

ARKANSAS RIVER POWER AUTHORITY
Board of Directors Meeting Minutes
July 9, 2021

Pursuant to Section 2.5.9 of the ARPA Organic Contract, the President of the Arkansas River Power Authority (ARPA) called a special meeting of the Board of Directors by conference call commencing at 11:00 AM on Friday, July 9, 2021, originating from its offices at 3409 South Main Street, Lamar, CO., 81052. The principal purpose was to consider approval of a FERC related settlement. An executive session was held for (1) the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and (2) for a conference with the General Counsel of the Authority for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4)(b).

Following appropriate notice, President Lorenz Sutherland called the meeting to order at 11:00 AM.

ARPA Board Members present:

HOLLY: Calvin Melcher

LA JUNTA: Gary Cranson
P. Lorenz Sutherland

LAMAR: None

LAS ANIMAS: Ron Clodfelter (also a member of the Operating Committee)
Rick Stwalley

SPRINGFIELD: Jay Suhler

TRINIDAD: Carlos Lopez
Mike Valentine

ARPA Staff present:

Rick Rigel, General Manager

Arvenia Morris, Office Manager

Aarin Ritter, Manager of Finance and Accounting

ARPA Legal Counsel present:

Peter Edwards, Director-Fairfield and Woods, PC

QUORUM: A quorum of the Board was present and voting at the meeting.

ROLL CALL: President Sutherland called the meeting to order at 11:00 AM. Secretary Morris took roll call.

APPROVAL OF AGENDA: The agenda was approved as presented.

EXECUTIVE SESSION CRS § 24-6-402 (4)(b) and (e): a. FERC Settlement Update. The Authority's General Counsel stated that the matters to be discussed in executive session included the FERC Settlement Update. The specific subsections of CRS § 24-6-402(4) authorizing these matters to be conducted in Executive Session are as follows:

- subsection (b), conferences with the General Counsel of the Authority for the purpose of receiving legal advice on specific legal questions; and
- subsection (e), determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.

Board Member Lopez moved, seconded by Board Member Melcher, and approved unanimously at 11:05 AM to go into Executive Session to discuss the topics as stated. The General Counsel of the Authority stated that the discussion in Executive Session would include privileged attorney-client communication and should not be recorded. Accordingly, the electronic recording device was turned off at 11:07 AM. The Executive Session was concluded at 11:51 AM.

CONSIDER APPROVAL OF FERC RELATED SETTLEMENT. Following discussion in Executive Session, Board Member Cranson moved, seconded by Board Member Lopez, and approved unanimously by roll call vote, to authorize the General Manager to execute the FERC related settlement agreement as presented in executive session.

MISCELLANEOUS: The General Manager reported the demolition work at the Lamar Repowering Project site is done. The demolition crew has demobilized except for one piece of equipment that will be used to spread some surface rock over the area.

NEXT MEETING DATE AND LOCATION: The next regular meeting of the Board of Directors will be July 29, 2021. The meeting will be held by WebCast and conference call.

ADJOURN: The July 9, 2021 special meeting of the Board of Directors was adjourned at 11:56 AM.

Respectfully submitted,



Arvenia L. Morris
Secretary