

**Eagle River Water & Sanitation District
Upper Eagle Regional Water Authority
Special Joint Meeting
January 17, 2022
MINUTES**

1 A special joint meeting of the Boards of Directors of the Upper Eagle Regional Water Authority (**Authority**)
2 and the Eagle River Water & Sanitation District (**District**) was held Jan. 17, 2022, at 2:30 p.m., via Microsoft
3 Teams, in accordance with the applicable statutes of the State of Colorado.

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5 **ATTENDANCE**

6 **The following Authority Directors were present, thereby constituting a quorum:**

7 Geoff Dreyer, Arrowhead Metropolitan District
8 George Gregory, Berry Creek Metropolitan District
9 Sarah Smith Hymes, Town of Avon
10 Kim Bell Williams, EagleVail Metropolitan District
11 Mick Woodworth, Edwards Metropolitan District
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13 **The following Director was absent and excused:**

14 Pam Elsner, Beaver Creek Metropolitan District
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16 **The following District Directors were present, thereby constituting a quorum:**

17 Kate Burchenal
18 Dick Cleveland
19 Steve Coyer
20 George Gregory
21 Timm Paxson
22 Bill Simmons
23 Robert Warner Jr.

24 **Also in attendance were:**

25 **ERWSD Staff**

26 Linn Brooks
27 Jason Cowles
28 Diane Johnson

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Consultants

34 Jim Collins, Collins Cole Flynn Winn & Ulmer, PLLC
35 Joe Middleton, Middleton Environmental Law LLC
36 Kristin Moseley, Somach Simmons & Dunn
37 Kathryn Winn, Collins Cole Flynn Winn & Ulmer, PLLC

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Other

39 Eric Heil, Town of Avon alternate
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41 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

44 **For the Authority:**

45 Director Elsner disclosed her membership with the Vilar Performing Arts Center Guild, which operates within the Authority's service
46 area. Director Gregory and alternate Director Simmons disclosed that they serve on the Board of the Eagle River Water and Sanitation
47 District. Director Gregory also disclosed that he occasionally undertakes small development and construction activities within the
48 Authority and District service areas. Alternate Director Simmons noted he serves on the boards of the Eagle River Fire Protection
49 District and Edwards Metropolitan District and is employed by Beaver Creek Metropolitan District, an Authority member. Director
50 Williams disclosed that she is the Eagle County Housing Director. Director Woodworth disclosed that he is employed by the Eagle
51 River Fire Protection District, which operates within the Authority's service area.

52 **For the District:**

53 Director Burchenal disclosed that she serves on the board of the Eagle River Watershed Council. Director Gregory disclosed that
54 he serves on the Boards of the Upper Eagle Regional Water Authority (Authority and the Berry Creek Metropolitan District and
55 occasionally undertakes development and construction activities within the District and Authority service areas. Director Simmons
56 disclosed that he is the General Manager of the Beaver Creek Metropolitan District, an alternate Authority Director, and serves on
57 the boards of the Edwards Metropolitan District and Eagle River Fire Protection District. Director Warner disclosed that he is a
58 developer within the District's service area and serves on the Eagle County Planning Commission, which occasionally has
59 dealings with the District.

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

1 **CALL TO ORDER**

2 Chair Simmons of the Eagle River Water & Sanitation District called the meeting to order at 2:32 p.m.; Chair
3 Gregory of the Upper Eagle Regional Water Authority concurred.

4 **PUBLIC COMMENT**

5 Public comment was called for and there was none.

6 **EXECUTIVE SESSION**

7 Ms. Winn requested the Boards enter Executive Session to receive legal advice of counsel and discuss
8 negotiations regarding the proposed Intergovernmental Agreement with the town of Minturn per §24-6-
9 402(4)(a)(b) and (e) C.R.S. She asked that no electronic record be made, as the discussion would be
10 entirely privileged attorney-client communications. Upon motion duly made and seconded, it was
11 unanimously.

12 **RESOLVED** to enter Executive Session at 2:33 p.m. to receive advice of counsel and discuss
13 negotiations regarding the proposed Intergovernmental Agreement with the town of Minturn
14 pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. with no electronic record created as Ms. Winn
15 opined the contents of the discussion would contain privileged attorney-client
16 communications.*

17 The regular meeting resumed at 3:38 p.m.

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19 **ADJOURNMENT**

20 There being no further business to come before the Boards, the meeting adjourned at 3:39 p.m.

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Respectfully submitted,

Secretary to the Meeting