

MINUTES¹

SPECIAL JOINT MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO RIVER WATER CONSERVATION DISTRICT AND OF THE COLORADO RIVER WATER CONSERVATION DISTRICT ACTING BY AND THROUGH ITS COLORADO RIVER WATER PROJECTS ENTERPRISE

March 9, 2012

Pursuant to notice duly and properly given, a special joint meeting telephone conference of the Board of Directors of the Colorado River Water Conservation District (CRWCD) and of the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise was held on Friday, March 9, 2012, at the offices of the Colorado River Water Conservation District, 201 Centennial Street, Glenwood Springs, Colorado.

Directors participating during all or part of the meeting:

Thomas R. Sharp, President	Tom Gray
Steven Acquafresca	William S. Trampe
Stephen M. Mathis	Jon Stavney
Warner Dewey	John Ely
Gary Martinez	Rebie Hazard
Kai Turner	Tom Alvey
David H. Merritt	

Directors not participating:

Andrew A. Mueller	James Newberry, Vice-President
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Others participating during all or part of the meeting:

Eric Kuhn, General Manager, CRWCD
Dan Birch, Deputy General Manager, CRWCD
Peter Fleming, General Counsel, CRWCD
Chris Treese, Manager, External Affairs, CRWCD
Laurie DePaolo, Executive Assistant, CRWCD
Jim Pokrandt, Communication & Education Specialist, CRWCD
Jason Turner, Associate Counsel, CRWCD
Audrey Turner, Administrative Chief, CRWCD
John Currier, Chief Engineer, CRWCD
Dave Kanzer, Sr. Water Resources Engineer, CRWCD
Denise Hussain, Records Specialist, CRWCD
Alesha Frederick, Business Support Specialist, CRWCD
Danny Williams, Corporate Advocates
Laura Locke, Corporate Advocates

Quorum.

President Sharp found a quorum and called the meeting to order at 12:06 p.m.

Review and Approve Agenda and Meeting Objectives

President Sharp added agenda item 1.e., Request for Approval of Amendment to Geosurv Contract. Peter Fleming requested that the Board amend agenda Item 4 to include an Update on Windy Gap Firing Project Negotiations as agenda item 4.a.i., an Update on Colorado River Cooperative Agreement as agenda item

¹An audio recording has been made of the meeting. The motions described herein may not necessarily represent a verbatim transcription. The audio recordings are available for listening at the CRWCD offices during regular office hours. These minutes are the official record of the Colorado River Water Conservation District's meeting.

4.a.ii., and an Update on Ruedi Negotiations as agenda item 4.a.iii.

Director Mathis moved, seconded by Director Ely, to approve the agenda as amended. Motion carried unanimously.

Contract Approvals.

Approval of Contract with Colorado Water Conservation Board re: UVWUA Optimization Study, and Approval of Contract with ITRC (Cal Poly) to Conduct Study:

Director Stavney moved, seconded by Director Mathis, to approve a contract with Colorado Water Conservation Board in an amount not to exceed \$300,000 regarding the Uncompahgre Valley Water Users Association Optimization Study, with an administrative fee included, and to approve the contract with ITRC (Cal Poly) to conduct the study and to have those contracts executed by the General Manager. Motion carried unanimously.

Approval of Contract with Colorado Water Conservation Board re: Benefit of Relief Ditch via Gunnison Gorge Anglers:

Director Stavney moved, seconded by Director Hazard, to approve a contract with the Colorado Water Conservation Board in an amount not to exceed \$50,000, with a small administrative fee included for the benefit of the Relief Ditch Diversion Dam Reconstruction via Gunnison Gorge Anglers and to authorize the General Manager to execute the contract documents. Motion carried unanimously.

Approval of Contract Amendment with Leonard Rice Engineers:

Director Merritt moved, seconded by Director Alvey, to approve a contract amendment with Leonard Rice Engineers to increase compensation under the agreement in an amount not to exceed \$45,000 for technical services pursuant to the Colorado River Basin Study and to authorize the General Manager to execute the same. Motion carried unanimously.

Approval of Amendment to CRBS Cost Sharing Agreement:

Director Acquafresca moved, seconded by Director Hazard, to approve an amendment to the Colorado River Basin Study Cost Sharing Agreement in an amount not to exceed \$45,000 for technical services provided by Erin Wilson of Leonard Rice Engineers, Inc., the River District portion of which will be 15% and to grant the General Manager the authority to execute the same. Motion carried unanimously.

Approval of Contract Amendment with Geosurv:

Director Merritt moved, seconded by Director Stavney, to approve a contract amendment with Geosurv to increase compensation under the agreement in an amount not to exceed \$15,000 for surveying services at Ritschard Dam and to authorize the General Manager to execute the contract amendment. Motion carried unanimously.

External Affairs.

