

RECORD OF PROCEEDINGS

UPPER YAMPA WATER CONSERVANCY DISTRICT BOARD OF DIRECTORS MEETING

WEDNESDAY, JANUARY 21, 2026 (10:30 AM)

MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO

ONLINE MEETING:

[HTTPS://US06WEB.ZOOM.US/J/82589635573?PWD=ZHTposmDcYQkBAK6A8t2EHUOJF8RLO.1](https://us06web.zoom.us/j/82589635573?pwd=ZHTposmDcYQkBAK6A8t2EHUOJF8RLO.1)

MEETING ID: 825 8963 5573 - PASSCODE: 497987

MINUTES

Chairman Jim Haskins called the meeting to order and declared a quorum present.

In addition to Chairman Haskins, Directors present during all or part of the meeting included Mynon Woodley, CJ Mucklow, Nicole Seltzer, Kevin McBride, Leah Wolf Martin, Katie Berning, Tom Sharp and John Redmond. Present from Upper Yampa Water Conservancy District (UYWCD) for all or part of the meeting included General Manager Andy Rossi, District Engineer Emily Lowell, Public Affairs Manager Holly Kirkpatrick, Business Manager Dianna Schoen, Finance Manager Karina Craig, Community Programs Specialist Courtney Lynn and Plant Operator Eddie Rogers. General Counsel Bob Weiss and Special Counsel Scott Grosscup were present during all or part of the meeting. Others present for all or part of the meeting included Brian Romig (DWR), Tyler Desiderio (Applegate Group), Kathy Barnes (JC Temple Reservoir), Emily Katzman (YVHA), Elizabeth Hinchman (YVHA) and Elliot Lawrence (YVHA). This meeting was held in person and by videoconference utilizing Zoom. The meeting agenda included instructions to the public describing the process to participate in the meeting and comment on agenda items.

The following agenda was proposed:

AGENDA

- (1) **10:30 AM** Establishment of Quorum and Call to Order
- (2) **10:30 AM** Approval of Agenda for Meeting **Action item**
- (3) **10:35 AM** Executive Session:
 - a. Executive session under CRS § 24-6-402(4)(f)(l) concerning personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. This executive session concerns **General Manager Andy Rossi** who has not requested an open meeting. This session will be recorded, and a copy of the recording maintained for not less than 90 days.
- (4) **11:25 PM** Board Actions in Regard to Executive Session

11:30 AM LUNCH BREAK

- (5) **12:00 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.

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- (6) **12:10 PM** Board Member Reports
a. Board Member Disbursements
- (7) **12:15 PM** Consent Agenda **Action item**
a. Approval of the Minutes of the November 19, 2025 Board of Directors Meeting
b. Financials
i. Approval of Disbursements
ii. Budget Comparison
- (8) **12:30 PM** Report of General Manager
a. General Manager's Report
b. Augmentation Plan Updates
c. Board of Directors Appointments
d. Election of Officers, Determination of Committees, and Selection of Industry Meeting(s) UYWCD Participants **Action item**
e. Resolution to Approve Posting Place **Action item**
f. 2026 UYWCD Water Pricing **Action item**
g. Financial Audit Schedule
h. UYWCD-USFS Good Neighbor Agreement Authorization **Action Item**
- (9) **2:30 PM** District Engineer Report
a. Update on Reservoir Water Status
b. Report on Stillwater Ditch Repairs
- (10) **2:45 PM** Report of General Counsel **Action Item**
a. Request for Special Counsel
- (11) **3:15 PM** Pending Water Cases
a. Water Resumes
b. Status of Other Water Cases
- (12) **3:45 PM** Public Information Updates
a. Grant Disbursements and Policy Update
b. New Grant Applications **Action item**
- (13) **4:00 PM** New Business (Limited to emergency matters that came up During the course of the meeting) **Action item**
- (14) **4:05 PM** Executive Sessions:
a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
c. At the conclusion of an executive session and the resumption of the public meeting, the Chairman will announce that if any person who participated in an executive session believes that any substantial discussion of any matters not included in the motion to go into executive session, or that any improper action occurred during an executive session in violation of the Open Meetings Law, that such person state their concern for the record.
- (15) **4:30PM** Board Actions in Regard to Executive Session
At the conclusion of an executive session and the resumption of the public meeting, the Chairman will announce that if any person who participated in an executive session believes that any substantial discussion of any matters not included in the motion to go into executive session, or that any improper

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action occurred during an executive session in violation of the Open Meetings Law, that such person state their concern for the record.

(16) **4:35 PM** Determination of Next Meeting(s) Agenda(s)

(17) **4:45 PM** Adjournment.

Chairman Haskins established a quorum and called the meeting to order at 10:43 AM.

Meeting Agenda. Chairman Haskins moved to approve the agenda. Director Berning seconded the motion which was unanimously approved.

Executive Session. At 10:44 AM Chairman Haskins moved, Director Redmond seconded, and it was unanimously agreed to go into Executive Session under CRS § 24-6-402(4)(f)(l) concerning personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. This executive session concerns General Manager Andy Rossi who has not requested an open meeting. This session will be recorded, and a copy of the recording maintained for not less than 90 days.

Board Action Regarding Executive Session. Director Sharp moved to approve the increase of General Manager Andy Rossi's 2026 annual salary to \$215,818.84. Director Berning seconded the motion, which was unanimously approved.

Public Input and Comment. Chairman Haskins invited members of the public to comment on items not otherwise scheduled on the agenda. There was no comment.

Board Member Reports. Board Member disbursements were noted.

Consent Agenda. Chairman Haskins moved to approve the consent agenda with the Disbursement Report pulled. Director Wolf Martin seconded the motion which was unanimously approved. Director Sharp requested clarification on pass through expenses on the Disbursement Report and requested that an identifier be added to these expenses in the future. Director Sharp moved to approve the Disbursement Report, Chairman Haskins seconded the motion, which was unanimously approved.

Report of General Manager.

General Manager's Report. General Manager Andy Rossi provided an update on the current and ongoing activities of the District. General Manager Rossi discussed the Yampa White-Green Roundtable funding irrigation infrastructure improvements. He discussed the State Engineer's visit to the Roundtable who expressed concerns about Compact compliance. Director Sharp provided context on the Yampa Doctrine. The Board discussed the draft EIS for Post 2026 Colorado River Operations and whether a policy statement on water allocation was recommended. General Manager Rossi noted the update to the State Water Plan has begun and will be delivered in 2033.

Augmentation Plan Updates. The Board reviewed the current augmentation plans contract summary document. Director Sharp suggested staff contact the Steamboat Ski Area to assist with their new on mountain water need.

Board of Directors Appointments. General Manager Rossi and General Counsel Weiss reviewed the process for Board of Director appointments.

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Election of Officers, Determination of Committees and Selection of Industry Meeting(s) UYWCD Participants. General Manager Rossi reviewed the terms of the UYWCD Officers and Committee Members. Director Sharp moved that the Board appoint the same four officers for an additional term. Director Seltzer seconded the motion, which was unanimously approved. Director Sharp moved to reappoint the present members of the Executive Committee and Board Governance Strategic Planning Committee to continue for another year. Director Redmond seconded the motion which was unanimously approved.

Resolution to Approve Posting Place. Director Mucklow moved to approve the posting place as presented. Chairman Haskins seconded the motion which was unanimously approved.

2026 UYWCD Water Pricing. General Manager Rossi reviewed the 2026 storage contract and augmentation plan water pricing which was increased by CPI. The Board discussed. Director Redmond moved to approve the 2026 UYWCD Water Pricing as presented. Director Wolf Martin seconded the motion which was unanimously approved.

Financial Audit Schedule. Finance Manager Craig reviewed the legal requirements of the financial audit and the 2026 audit schedule of Watson Coon Ryan, LLC.

UYWCD-USFS Good Neighbor Agreement Authorization. General Manager Rossi reviewed the Good Neighbor Agreement with the USFS highlighting section requirements and the area of operation. He and General Counsel Weiss reviewed intergovernmental agreement requirements. Director Mucklow moved to approve the General Manager signing the Good Neighbor Agreement within the scope of work as described. Director Wolf Martin seconded the motion which was unanimously approved.

District Engineer Report.

Update on Reservoir Water Status. District Engineer Lowell provided an update on the reservoir water status currently at 66 percent of normal. The Board discussed the Colorado Water Trust contract schedule and scheduling an Executive Committee Meeting prior to the next Board meeting.

Report on Stillwater Ditch Repairs. District Engineer Lowell provided a review and photos of the first phase of the Stillwater Ditch Improvement Project. The Board discussed.

Report of General Counsel. General Manager Rossi provided an overview of the Coal Creek Diversion Project and the United State Forest Service (USFS) Plan for the Bear River corridor. He and General Counsel Weiss discussed the status of the project and the need to engage outside counsel familiar with federal regulations and land use permitting. They have consulted with John Bernetich at Denver law firm of Williams Weese Pepple and Feguson.

Executive Session. At 2:15 PM Chairman Haskins moved, Director Redmond seconded, and it was unanimously agreed to go into Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations. Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.

Board Action Regarding Executive Session. The Executive Session ended at 2:44 PM. Director Sharp at the conclusion of the executive session of the topic moved that the Board authorize the engagement of special counsel John Bernetich of Denver law firm Williams Weese Pepple and Feguson to provide legal assistance with respect to engagement of the UYWCD with the United States Forest Service for purposes of enabling the water master plan of the Forest Service to permit UYWCD proceeding with an application for the Coal Creek

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diversion project with a maximum approved expense cap of \$40,000. Director Redmond seconded the motion which was unanimously approved.

