

RECORD OF PROCEEDINGS

**UPPER YAMPA WATER CONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
AUGUST 22, 2019 1:30 PM
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO**

MINUTES

Chairman Ken Brenner called the meeting to order and declared a quorum present. In addition to Chairman Brenner, the Board members present were Bob Woodmansee, Doug Monger, Ron Murphy, Tom Sharp, and Webster Jones. General Manager Kevin McBride, District Engineer Andy Rossi, Office Manager Karina Craig, Administrative Assistant Barbara Wilson, future Communications/Marketing Manager Holly Kirkpatrick and General Counsel Bob Weiss were also present.

Members of the public present included Andrea Parker, Dave Merritt, Lou Dequine, Kari Dequine Harden, Claire Sollars, and John Adams.

Ryan Golten, Consensus Building Institute Consultant, attended the meeting by phone.

The following agenda was proposed:

AGENDA

- (1) *1:30 pm* Establishment of Quorum and Call to Order;
- (2) Consent Agenda;
- (3) Approval of Agenda for Meeting;
- (4) Public Comment;
- (5) *1:45 pm* Report of the General Manager;
 - a) Stagecoach Firing Project
- (6) *2:15 pm* Work Session;

Work session procedure: The Board will give direction to staff at work sessions for the presentation of action items at future Board of Directors Meetings, no motions will be considered. Public comment will be accommodated at the discretion of the Board of Directors majority.

 - a) Strategic Planning Workshop;
- (7) *4:45 pm* Report from General Counsel;
 - a) Water Resumes
 - b) Status of other Water Cases, if any
 - c) Credit Cards Resolution action item
 - d) Stillwater Ditch Negotiations

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- (8) 5:05 pm Executive Session with Bob Weiss, legal Counsel, under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, and Contract Negotiations. 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).
- (9) Other Unfinished Business, New Business;
- (10) Board Member Reports;
- (11) Determination of Future Meetings;
- (12) Adjournment.

General Manager McBride introduced the new Communications/Marketing manager Holly Kirkpatrick.

Meeting Agenda Director Sharp made a motion to approve the agenda. Director Monger seconded the motion which was unanimously approved.

Public Comment Director Brenner invited the public to introduce themselves.

Report of the General Manager

Stagecoach Firming Project – General Manager McBride summarized the Stagecoach Reservoir firming project and introduced Andrea Parker and Dave Merritt with AECOM. AECOM presented a Powerpoint of the current status of Task 1. Work on the project by AECOM has been put on hold by the General Manager pending further discussion by the Board. Discussion followed. Dave Merritt summarized and said a concluding report will be provided approximately next week.

Director Brenner asked each Director to voice their opinion on placing the project on hold.

Director Sharp: Wrapping up first task is the appropriate step based on the uncertainty in the demand.
Director Murphy: Tabling the project it is a good idea.

Director Woodmansee: Tabling is the only option. Financing is a problem too.

Director Brenner: He agrees. He would like to continue negotiating with Tri-State for a new contract, and he thinks the ditch is the best alternative.

Director Jones: Eager to see the final demands.

Director Haskins: Tabling sounds good.

Director Monger: We should close the project and be done. Move on.

General agreement by all Directors present.

Counsel Weiss believes the General Manger has the authority to manage the project. He recommends the Board adopt a letter or resolution stating this. Director Brenner requested that Counsel Weiss bring a resolution to the Board for approval in the Consent agenda for the September Board meeting.

Strategic Planning Workshop - Consultant Ryan Golten presented.

Purpose/goals agenda item was reviewed. Ms Golten reminded the Board that the Strategic Plan is a work in progress and that big policy discussions will not be discussed today, but they will be identified.

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What the Board comes out with today will go to the 360 Review Committee. The Committee will then update the plan and pass it to the staff prior to the next board meeting in September. Staff will review and suggest what will be needed to accomplish these goals. Manager McBride said the budget presented in September meeting will not reflect this feedback because it is too short of a time frame. This information will be reflected in the Budget at the November Board meeting. The Committee will take the staff input and bring the results to the Board annual retreat. After that, the document will go to the public. Discussion followed.

