

MINUTES OF THE SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF
GREEN MOUNTAIN WATER AND SANITATION DISTRICT

August 27, 2024

A Special Meeting of the Board of Directors (the “Board”) of the Green Mountain Water and Sanitation District, (the “District”) was held at 6:30 p.m. on Tuesday, August 27, 2024.

The recording of this meeting is available on the District’s website.

<p>Attendance:</p>	<p>A Special Meeting of the District was scheduled in compliance with the laws of the State of Colorado, with the following Directors in attendance:</p> <p>Karen Morgan, President Roger Wendell, Treasurer Arthur Martinez, Director</p> <p>Directors joined meeting during executive session: Dave Wiechman, Vice President Randy Little, Secretary</p> <p>Not present, and unexcused: None</p> <p>Also present were: Josh Stanley, District Manager, GMWSD Sam McKay, GMWSD Mike Ogborn, Big Sky Legal Team Nicole Quintana, Big Sky Legal Team</p>
<p>Call to Order / Declaration of Quorum (0:01)</p>	<p>Director Morgan, called to order the Special Meeting of the Board of the Green Mountain Water and Sanitation District at 6:36 p.m.</p>
<p>Directors & Disclosure Matters (0:33)</p>	<p>None.</p>
<p>Approval of/Additions to /Deletions from the Agenda (0:33)</p>	<p>None.</p>
<p>Public Comment (0:40)</p>	<p>None.</p>

<p>Executive Session pursuant to §24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice regarding:</p> <p>Big Sky Trial Preparation (0:49)</p>	<p>Director Morgan MOVED to enter into Executive Session pursuant to §24-6-402(4)(b) C.R.S. for the purpose of discussing preparations for the Big Sky trial. Director Wendell seconded, following discussion and upon vote the motion PASSED unanimously.</p> <p>The Board entered into Executive Session at 6:38 p.m.</p> <p>Executive session concluded at 7:56 p.m.</p>
<p>Legal Matters (1:55)</p>	<p>There are no actions to approve from the executive session.</p>
<p>New Business (2:25)</p>	<p>The Board decided to hold another special meeting on September 3rd at 6:30 p.m. for another executive session if needed.</p> <p>The Board discussed the most recent City Council meeting.</p>
<p>Adjourn (3:21)</p>	<p>Director Morgan adjourned the meeting at 7:58 p.m.</p>

Randy Little, Secretary

This document was signed by Secretary Randy Little at the October 8th regular meeting, to view the signed document, please contact the district.

ATTESTATION OF ATTORNEY

REGARDING RECORDING OF EXECUTIVE SESSION

I, Nicole Quintana, under penalty of perjury declare as follows:

1. I am of legal age and am competent to testify to the matters in this affidavit.
2. I am an attorney and litigation counsel for Green Mountain Water and Sanitation District (“Client”).
3. An executive session was held on the 28th day of August 2024 at approximately 6:36 p.m. (“Executive Session”). I participated in the Executive Session.
4. The purpose of the Executive Session was for a conference with an attorney for the District for the purpose of receiving legal advice on specific legal questions concerning the Big Sky lawsuit, under C.R.S. Section 24-6-402(4)(b).
5. In accordance with C.R.S. § 24-6-402(2)(d.5)(II)(B), if, in the opinion of the attorney who is representing the local public body and who is in attendance at an executive session that has been properly announced pursuant to subsection (4) of this section, all or a portion of the discussion during the executive session constitutes a privileged attorney-client communication, no record or electronic recording shall be required to be kept of the part of the discussion that constitutes a privileged attorney-client communication. The electronic recording of said executive session discussion shall reflect that no further record or electronic recording was kept of the discussion based on the opinion of the attorney representing the local public body, as stated for the record during the executive session, that the discussion constituted a privileged attorney-client communication, or the attorney representing the local public body may provide a signed statement attesting that the portion of the executive session that was not recorded constituted a privileged attorney-client communication in the opinion of the attorney.
6. During the Executive Session, I determined that all of the discussion constituted a privileged attorney-client communication, and, in accordance with C.R.S. § 24-6-402(2)(d.5)(II), I advised Client that no record or electronic recording was required for all or the relevant portion of the discussion in my legal opinion.

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the 30th day of August, 2024, at Denver, Colorado.

This document was signed by Nicole Quintana.

To view the signed document, please contact the district.