State Issues:

HOUSE BILL 12-1119: CONCERNING LIMITATIONS ON THE IMPOSITION OF FINES BY STATE AGENCIES FOR MINOR VIOLATIONS, AND, IN CONNECTION THEREWITH, DEFINING A MINOR VIOLATION AS AN INSPECTION-RELATED OR PAPERWORK VIOLATION OF STATE LAW OR STATE AGENCY RULE THAT DOES NOT HARM OR THREATEN PUBLIC HEALTH OR SAFETY AND REQUIRING A STATE AGENCY TO PROVIDE A VIOLATOR WITH NOTICE AND AN OPPORTUNITY TO CURE A MINOR VIOLATION BEFORE IMPOSING A FINE.

This bill eliminates or limits state-imposed fines for “minor violations” for paperwork errors, etc.

Recommendation: Monitor

Director Alvey moved, seconded by Director Acquafresca to **monitor HB12-1119**. Motion carried unanimously.

HOUSE BILL 12-1255: CONCERNING ENDING THE CONTINUOUS APPROPRIATION OF STATE MONEYS.

The bill ends all continuous appropriations from the general fund and all cash funds to any state agency. (This would include water project funding, wild and scenic stakeholder process appropriations, etc.) Concerns were raised over the impacts to water projects funding.

Recommendation: Oppose (or amend to exclude water project funding)

Director Trampe moved, seconded by Director Alvey to **oppose HB12-1255**. Motion carried unanimously.

HOUSE BILL 12-1317: CONCERNING THE CREATION OF THE PARKS AND WILDLIFE COMMISSION TO REPLACE THE PARKS AND WILDLIFE BOARD IN THE DEPARTMENT OF NATURAL RESOURCES, AND, IN CONNECTION THEREWITH, DESCRIBING THE COMPOSITION AND TERMS OF THE COMMISSION.

This is the bill to set up the new (combined) Parks and Wildlife Commission. The interim Parks and Wildlife board's recommendation to include a county commissioner is not included in the introduced bill. The Board discussed the need for individuals with water expertise to be included on the Commission as well as the importance of geographic representation by Commission members.

Recommendation: Amend (to include water expertise)

Director Acquafresca moved, seconded by Director Turner, to **support amending HB12-1317** to require the water expertise as well assured West Slope membership on the new Commission. Motion carried unanimously.

HOUSE RESOLUTION 12-1004: CONCERNING A REQUEST THAT THE BUREAU OF LAND MANAGEMENT'S COLORADO RIVER VALLEY FIELD OFFICE PREPARE A REVISED RESOURCE MANAGEMENT PLAN.

This resolution requests the BLM rewrite and resubmit its Draft Resource Management Plan to better reflect the benefits of natural gas development anticipated in the Plan. This is only a House Resolution, not a Joint Resolution of both houses which is more commonly introduced.

Recommendation: Monitor

Director Alvey moved, seconded by Director Dewey to **monitor HR12-1004**. Motion carried unanimously.

General Counsel's Update

Peter Fleming reported that the following matters qualify for discussion in Executive Session pursuant to C.R.S. § § 24-6-402(4)(b)(legal advice) and (e)(negotiations).

- a. Matter Proposed for Executive Session:
 - i. Update on Windy Gap Firing Project Negotiations
 - ii. Update on Colorado River Cooperative Agreement
 - iii. Ruedi Reservoir Debt Negotiations

Director Stavney moved, second by Director Merritt, to proceed into Executive Session pursuant to C.R.S. §§ 24-6-402(4)(b)(legal advice) and (e)(negotiations). Motion carried unanimously.

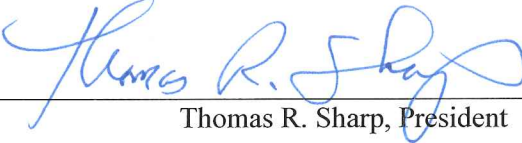
Peter Fleming stated that no further record of the Executive Session need be kept based on his opinion that the discussion will constitute privileged attorney-client communications.

President Sharp reconvened the meeting into Public Session at 1:12 p.m.

Peter Fleming reported that during Executive Session the Board provided guidance to staff and General Counsel on Agenda Item 4(a) as amended.

Adjourn.

There being no other business before the Board, President Sharp adjourned the meeting at 1:16 p.m.



Thomas R. Sharp, President

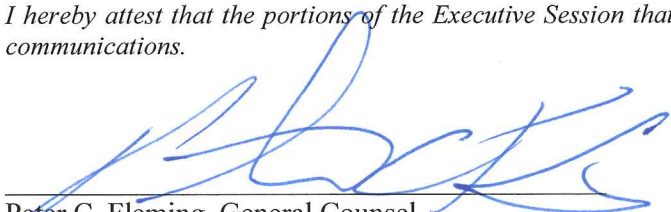
ATTEST:



R. Eric Kuhn, Secretary/General Manager

Executive Session Attestations.

I hereby attest that the portions of the Executive Session that were not recorded constituted privileged attorney-client communications.



Peter C. Fleming, General Counsel