

Ute Water Conservancy District
Board Meeting
July 10, 2019

Meeting No. 937 of the Ute Water Conservancy District's Board of Directors and the Ute Water Activity Enterprise was called to order by the President, Ken Henry, at 6:00 p.m. at the District office.

ROLL CALL

Board Members: Pat Brennan, John Caldwell, Carl Conner, Greg Green, Ken Henry, Rod Johnson, Mistalynn Meyeraan, Mel Rettig, and Troy Waters were present. Newt Burkhalter, Tammy Eret, Neil Jaquet, Ben Miller, and Bob Saunders were absent.

Ute Water employees at the meeting included: Nick Bierman, Lacey Bouton, Sam Briscoe, Larry Clever, Gary Coup, Jamie George, Mark Hermundstad, Tony Ibarra, Andrea Lopez, Jeremy Lyon, Tim Moore, Brett Murphy, Tony Napoleon, Scott Olsen, Pat Orient, Dave Payne, Gabe Perez, Danny Reed, Steve Ryken, Rick Stengel, Michelle Will, and Greg Williams.

Guests at the meeting included Gabriel Otero.

PUBLIC COMMENTS

Gabriel Otero, Colorado Plateau Representative for the Wilderness Society, informed the board that for the first time in nearly 25 years the Grand Mesa, Uncompahgre, and Gunnison National Forest Plan (GMUG) had released a preliminary working draft on June 17, 2019, for public comment. During this time of public comment, the GMUG is looking for feedback on the direction of the plan. Mr. Otero informed the board that the preliminary working draft is the public's best chance of improving the plan. Mr. Otero asked the board to consider writing a letter of support in regards to more protection to the watersheds across national forests during the public comment period.

Larry Clever, General Manger, informed the board that District staff had received a copy of the plan a couple hours prior to the board meeting and staff had not had the opportunity to review the plan and give the board direction. Once reviewed, Mr. Clever said that staff would present their findings to the board.

MINUTES

A motion was made by Mistalynn Meyeraan to approve the June board meeting minutes, No. 936. The motion to approve the minutes was seconded by John Caldwell. The board voted unanimously in favor of approving the June board meeting minutes with the correct spelling of Mel Rettig's name in roll call.

BILLS

A motion to pay the bills was made by Greg Green. The motion was seconded by Mel Rettig. The board voted unanimously in favor of approving the bills.

WATER AND CONSTRUCTION COMMITTEE

John Caldwell made a motion to approve the Water and Construction Committee minutes. Greg Green seconded the motion. The board voted unanimously in favor of the motion.

FINANCE COMMITTEE

The Finance Committee did not meet in June.

ENGINEERING DEPARTMENT

No additional questions were asked of the Engineering Department.

DISTRIBUTION DEPARTMENT REPORT

No additional questions were asked of the Distribution Department.

TREATMENT & SOURCE REPORT

Dave Payne, Assistant Manager of Treatment & Source, informed the board that the District was a recipient of the 15-Years Director Award for Partnership for Safe Water at the American Water Works Association annual conference, ACE. Only 62 utilities nationwide received this achievement out of 160,000 utilities.

Mr. Payne also invited the board to attend the District's annual Jerry Creek Fish-a-Thon taking place on August 2 and 3, 2019, at Jerry Creek Reservoir No. 1. Tony Ibarra was also recognized for passing his B certification on the first attempt.

FINANCE DEPARTMENT REPORT

Greg Williams, Finance Director, reminded the Board there will be a Finance Committee meeting on July 16, 2019.

HUMAN RESOURCES/RISK MANAGEMENT REPORT

Jamie George, Human Resources/Risk Manager, reminded the board that the District's annual picnic will be held on July 24, 2019, at Canyon View Park.

EXTERNAL AFFAIRS DEPARTMENT REPORT

No additional questions were asked of the External Affairs Department.

MANAGER'S REPORT

General Manager, Larry Clever, informed the board that he had lost a cylinder in the engine of his company-issued vehicle. The cylinder had been replaced by District mechanics but failed shortly after being replaced. The estimated cost to replace the engine is \$8,000. Mr. Clever proposed to the board that instead of replacing the engine that the vehicle be traded in and additional funds be taken from contingency to cover the remaining cost of the new vehicle.

Rod Johnson made a motion to approve Mr. Clever moving funds from contingency to cover the remaining cost of a new vehicle after trade in. Carl Conner seconded the motion. Finance Director, Greg Williams, asked for a specific dollar amount to move from contingency to be included in the motion.

John Caldwell stated that in years past, the District tended to have a surplus of unspent capital money and did not feel the need to make a decision regarding moving funds from contingency until December in order to know a more specific amount to move.

The motion to move funds from contingency was withdrawn and the conversation was tabled.

GENERAL COUNSEL'S REPORT

No additional questions were asked of the General Counsel.

GENERAL INFORMATION/DISCUSSION

No additional information was discussed.

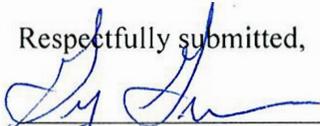
EXECUTIVE SESSION – FONTANARI LITIGATION

Greg Green made a motion to go into executive session, pursuant to Section 24-6-402(4)(b), C.R.S., to receive legal advice from Ute Water's general counsel with respect to litigation pending with the Fontanari family in Mesa County District Court Case No. 15CV30590. John Caldwell seconded the motion. The board voted unanimously in favor of moving into executive session.

The executive session was held and at the conclusion of the executive session, the Board adjourned back into regular session. Ute Water's General Counsel, Mark Hermundstad, stated that the executive session was held to provide legal advice to the Board regarding litigation pending with the Fontanari family in Mesa County District Court Case No. 15CV30590. The executive session was held pursuant to Section 24-6-402(4)(b), C.R.S. Mr. Hermundstad indicated that during the executive session he provided legal advice to the Board on this pending case. Mr. Hermundstad stated that in his opinion, the matters discussed in executive session constituted a privileged attorney-client communication. Accordingly, no recording was made of the matters discussed in the executive session.

President, Ken Henry, adjourned the meeting at 7:01 p.m.

Respectfully submitted,



Greg Green, Secretary