
RECORD OF PROCEEDINGS

Minutes of the Special Meeting Of the Board of Directors Copper Mountain Consolidated Metropolitan District January 9, 2013

A Special Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on January 9, 2013 at 1:30 p.m., at the Copper Mountain Consolidated Metropolitan District Conference Center, 0477 Copper Road, Copper Mountain, Summit County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Tom Malmgren
- Ben Broughton
- Dave Steele
- Karl Anuta

The following Directors were not present (excused absence):

- Bob Bloch

Staff in attendance were:

- Dave Erickson, District Manager
- Mike Koenig, Public Works Director

Also in attendance were:

- Mike Rothberg, District's Water/Sanitation Engineer
- Jim Jehn, District's Water Rights Engineer
- Jeff Houpt, Districts Special Water Rights Counsel

Call To Order

The Special Meeting of the Board of Directors of Copper Mountain Consolidated Metropolitan District was called to order by Director Malmgren, on January 9, 2013, at 1:30 p.m. noting a quorum was present.

New Business Attorney-Client Communications

The District Board's Special Water Rights Attorney, Jeff Houpt, advised the CMCMD Board of Directors that all matters to be discussed during this portion of the Special Meeting Agenda are attorney-client privileged communications regarding the District's water rights portfolio, court cases, and related water right related matters and, as such, should be conducted in executive session with no record of the privileged communications being made.

Upon such advice of legal counsel, and upon motion duly made by Director Anuta and seconded by Director Broughton, it was unanimously

AGREED to go into executive session for attorney-client privileged communications regarding the District's water rights and related matters having potential legal impact(s) on the District's water rights portfolio.

The Board went into executive session at 1:32 p.m. with those board members, staff, and professional consultants listed above in attendance throughout the session.

Director Malmgren brought the Board out of executive session at 4:15 p.m.

Recess

Director Malmgren recessed the Special Meeting at 4:16 p.m. for a short break before proceeding with the Special Meeting Agenda.

Reconvene

Director Malmgren reconvened the Special Meeting at 4:20 p.m.

Noting that all persons, excepting Board Members and the District Manager, in attendance at the beginning of the Special Meeting had vacated the meeting, Mr. Erickson advised the Board that he

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Copper Mountain Consolidated Metropolitan District January 9, 2013 Special Meeting Minutes

did not believe it necessary for the Board to go into executive session for the purposes of discussing personnel matters he desired to bring before the Board because there was no longer anyone in attendance at the Special Meeting that would not be in the executive session if called.

Mr. Erickson advised the Board on his current health status in relationship to his future retirement plans. No Board decisions were made; however, the Board and District Manager administratively concurred as to the importance of working closely together over the next couple of years to plan for and implement a timely and effective transition of district managers in conjunction with the Manager's future retirement.

Adjournment There being no further business to come before the Board, Director Malmgren adjourned the Special Meeting of the Copper Mountain Consolidated Metropolitan District Board of Directors this 9th day of January, 2013 at 5:10 p.m.

Respectfully Submitted,

BY: _____
Thomas J. Malmgren
President to the District

ATTEST: _____
Karl Anuta
Vice President of the District