Pending Water Cases.

Water Resumes. Special Counsel Grosscup noted that there were no new water resumes of concern to the District in November and December.

Status of Other Water Cases. Special Counsel Grosscup provided an update on the various water court cases in which the District is a party. The cases are primarily on hold. Regarding Case No. 24CW3024 Diligence on Elk River Augmentation Plan, the water judge entered the final decree and this case is now complete. Other cases discussed were Case No. 24CW3029 Coal Creek Diversion Pipeline, 25CW3008 Storm Mountain Ranch, 24CW3031 PSCO, and 25CW3019 Stagecoach Reservoir Diligence. On Case No. 23CW3025 Moffat County Umbrella Augmentation Plan, Special Counsel Grosscup will follow up with Moffat County to see if there is support needed. Special Counsel Grosscup noted the Water Horse Resource application was dismissed.

Determination of Next Meeting Agenda. The agenda for the March 18, 2026 Board meeting was reviewed.

Public Information Updates.

Grant Disbursements and Policy Update. Public Affairs Manager Kirkpatrick provided an update to the Board on the Community Grant Funding and Diversion Infrastructure Improvement Project (DIIP). She discussed the CWCB's Diversion Measurement Installation Program which has received 80 Division 6 and 7 applications; the application process will close January 31, 2026. Manager Kirkpatrick recommended a language change to the DIIP program.

New Grant Applications. Tyler Desiderio (Applegate Group) presented a funding request for repairs to address safety issues to the JC Temple Reservoir owned by Kathleen Barnes of B\ Land & Cattle. The reservoir is used primarily for livestock watering and agricultural irrigation on approximately 350 acres of land south of Hayden. Director Seltzer moved to approve the requested grant amount of \$25,000 for the JC Temple Reservoir upgrades. Director Woodley seconded the motion, which was unanimously approved.

Emily Katzman and Elizabeth Hinchman with the Yampa Valley Housing Authority (YVHA) presented a funding request to upgrade the White Haven Mobile Home Park water infrastructure and connect 27 units to the City's water supply. The Board discussed the request and its alignment with the UYWCD mission.

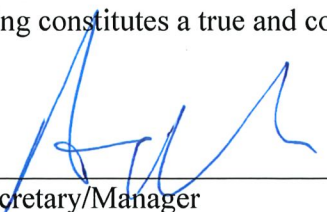
Director McBride moved to approve the requested grant amount of \$100,000 requested by the YVHA. Director Berning seconded the motion. Director Sharp moved to amend the motion to restrict the funding to the cost of the trunk line extension from the existing facilities to the property line, not within the property itself. Director Redmond seconded the amendment. Director Woodley moved to table the matter until the March meeting pending a City decision on funding. Director Mucklow seconded the motion to table. The motion to table failed on a vote of two in favor (Directors Woodley and Mucklow) and seven opposed. The Board then voted on the amended motion. The amended motion was approved by a vote of seven in favor and two opposed. The motion carried.

New Business. The Board discussed developing clearer guidelines for future funding of municipal water connections and water quality issues. Discussion is tentatively scheduled for the May Board meeting. Manager Kirkpatrick noted the start of Mindy Figueroa as Land Stewardship Liaison with the Community Agriculture Alliance (CAA) and that UYWCD will be combining Water User meetings with the CAA meetings.

The meeting was adjourned at 4:34 PM.

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I certify that the foregoing constitutes a true and correct summary of the proceeds at the above referenced meeting.



Andy Rossi, District Secretary/Manager

Date: 3/18/26

STATEMENT FROM ATTORNEY REGARDING ATTORNEY-CLIENT PRIVILEGE

The undersigned Robert G. Weiss, legal counsel for the District, hereby attests, pursuant to CRS Section 24-6-402(2)(d.5)(II)(B), that the portion of the executive session that was not recorded and which related to discussing legal strategies for advancing the Coal Creek project constituted a privileged attorney-client communication under CRS Section 24-6-402(4)(b).

Robert G. Weiss

Robert G. Weiss, Counsel

Date: 03/24/2026


0121 2026 BOD Meeting Minutes (for signing)


Final Audit Report


2026-03-24


Created:	2026-03-19
By:	Dianna Schoen (dschoen@upperyampawater.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-QgiYqG0CLY4-52iw5QftvqQkumibMIR


"0121 2026 BOD Meeting Minutes (for signing)" History

 Document created by Dianna Schoen (dschoen@upperyampawater.com)
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 Email viewed by Bob Weiss (bweiss@wvsc.com)
2026-03-24 - 5:49:39 PM GMT

 Document e-signed by Bob Weiss (bweiss@wvsc.com)
Signature Date: 2026-03-24 - 5:51:14 PM GMT - Time Source: server

 Agreement completed.
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