

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
MOUNT WERNER WATER & SANITATION DISTRICT
HELD AT THE FISH CREEK WATER FILTRATION PLANT
STEAMBOAT SPRINGS, CO 80487
4:15 P.M. Tuesday-December 20, 2022

DIRECTORS PRESENT: Gavin Malia, John Shively, Don White, Alan Koermer, Wade Gebhardt

DIRECTORS ABSENT: None

STAFF PRESENT: Frank Alfone, General Manager

OTHERS PRESENT: Tina Harkness, Esq., SPHR, Employers Council

I. ESTABLISHMENT OF QUORUM AND CALL TO ORDER

Mr. Malia stated that a quorum was present and called the meeting to order at 4:19 P.M.

II. ACKNOWLEDGE PUBLIC

There was no Public present.

III. APPROVAL OF AGENDA FOR MEETING

Mr. Malia asked if there were any changes to the agenda. There were no changes.

MOTION: To approve the agenda.

APPROVED: Vote 5-0

IV. PUBLIC COMMENT

None.

V. EXECUTIVE SESSION

Executive Session with Tina Harkness, legal counsel under C.R.S. 24-6-402(4)(b) regarding legal advice on specific legal questions and C.R.S. 24-6-402(4)(e)(I) for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.

This item pertains to specific legal questions and direction to negotiators on a Waiver and Release Agreement.

MOTION: To adjourn the Regular Meeting and go into Executive Session at approximately 4:20 PM under C.R.S. 24-6-402(4)(b) regarding legal advice on specific legal questions and C.R.S. 24-6-402(4)(e)(I) for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.

APPROVED: Vote 5-0

MOTION: To come out of Executive Session and reconvene the Regular Meeting at 5:28 PM with no action having been taken.

APPROVED: Vote 5-0

The Board directed Mr. Alfone and legal counsel Harkness to continue negotiations regarding the Waiver and Release Agreement and investigation of this matter.

VI. UNFINISHED BUSINESS

There was no unfinished business discussed.

VII. NEW BUSINESS

There was no new business discussed.

VIII. ADJOURN

The next Board meeting is January 13, 2023, at 8:00 A.M.

There being no further business, the meeting was adjourned at 5:30 P.M.

Respectfully submitted,

Frank Alfone, Secretary/General Manager

STATEMENT FROM ATTORNEY REGARDING ATTORNEY-CLIENT PRIVILEGE

The undersigned Tina Harkness hereby attests, pursuant to C.R.S. 24-6-402(4)(b) and (4)(e)(I), that the executive session was not recorded because, in her opinion, her participation in answering legal questions and discussion of negotiations constituted a privileged attorney-client communication.

Tina Harkness, Esq., SPHR

Date:

STATEMENT FROM CHAIR OF EXECUTIVE SESSION REGARDING ATTORNEY-CLIENT PRIVILEGE

The undersigned chairperson hereby attests, pursuant to CRS Section 24-6-402 (4)(b) and (4)(e)(I), that the executive session was not recorded and were confined to the topics authorized for discussion in an executive session pursuant to subsection (4) of CRS Section 24-6-402.

Gavin Malia, President, and Chair

Date: