

**Eagle River Water & Sanitation District
Upper Eagle Regional Water Authority
Joint Meeting
February 23, 2023
MINUTES**

A regular joint meeting of the Board of Directors of the Upper Eagle Regional Water Authority (Authority) and the Eagle River Water & Sanitation District (District) was held February 23, 2023, at 11:00 a.m., in the Walter Kirch Room of the District, 846 Forest Road, Vail, Eagle County, Colorado, in accordance with the applicable statutes of the state of Colorado.

ATTENDANCE

The following Authority Directors were present and acting:

Geoff Dreyer, Arrowhead Metropolitan District
George Gregory, Berry Creek Metropolitan District
Kevin Hillgren, Beaver Creek Metropolitan District
Mike Trueblood, Edwards Metropolitan District
Tamra Underwood, Town of Avon
Kim Bell Williams, EagleVail Metropolitan District

The following District Directors were present and acting:

Kate Burchenal
Dick Cleveland
Steve Coyer
George Gregory
Timm Paxson
Rick Pylman
Bob Warner

Also in attendance were:

District Staff

Jason Cowles
Tim Friday
Jesse Hooker
Diane Johnson
David Norris
Siri Roman
Brian Thompson
Brad Zachman

Consultants

Mark Mitisek, LRE Water
Kristin Moseley, Somach Simmons & Dunn
Page Weil, LRE Water
Kathryn Winn, Collins Cole Flynn Winn & Ulmer PLLC

Presenters

Kathy Chandler-Henry, Colorado River District & Eagle County
Zane Kessler, Colorado River District

Public

Linn Brooks
Chris Neuswanger
Kate Schifani
Mike Towler

DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST

The Board noted it had received more than 72 hours prior to the meeting certain disclosures of Potential Conflicts of Interest Statements for the following Directors indicating the following conflicts:

For the Authority:

Director Gregory disclosed that he concurrently serves on the boards of the Upper Eagle Regional Water Authority and Eagle River Water & Sanitation District; also that he occasionally undertakes small development and construction activities within the Authority and District service areas. Director Bell Williams disclosed that she is the Eagle County Housing Director.

For the District:

Director Warner disclosed that he is a developer within the District's service area and serves on the Eagle County Planning Commission, which occasionally has dealings with the District. Director Pylman disclosed that he owns a land planning consulting company, which occasionally has dealings with the District.

CALL TO ORDER

Having determined there was a quorum, District Chair Cleveland called the meeting to order at 11:10 a.m.
Authority Chair Gregory concurred.

**Eagle River Water & Sanitation District
Upper Eagle Regional Water Authority**

1 **INTRODUCTIONS**

2 District Chair Cleveland welcomed presenters and members of the public.

3 **PUBLIC COMMENT**

4 Public comment was called for and there was none.

5 **COLORADO RIVER BASIN ISSUES**

6 Ms. Johnson presented a memorandum, a copy of which is attached hereto as **Exhibit A** and
7 incorporated herein by this reference. She introduced Ms. Chandler-Henry, Colorado River District Board
8 President and Eagle County Commissioner, and Mr. Kessler, Colorado River District Director of
9 Government Relations. Ms. Chandler-Henry thanked the boards for their partnership and discussed
10 cultural differences between upper and lower basin states on hydrology and conservation. She also said
11 the Upper Colorado River Commission has developed a 5 Point Plan to support critical infrastructure and
12 resources. Mr. Kessler presented a PowerPoint, a copy of which is attached hereto as **Exhibit B** and
13 incorporated herein by this reference. He provided background about the Colorado River District and an
14 overview of the Colorado River Compact, the continued aridification in the west, and the impacts of transit
15 and evaporative losses. He also said the Colorado River Basin needs to reduce water use by two to four-
16 million acre-feet to avoid system risks and reported on the River District's Community Funding
17 Partnership program which has funded various water projects within the River District's service area.
18 Directors discussed potential federal intervention and possible litigation related to California's senior
19 water rights under the prior appropriation doctrine as well as the importance of research and investment
20 in water-efficient agriculture. Ms. Johnson noted the River District's legislative expertise and assistance,
21 plus their partnership on a variety of issues, including the annual state of the river meeting.

22 **ADJOURNMENT**

23 There being no further business to come before the board at this meeting and upon motion duly moved
24 and seconded, it was unanimously

25 **RESOLVED**, that the signing of the minutes of this meeting shall be deemed to constitute
26 full and complete adoption, ratification, and approval of the business conducted and the
27 resolutions passed; and be it

28 **FURTHER RESOLVED**, that the meeting be adjourned at 12:31 p.m.

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Secretary to the Meeting