

**Southwestern Water Conservation District  
Board of Directors Special Meeting via Zoom  
February 16, 2023**

**Present:** Kenny Heldman                      David Guilliams                      Rusty Hinger  
                    JR Ford                                      Jenny Russell                      Charlie Smith

**Absent:** Amy Huff                                      Dagan Chadd                                      Gerald Koppenhafer

**Staff:** Mo Rock, Programs Coordinator  
                    Steve Wolff, General Manager

**Consultants:** Garin Vorthmann, State Lobbyist, Colorado Legislative Strategies  
                    Beth Van Vurst, General Counsel, Van Vurst Law

**Guests:** Sara Burch, San Juan Citizens Alliance (SJCA)

**1.0 Call to Order – Roll Call and Verification of Quorum**

President Jenny Russell called the meeting to order at 12:02 p.m. Roll was taken and a quorum was established.

**2.0 Review and Approve Agenda**

In order to address some recent developments, Beth Van Vurst suggested adding item number 5.1 Colorado River Compact, interstate and intrastate negotiation matters under 5.0 Executive Session.

There was unanimous consent to approve the agenda as amended.

**3.0 Questions & Comments from the Public**

Sara Burch, SJCA commented that the updated website looked great.

**4.0 State Legislative Update & SWCD Position on Bills**

Steve Wolff and Garin Vorthmann provided the following state legislative updates:

- SB23-057 (County Treasurer No Longer Ex Officio District Treasurer) was heard in committee. Amendments were made that were supported by most of the entities that testified during the committee hearing. If this bill passes, it will not go into effect until 2026. To clarify the language, an additional amendment was added to change the term ‘taxes’ to ‘assessments’.
- Draft bill on stream restoration being proposed by the Colorado Department of Natural Resources (DNR). A stakeholder sub-committee was formed by Colorado Water Congress. Steve Wolff will participate.

**5.0 Executive Session**

**5.1 Colorado River Compact, Interstate and Intrastate negotiation matters**

Beth Van Vurst recommended that the board move into executive session for the purpose of discussing agenda item 5.1, Colorado River Compact, interstate and intrastate negotiation matters. The statutes covering this executive session are § 24-6-402(4)(b), C.R.S., “conferences with an attorney for the [district] for the purpose of receiving legal advice on specific legal questions,” and § 24-6-402(4)(e),

C.R.S., “determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.” Rusty Hinger moved that the board go into executive session. Kenny Heldman seconded. The motion passed.

Beth Van Vurst stated that no further record of the executive session need be kept based on her opinion that the discussion will constitute privileged, attorney-client communications.

#### **6.0 Summary and Any Action Items from Executive Session**

Beth Van Vurst announced that the board was out of executive session at 12:32 p.m. During the executive session, the board discussed agenda item 5.1, Colorado River Compact, interstate and intrastate negotiation matters. No action was taken during executive session.

#### **7.0 Adjournment**

President Jenny Russell adjourned the meeting at 12:34 p.m.



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Jenny Russell, President