



The Board of County Commissioners met in special session on June 15, 2022. Those present for the session were Lynn M. Padgett, Chair Jake Niece, Vice-Chair; Ben Tisdel, Commissioner Member (via Zoom); Leo Caselli, County Attorney; and Hannah Hollenbeck, Deputy Clerk of the Board. Connie Hunt, County Administrator, was not present.

- **Note – This meeting was recorded for reference purposes.**

**A. 4:02PM Commissioner / Administrative Reports:**

Commissioner Tisdel discussed the following:

- 1) **Simms Mesa Fire Facilitated Learning Analysis (FLA)** - Commissioner Tisdel reported that the FLA process was underway. Commissioner Tisdel reported that he had been asked to participate in the process as he had not been directly involved in the Simms Mesa Fire response.

Commissioner Padgett discussed the following:

- 1) **Ute Tribe Elder Committee Meeting** - Commissioner Padgett said that she was still working to schedule a government-to-government meeting.

**B. 4:13PM The Board of County Commissioners convened into an executive session under C.R.S. § 24-6-402(4)(b) and (e); for a conference with the county attorney for the purpose of receiving legal advice on specific legal questions, and for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, with regards to general updates, recent developments, project and litigation costs including potential trial costs, project components including existing or potential MOUs or IGAs, and other potential long-term planning and litigation issues, for water development matters in 2019CW3098 and 2021CW3064:**

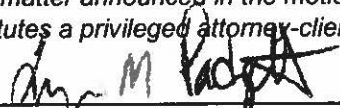
**M/S/P – Motion was made by Commissioner Tisdel and seconded by Commissioner Niece to convene into an executive session under C.R.S. § 24-6-402(4)(b) and (e); for a conference with the county attorney for the purpose of receiving legal advice on specific legal questions, and for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and / or instructing negotiators, with regards to general updates, recent developments, project and litigation costs including potential trial costs, project components including existing or potential MOUs or IGAs, and other potential long-term planning and litigation issues, for water development matters in 2019CW3098 and 2021CW3064.**

A roll call vote was taken on the motion with the following results:

- Commissioner Padgett voted in the affirmative.
- Commissioner Niece voted in the affirmative.
- Commissioner Tisdel voted in the affirmative.

There was no discussion. Motion passed unanimously.

As County Attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication.

  
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Lynn M. Padgett, Chair

  
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Leo Caselli, County Attorney

**4:15 The Board of County Commissioners convened into executive session:**

**6:09 The Board of County Commissioners exited executive session:**

Caselli said that the Board had just exited an executive session; the discussion was as announced in the motion. Caselli stated that the County was continuing negotiations in 2019CW3098 and 2021CW3064, regarding project components, monitoring and similar issues, including MOUs, stipulations and related agreements. The Board agreed to direct Caselli to proceed with negotiations in the cases.

**6:12 The Board of County Commissioners adjourned the special session.**


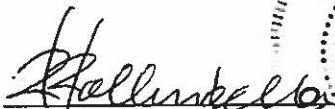
BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

Attest:

  
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Lynn M. Padgett, Chair

  
\_\_\_\_\_  
Jake Niece, Vice-Chair

  
\_\_\_\_\_  
Ben Tisdel, Commissioner Member

  
**SEAL**  
  
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Michelle Nauer, Clerk and Recorder  
By: Hannah Hollenbeck, Deputy Clerk of the Board