

**MINUTES<sup>1</sup>**  
**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**

**December 8, 2021**

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Pursuant to notice duly and properly given, a special joint meeting 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 Wednesday, December 8, 2021, via Zoom.

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

Martha Whitmore, President, Ouray County  
Kathy-Chandler Henry, Vice President, Eagle County  
Tom Alvey, Delta County  
Steve Beckley, Garfield County  
Mike Ritschard, Grand County  
Scott McInnis, Mesa County  
Tom Gray, Moffat County  
Marc Catlin, Montrose County  
Alden Vanden-Brink, Rio Blanco County  
Doug Monger, Routt County  
Rebie Hazard, Saguache County  
Kathleen Curry, Gunnison County

**Directors not participating:**

Stan Whinnery, Hinsdale County  
Taylor Hawes, Summit County  
John Ely, Pitkin County

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

Andrew Mueller, General Manager, CRWCD  
Peter Fleming, General Counsel, CRWCD  
Audrey Turner, Chief of Operations, CRWCD  
Jason Turner, Senior Counsel, CRWCD  
Ian Philips, Chief Accountant, CRWCD  
Brendon Langenhuizen, Director of Technical Advocacy, CRWCD  
Hunter Causey, Director of Asset Management/Chief Engineer, CRWCD  
Raquel Flinker, Sr. Water Resources Engineer/Project Manager, CRWCD  
Amy Moyer, Director of Strategic Partnerships, CRWCD  
Marielle Cowdin, Director of Public Relations, CRWCD  
Zane Kessler, Director of Governmental Relations, CRWCD  
Lorra Nichols, Paralegal, CRWCD  
Stephanie Moore, Executive Assistant, CRWCD  
Luci Wilson, Accountant, CRWCD  
Michael Eytel, Sr. Water Resources Specialist, CRWCD  
Robin Drew, Peter R. Johnson & Company

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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.

Amy Murray, Peter R. Johnson & Company

**Quorum.**

*President Whitmore* found a quorum and called the meeting to order at 1:01 p.m.

**2021 Triennial Salary Survey Update.**

Andy Mueller, Audrey Turner, and Robin Drew (Managing Principal of Peter R. Johnson & Co.) presented findings from the triennial salary survey report (that was initially presented during the October board meeting). The report focused on reviewing published surveys as well as a custom survey in which “like” organizations were contacted regarding salaries for similar positions.

**Personnel Review Matters (Executive Session).**

Peter Fleming recommended that the following matters qualify for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(f)(personnel matters):

- a. General Manager’s Review.
- b. General Counsel’s Review.

*Director Alvey moved, seconded by Director Hazard, to convene into Executive Session pursuant to C.R.S. §§ 24-6-402(4)(f)(personnel matters). Specifically, the review of General Manager and General Counsel, which does not constitute attorney-client communications and said discussion will be recorded. Motion carried unanimously. Audrey Turner was present during the executive session.*

**Personnel Review Matters (Public Session).**

Martha Whitmore reported that during Executive Session the Board discussed the following:

- a. General Manager’s Review.
- b. General Counsel’s Review.

President Whitmore reported that during Executive Session, the board discussed personnel matters related to the General Counsel and General Manager’s salaries. No decisions were made during executive session; however, action items were identified as 1) salary adjustments for the General Manager and General Counsel; and 2) response to staff’s suggestion to consider a separate supplemental cost-of-living adjustment for 2022 salaries in the amount of \$2,500 per employee.

*Director Alvey moved, seconded by Director Chandler Henry, to adjust the salary and salary range for the General Manager to be consistent with the 2021 Triennial Salary Survey (12.3%), in addition to 3.7% increase for merit for the General Manager. Motion carried unanimously.*

*Director Alvey moved, seconded by Director Ritschard, to adjust salary and salary range for General Counsel to be consistent with the 2021 Triennial Salary Survey (7.4%), in addition to 3.7% increase for merit for the General Counsel. Motion carried unanimously.*

*Director Chandler-Henry moved, seconded by Director Hazard, to approve a supplemental cost-of-living adjustment for 2022 salaries in the amount of \$2,500 per employee (except for General Manager and General Counsel) that will not affect the base of employee’s salary. The motion passed 9:2; Directors Curry and Vanden Brink voted Nay.*

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

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

- a. Matters Proposed for Executive Session:
  - i. Wolford Mountain Reservoir. (An Enterprise Matter).
  - ii. Application of Colorado River District, Ouray County BOCC, Ouray County Water Users Association, and Tri-County Water Conservancy District in Case No. 19CW3098, Water Division 4, and Proposed Approval of Related No-Call Agreement with Co-Applicants and Objector, Uncompahgre Valley Water Users Association.
  - iii. Review and Summary of Executive Session.
- b. Approval of Taylor Park Dam & Reservoir Agreement with Upper Gunnison River Water Conservancy District and Taylor River Hydro, LLC.

***Director Chandler-Henry moved, seconded by Director Vanden Brink, 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. Staff members present during Executive Session were Peter Fleming, Jason Turner, Andy Mueller, Audrey Turner, Lorra Nichols, and Hunter Causey.

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

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

- a. Matters Proposed for Executive Session:
  - i. Wolford Mountain Reservoir. (An Enterprise Matter).
  - ii. Application of Colorado River District, Ouray County BOCC, Ouray County Water Users Association, and Tri-County Water Conservancy District in Case No. 19CW3098, Water Division 4, and Proposed Approval of Related No-Call Agreement with Co-Applicants and Objector, Uncompahgre Valley Water Users Association.
  - iii. Review and Summary of Executive Session.
- b. Approval of Taylor Park Dam & Reservoir Agreement with Upper Gunnison River Water Conservancy District and Taylor River Hydro, LLC.

***Director Vanden Brink moved, seconded by Director Curry, to authorize General Manager or General Counsel to execute the No-Call Agreement with Co-Applicants in the Ramshorn Reservoir application and the Uncompahgre Valley Water Users Association. Motion carried unanimously. President Whitmore abstained from the vote.***

***Director Curry moved, seconded by Director Catlin, to authorize General Manager or General Counsel to execute the final version of the Taylor Park Hydro Electric Agreement. Motion carried unanimously.***

**Approval for Cloud Seeding Generator Purchase.**

Andy Mueller requested the Board authorize the General Manager to accept a purchase order from the Colorado Water Conservation Board (CWCB) in the amount of \$80,000 and enter into a related contract with North American Weather Consultants (NAWC) for a not to exceed the amount of \$121,050 to acquire and install cloud seeding equipment for the Central Colorado Mountain River Basin Weather Modification Program (CCMRB).

*Director Catlin moved, seconded by Director Chandler-Henry, to authorize the General Manager, with review and approval by General Counsel, to accept a purchase order from the Colorado Water Conservation Board (CWCB) in the amount of \$80,000 and enter into a related contract with North American Weather Consultants (NAWC) for a not to exceed the amount of \$121,050 to acquire and install cloud seeding equipment for the Central Colorado Mountain River Basin Weather Modification Program (CCMRB).*

**General Manager's Report.**

Andy Mueller reported on Big River matters, the upcoming Seven States Meeting, and an update regarding the Upper Colorado Commission.

**Adjourn.**

There being no other business before the Board, *President Whitmore* adjourned the meeting at 3:21 p.m.



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Martha Whitmore, President

ATTEST:



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Andrew A. Mueller, 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.*



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*Peter C. Fleming, General Counsel*