

**Southwestern Water Conservation District
Board of Directors Special Meeting via Zoom
May 31, 2023**

Present: JR Ford Rusty Hinger Kenny Heldman
Amy Huff David Guilliams Jenny Russell
Gerald Koppenhafer

Absent: Charlie Smith

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

Consultants: Beth Van Vurst, General Counsel, Van Vurst Law

Guests:

Ken Curtis, Dolores Water Conservancy District (DWCD)
Laura Spann, Colorado Water Conservation Board (CWCB)
Ed Millard
Helen Katich, Senator Hickenlooper’s Office
Mely Whiting- Trout Unlimited

1.0 Call to Order – Roll Call and Verification of Quorum

President Jenny Russell called the meeting to order at 12:04 p.m. Roll was taken and a quorum was established.

2.0 Review and Approve Agenda

There was unanimous consent to approve the agenda.

3.0 Questions & Comments from the Public

Ken Curtis, representing Dolores Water Conservancy District, stated that they plan to put forth a nominee for the Colorado River Drought Task Force. This would be either for the seat designated as a southwest agricultural representative or local government seat. Their nominee is Don Schwindt. DWCD is looking for support from SWCD.

Helen Katich shared that Senator Hickenlooper wanted them to all know that the office is supporting and looking forward to having a tool for managing aridification. Offered the office to help advance this work.

4.0 Executive Session

4.1 Colorado River Intrastate Matters, including the creation of the Colorado River Drought Task Force (SB23-295)

Beth Van Vurst recommended that the board move into executive session for the purpose of discussing agenda item 4, Colorado River Intrastate Matters, including the creation of the Colorado Drought Task Force (SB23-295). 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.” Dagan Chadd moved that the board go into executive session. Rusty Hinger seconded. The motion passed.

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

5.0 Summary and Any Action Items from Executive Session

Beth Van Vurst announced that the board was out of executive session at 12:27 p.m. During the executive session, the board discussed agenda item 4, Colorado River Intrastate Matters, including the creation of the Colorado Drought Task Force (SB23-295). No action was taken during the executive session.

6.0 Appointment and Recommendations by the SWCD Board Relative to SB23-295; Colorado River Drought Task Force

Kenny moved that SWCD appoint Steve Wolff to serve as SWCD’s representative on the Colorado River Drought Task Force and Rusty Hinger seconded the motion. There was no further discussion and the motion passed unanimously.

Jenny recommended that SWCD also appoint an alternate. JR moved to appoint Amy Huff as SWCD’s alternate. David seconded the motion. Amy accepted. The motion passed unanimously.

Motion for recommendations for southwest agricultural/water rights holder seat on the task force. David motions to recommend Gerald Koppenhafer. Kenny seconded. The motion passes unanimously.

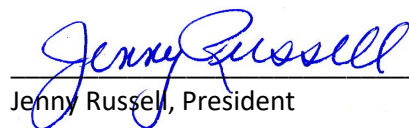
7.0 Update on Other Colorado River Matters

8.0 Discussion on potential implications of SB23-303

As a result of the passage of SB23-303, there will be a property tax referendum on the November ballot. If passed, it may have an impact on SWCD’s revenues. SWCD staff and General Counsel will continue to seek information to assess potential impacts. This issue may result in the SWCD Board needing to consider two separate budgets this fall.

9.0 Adjournment

President Jenny Russell adjourned the meeting at 12:41 p.m.



Jenny Russell, President