employers Counsel, Candy Siderius; action item
- (4) Stahl Litigation and Settlement Status:  
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).
- (5) General Manager Review;  
Executive Session under CRS § 24-6-402(4)(f)(1) to discuss personnel matters (manager evaluation). This session shall be recorded.
- (6) Adoption of Salary Ranges and Budget Amendment for 2016; action item
- (7) Adjournment.

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Chairman Redmond called the meeting to order and declared a quorum present.

Agenda. The agenda was unanimously approved.

### Mountain States Employers Counsel, Candy Siderius.

Candy Siderius of MSEC presented the results of a recently completed compensation study. The study was based on a standard method used by MSEC, the MSEC salary data and a survey used by the Colorado River District (the UYWCD provided data to that study and was provided a copy by the CRD's consultant). Also provided in the packet is the existing salary ranges. These are based upon work that UYWCD staff developed and provided in 2012; which the Board used to set the current pay ranges.

Ms. Siderius gave a power point presentation of the MSEC process and responded to questions of the Board. The Board asked the General Manager to work with MSEC and further develop pay ranges to be presented for subsequent discussion. The Board gave guidance that pay ranges will be annually approved by the Board for each position, except for the general manager. The General Manager's salary will be annually set by the Board. The Board preferred general divisions (such as low, medium, high) within the pay ranges but did not favor a durational step system. Within the pay ranges, salaries would be set by the general manger by utilization of criteria such as longevity and performance. Pay ranges could be annually adjusted by the Board based on the employment cost index (ECI) as the Board deems appropriate. Staff will work with Ms. Siderius and return with additional information on pay ranges. The Board will adopt pay ranges and any changes in pay that may be approved will be made retroactive to January 1.

### Executive Session – Stahl Litigation.

Bob Weiss, as counsel for the District, stated that in his opinion discussion of the Stahl Litigation matters were appropriate for executive session and constitutes a privileged attorney/client communication. He was therefore recommending that no further record be kept of the executive session.

Motion to go into executive session made and seconded and approved unanimously to go into Executive Session under provision C.R.S. §24-6-402(4) (b) to discuss legal issues in 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). The Executive Session commenced at about 2:30 PM and concluded at about 3:15 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

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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.

### General Manager Review.

Motion to go into executive session made and seconded and approved unanimously to go into Executive Session under CRS § 24-6-402(4)(f)(1) to discuss personnel matters (manager evaluation). This session was recorded. The Executive Session commenced at about 3:15 PM and concluded at about 4:15 PM.

The meeting was adjourned at 4:20PM.

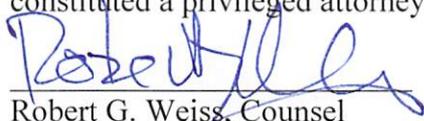
I certify that the foregoing constitutes a true and correct summary of the proceedings at the above referenced meeting.



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: 3-14-2016

### **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 the part of the executive session which was not recorded and was confined to the topic authorized for discussion in an executive session pursuant to subsection (4) of CRS Section 24-6-402.



John Redmond, Chairman

Date: 2/19/16