

**Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority  
Joint Special Meeting  
January 21, 2016  
MINUTES**

1 A joint special meeting of the Boards of Directors of the Upper Eagle Regional Water Authority  
2 (**Authority**) and Eagle River Water and Sanitation District (**District**) was held January 21, 2016, at 11:30  
3 a.m., in the District's Walter Kirch Room, 846 Forest Road, Vail, Eagle County, Colorado, in accordance  
4 with the applicable statutes of the State of Colorado.

5 **ATTENDANCE**

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

7 Tom Allender, EagleVail Metropolitan District  
8 Geoff Dreyer, Arrowhead Metropolitan District  
9 George Gregory, Berry Creek Metropolitan District  
10 Mick Woodworth, Edwards Metropolitan District

11 **The following Authority Directors were absent and excused:**

12 Sarah Smith Hymes, Town of Avon  
13 Jim Power, Beaver Creek Metropolitan District

14 **The following Alternate Authority Director was present and acting:**

15 Bill Simmons, Beaver Creek Metropolitan District

16 **The following District Directors were present, thereby constituting a quorum:**

17 Tom Allender  
18 Debbie Buckley  
19 Steve Friedman  
20 Kim Langmaid  
21 Frederick P. Sackbauer IV, *via phone*  
22 Bill Simmons

23 **The following District Director was absent and excused:**

24 Paul Testwuide

25 **Also in attendance were:**

26 <b><u>ERWSD Staff</u></b>	35	Brian Tracy
27 Linn Brooks	36	James Wilkins
28 Jason Cowles	37	<b><u>Consultants</u></b>
29 Carol Dickman	38	Glenn Porzak, Porzak Browning & Bushong
30 Catherine Hayes	39	<b><u>Public</u></b>
31 Leslie Isom	40	Susie Kincade, the Wilderness Coalition
32 Diane Johnson	41	Brooke Ranney, Eagle River Watershed Council
33 Melissa Mills McLoota	42	Chris Treese, Colorado River Water Conservation District
34 Siri Roman		

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44 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

47 **For the Authority:**

48 Director Allender disclosed that he also serves on the Eagle River Water & Sanitation District Board of Directors, which manages  
49 the Authority. Director Simmons disclosed that he is the General Manager of the Beaver Creek Metropolitan District and serves on  
50 the Board of the Red Sky Ranch Metropolitan District. Director Woodworth disclosed that he is employed by the Eagle River Fire  
51 Protection District, which operates within the Authority's service area; he also serves on the Edwards Metropolitan District Board.

52 **For the District:**

53 Director Allender disclosed that he also serves on the Boards of the Upper Eagle Regional Water Authority. Director Friedman  
54 serves on the Boards of the Beaver Creek Metropolitan District and the Vail Valley Foundation. Director Langmaid disclosed that  
55 she founded and is employed by Walking Mountains Science Center, which receives funding from parties with which the District  
56 does business, including the US Forest Service, Vail Resorts, Towns of Vail and Avon, Vail Recreation District, Eagle County, and  
57 Holy Cross Energy. Directors Sackbauer is employed by Vail Resorts, Inc., which has significant land ownership and business  
58 interests within the District. Director Simmons disclosed that he is the General Manager of the Beaver Creek Metropolitan District,  
59 an alternate Director for the Authority, and on the Board of the Red Sky Ranch Metropolitan Districts. Director Testwuide disclosed  
60 that he performs consulting for Vail Resorts, his former employer, owns water rights in two states, and occasionally uses the  
61 District's water counsel, Glenn Porzak, as his personal attorney.

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Upper Eagle Regional Water Authority**

1    **CALL TO ORDER**

2    Chairman Gregory of the Upper Eagle Regional Water Authority called the meeting to order at 11:30 a.m.

3    Acting Chair Buckley of the Eagle River Water and Sanitation District concurred.

4    **Review of Postings of Joint Special Meeting**

5    Chairman Gregory confirmed that the joint meeting was properly posted per special district regulations.

6    **PUBLIC COMMENT**

7    Ms. Kincade discussed the comments suggested by her and other interested pro-wilderness parties in the  
8    past months. Discussion ensued regarding the Authority and District's position, which has always been to  
9    ensure the provision of quality water to their customers; this is both their community mission and their  
10   charge from the state of Colorado.

11   **WILDERNESS POLICY**

12   Mr. Porzak discussed the proposed policy, a copy of which is attached hereto as **Exhibit A** and  
13   incorporated herein by this reference. He noted some of the comments from Messrs. Scott Braden and  
14   Scott Miller were included in the policy. In response to a comment, Chairman Gregory noted little public  
15   participation in the wilderness policy formation aside from the public attendees at the last few meetings on  
16   the topic. He asked for any other comments on the policy and there were none. The Boards discussed  
17   various minor changes to the policy. They also discussed the communication of the policy. Ms. Kincade  
18   suggested issuing a joint public statement regarding the policy. After discussion and upon motion duly  
19   made and seconded, it was unanimously

20            **RESOLVED** by the Authority Board that the wilderness policy be and hereby is approved as  
21            amended.

22   After discussion and upon motion duly made and seconded, it was

23            **RESOLVED** by the District Board that the wilderness policy be and hereby is approved as  
24            amended. Director Langmaid voted against.

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**Eagle River Water and Sanitation District  
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1 **ADJOURNMENT**

2 There being no further business to come before the Boards, the meeting adjourned at 12:08 p.m.

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Respectfully submitted,

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Secretary to the Meeting

**EAGLE RIVER WATER & SANITATION DISTRICT**

\_\_\_\_\_  
Tom Allender, Director

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Debbie Buckley, Secretary

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Stephen Friedman, Treasurer

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Kim Langmaid, Director

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Frederick P. Sackbauer IV, Chairman/President

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Bill Simmons, Director

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Paul Testwuide, Director

Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority

UPPER EAGLE REGIONAL WATER AUTHORITY

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Arrowhead Metropolitan District

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Town of Avon

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Beaver Creek Metropolitan District

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Berry Creek Metropolitan District

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EagleVail Metropolitan District

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Edwards Metropolitan District