The Board of Directors worked on the goals and objectives individually for a 25-minute exercise. The results of this exercise will be reflected in updated documents from the 360 Review committee.

The Committee will present a proposed agenda for the retreat which may include Ms. Golten services. Director Brenner was happy to see the District had seven Board members at the CWC conference.

Report from General Counsel

Water Resume and Status of Other Water Cases– Counsel reviewed the memos from Special Counsel Scott Grosscup and discussion followed.

Credit Card Resolution – Counsel Weiss requested a change to the Credit Card resolution. Change item 2. “...District’s accounts are revoked and terminated.” to “...District’s accounts, except Resolution No. 2019-2, are revoked and terminated.”

Director Monger made a motion to approve Resolution 2019-3 with revisions recommended by Counsel Weiss. Director Woodmansee seconded the motion which was unanimously approved.

Stillwater Ditch Negotiations – Counsel Weiss reviewed the history of the Ditch agreement and negotiations. The District added a substantial amount to the latest iteration of the contract on the “enforcement” aspect of the agreement. A meeting with the Ditch representatives will be scheduled for September.

Yamcolo Irrigators Association (YIA) negotiations: The Negotiation Committee thought they were 95% done but YIA came back with substantive changes. A meeting is scheduled.

Director Sharp said the Yampa River Fund documentation will be passed by the prospective participants tomorrow and they expect to have a grand opening September 19th. Discussion followed. Director Sharp’s recommendation is for the District to not be a voting member because the District will be in conflict acting as both a water source and Buyer representative.

Executive Session There was no Executive Session.

Other Unfinished Business, New Business None presented.

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Board Member Reports Director Sharp inquired about the District's involvement with the algae problem at Stagecoach Reservoir. Engineer Rossi stated that the Watershed Group has preliminary data and final results will be made public. He also said Colorado Parks and Wildlife is testing the reservoir on a regular basis.


Manager McBride informed the Board that the Yampa River has dropped rapidly and that no one from the City of Steamboat Springs has contacted the District to release their water. Manager McBride asked the Board if the District should drop the reservoir early as a goodwill release. Discussion followed. Manager McBride will initiate a call to the City and he may suggest the City make a release and the District may make hydropower right after that to supplement.

Director Brenner will bring referendum DD to the Board as an agenda item for the September Board meeting.

Determination of future meetings The scheduled date for the next Board meeting was confirmed, being Wednesday September 18, 2019 at 1:30 PM, at Mountain Valley Bank Community Room, 2220 Curve Plaza, Steamboat Springs, CO.

Director Woodmansee made a motion for the meeting to adjourn. Director Murphy seconded the motion which was unanimously approved. The meeting was adjourned at 5:40 PM.

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


Kevin McBride,
District Secretary/Manager

Date: 9/18/2019

MEMORANDUM TO THE BOARD

Board members Mr. [Name] and Mr. [Name] reported about the District's involvement in the [Project] and the [Event]. Mr. [Name] also stated that the [Event] was held on [Date] and that [Details].

Mr. [Name] also reported that the Board has approved the [Action] and that the [Event] was held on [Date] and that [Details]. Mr. [Name] also stated that the [Event] was held on [Date] and that [Details].

The Board members will bring a resolution to the Board on [Date] and the [Event] will be held on [Date].

The resolution of the Board members will be held on [Date] and the [Event] will be held on [Date]. The resolution of the Board members will be held on [Date] and the [Event] will be held on [Date].

The meeting was held on [Date] and the [Event] was held on [Date]. The meeting was held on [Date] and the [Event] was held on [Date].

I certify that the foregoing contains a true and correct summary of the proceedings of the [Event] held on [Date].

Date: 10/10/19

[Signature]
District Secretary