

**MINUTES<sup>1</sup>**  
**FOURTH REGULAR QUARTERLY MEETING OF THE**  
**BOARD OF DIRECTORS OF THE**  
**COLORADO RIVER WATER PROJECTS ENTERPRISE OF THE**  
**COLORADO RIVER WATER CONSERVATION DISTRICT**

**October 20, 2015**

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Pursuant to notice duly and properly given, the Fourth Regular Quarterly Meeting of the Board of Directors of the Colorado River Water Projects Enterprise of the Colorado River Water Conservation District (CRWCD) was held on Tuesday October 20, 2015 at the Hotel Denver, 402 7<sup>th</sup> Street, Glenwood Springs, Colorado.

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**Directors present during all or part of the meeting:**

Jon Stavney, President	Tom Alvey, Vice President
Doug Monger	David H. Merritt
William S. Trampe	Tom Gray
Martha Whitmore	James Newberry
Alden Vanden Brink	Marc Catlin
Gary Martinez	

**Directors not present:**

Rebie Hazard	John Justman
John Ely	Stan Whinnery

**Others present during all or part of the meeting:**

Eric Kuhn, General Manager, CRWCD  
Peter Fleming, General Counsel, CRWCD  
Dan Birch, Deputy General Manager, CRWCD  
John Currier, Chief Engineer, CRWCD  
Chris Treese, Manager, External Affairs, CRWCD  
Jason Turner, Senior Counsel, CRWCD  
Mary Kalmes, Chief Accountant, CRWCD  
Ian Philips, Accountant, CRWCD  
Ray Tenney, Deputy Chief Engineer, CRWCD  
Dave Kanzer, Sr. Water Resources Engineer, CRWCD  
Don Meyer, Sr. Water Resources Engineer, CRWCD  
Hunter Causey, Water Resources Engineer, CRWCD  
Jim Pokrandt, Community Affairs Director, CRWCD  
Mike Eytel, Sr. Water Resources Specialist, CRWCD  
Laurie DePaolo, Executive Assistant, CRWCD  
Dave Smith, Engineering Technician, CRWCD  
Lorra Nichols, Paralegal, CRWCD  
Denise Hussain, Records Administrator/Information Specialist, CRWCD  
Alesha Frederick, Business Support Specialist, CRWCD  
Diane Johnson, Eagle River Water & Sanitation District  
Brent Gardner-Smith, Aspen Journalism  
Larry Sweeney, Colorado Association of Conservation Districts

**Quorum.**

President Stavney found a quorum and called the meeting to order at 3:56 p.m.

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<sup>1</sup>An 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.

**Review and Approve Meeting Agenda and Objectives.**

Director Monger moved, seconded by Director Trampe, to approve the agenda as presented. Motion carried unanimously.

**Budget Hearing.**

President Stavney opened the 2016 budget hearing.

Eric Kuhn reported that the budget notice was published in local papers and that copies of the budget were sent to each county to be posted and was available to the public at the district office and on the district's website. Comments were requested from the public on the website. No public comment was received.

Receiving no public comments, President Stavney closed the budget hearing.

**Resolution for 2015 Enterprise Fund Budget Amendments:**

Director Gray moved, seconded by Director Merritt, to adopt a resolution summarizing expenditures and revenues for the Colorado River Water Projects Enterprise and adopting an amended budget for the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise for the calendar year beginning on the first day of January 2015 and ending on the last day of December 2015. Motion carried unanimously.

**Resolution to Adopt 2016 Enterprise Fund Budget:**

Director Gray moved, seconded by Director Merritt, to adopt a resolution summarizing expenditures and revenues for the Colorado River Water Projects Enterprise and adopting a budget for the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise for the calendar year beginning on the first day of January 2016 and ending on the last day of December 2016. Motion carried unanimously.

**Resolution to Appropriate Sums of Money:**

Director Gray moved, seconded by Director Merritt, to adopt a resolution appropriating sums of money to the Colorado River Water Projects Enterprise of the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise in the amount of \$ 10,072,429 and for the purpose proposed for the 2016 budget year. Motion carried unanimously. (The resolutions are attached as Appendices A.-C.)

**Consent Agenda.**

Director Merritt moved, seconded by Director Alvey, to approve the following consent agenda as presented. Motion carried unanimously.

- a. Minutes of Third Regular Quarterly Meeting, July 22, 2015.
- b. Minutes of Water Supply Projects Committee Meeting, Teleconference, August 24, 2015.
- c. Acceptance of Treasurer's Reports and Check Registers for June, July and August 2015.

**Requests for Delegation of Authority:**

**USGS Joint Funding Agreements for Stream Gauging/Water Quality:**

Director Merritt moved, seconded by Director Trampe, to delegate authority to the General Manager to enter into joint funding agreements, subject to approval by legal counsel, with the USGS to engage in cooperative water gauging and sampling activities in 2016, in an amount not to exceed \$500,000. Motion carried unanimously.

**Cal-Poly ITRC Agreements for System Optimization Study:**

Director Catlin moved, seconded by Director Trampe, to authorize the General Manager to enter into and execute agreements, subject to review and approval of the General Manager and General Counsel, with Cal-Poly ITRC to complete the second phase of a planning and optimization study for the Uncompahgre Valley Water Association in an amount not to exceed \$250,000 with full funding being provided by the Natural Resources Conservation Service. Motion carried unanimously.

**General Counsel's Report – Executive Session.**

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

- i. Wolford Mountain Reservoir and Ritschard Dam.
- ii. Retention of Special Counsel.

Director Whitmore, seconded 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 Stavney reconvened into Public Session at 4:23 p.m.*

**General Counsel's Report – Public Session.**

Peter Fleming reported that during Executive Session, the Board provided guidance to staff and General Counsel on the following matters:

- i. Wolford Mountain Reservoir and Ritschard Dam.
- ii. Retention of Special Counsel.

Director Newberry moved, seconded by Director Trampe, to authorize the retention of Sherman & Howard as special counsel for matters related to Ritschard Dam construction and potential rehabilitation. Motion carried unanimously.

**Project Updates.**

**Wolford Mountain Reservoir:**

**Ritschard Dam Deformation Update:**

John Currier reported the expert review panel is in the process of reviewing data gathered on the Ritschard Dam deformation as well as the analyses and remediation recommendations from AECOM, the River District's engineering consultant.

**Approval of Contract Amendment with AECOM, re: Finalization of Analytical Analysis:**

Director Whitmore moved, seconded by Director Trampe, to approve a contract amendment with AECOM in an amount not to exceed \$160,000 for completion of the analysis of Ritschard Dam, remediation alternatives and preliminary design work and to authorize the General Manager to execute the amendment. Motion carried unanimously with Director Merritt abstaining from the vote.

**Aerial Mapping Support:**

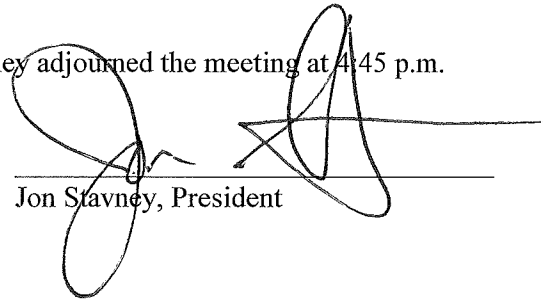
Ray Tenney reported that staff is reviewing three proposals for performing aerial mapping work at Wolford Mountain Reservoir to support remediation design work on Ritschard Dam. Director Newberry moved, seconded by Director Trampe, to authorize mapping of the dam site and wetlands mitigation area with a vendor selected by staff in an amount not to exceed \$60,000 and to authorize the General Manager to execute the contract. Motion carried unanimously.

**Elkhead Reservoir:**

John Currier referred the Board to a memo updating operations at Elkhead Reservoir.


**Adjourn.**

There being no other business before the Board, President Stavney adjourned the meeting at 4:45 p.m.



Jon Stavney, 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 Fleming, General Counsel