A Special Meeting of the Boards of Directors of the Eagle River Water & Sanitation District (District) and Upper Eagle Regional Water Authority (Authority) was held October 25, 2018, at 11:00 a.m., in the District’s Walter Kirch Room, 846 Forest Road, Vail, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

ATTENDANCE

The following District Directors were present, thereby constituting a quorum:
1. Dick Cleveland
2. Steve Coyer
3. Steve Friedman
4. Timm Paxson
5. Bill Simmons

The following District Directors were absent and excused:
6. Brian Sipes
7. George Gregory

The following Authority Directors and Alternates were present, thereby constituting a quorum:
8. Geoff Dreyer, Arrowhead Metropolitan District
9. Pam Elsner, Beaver Creek Metropolitan District
10. Sarah Smith Hymes, Town of Avon
11. Melissa Nelson, Berry Creek Metropolitan District
12. Kim Bell Williams, EagleVail Metropolitan District

The following Authority Director was absent and excused:
13. George Gregory, Berry Creek Metropolitan District

Also in attendance were:
19. District Staff
20. Linn Brooks
21. Jason Cowles
22. Catherine Hayes
23. Diane Johnson
24. Siri Roman
25. Jason Sica
26. Amy Vogt
27. James Wilkins
28. Len Wright

29. Consultants
30. Cortney Brand, Leonard Rice Engineers
31. Jim Collins, Collins Cockrel & Cole
32. Scott Fifer, Resource Engineering
33. Mark Mitisek, Leonard Rice Engineers
34. Gunnar Paulsen, Porzak Browning & Bushong LLP, via phone
35. Page Weil, Lynker, via phone
36. Glenn Porzak, Porzak Browning & Bushong LLP

DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST

The Authority 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:

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

The District 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:

Director Cleveland disclosed that he serves on the board of Vail Health. Director Friedman serves on the Boards of the Beaver Creek Metropolitan District and the Vail Valley Foundation. Director Gregory disclosed that he serves on the Boards of the Upper Eagle Regional Water Authority (Authority) and the Berry Creek Metropolitan District and occasionally undertakes development and construction activities within the District and Authority service areas. Director Simmons disclosed that he is the General Manager of the Beaver Creek Metropolitan District, an alternate Authority Director, and serves on the board of the Edwards Metropolitan District.

CALL TO ORDER

District Chair Friedman called the meeting to order at 11:00 a.m., and Authority Acting Chair Smith Hymes concurred.
INTRODUCTIONS

Staff, consultants, and guests were introduced including Messrs. Brand, Fifer, and Mitisek, who would be presenting information at the meeting regarding purpose and need.

PUBLIC COMMENT

Public comment was called for and there was none.

EXECUTIVE SESSION

Mr. Porzak requested the Board continue Executive Session to receive legal advice regarding water rights hydrology modeling, pursuant to §24-6-402(4)(b) and (e) C.R.S. He asked that no electronic record be made, as the discussion would be entirely privileged attorney-client communications. Upon motion duly made and seconded, it was unanimously

RESOLVED to continue Executive Session at 11:02 a.m. to discuss attorney-client privileged issues concerning water rights hydrology modeling, pursuant to §24-6-402(4)(b) and (e) C.R.S. with no electronic record created as Mr. Porzak opined the contents of the discussion would contain privileged attorney-client communications.*

The regular meeting resumed at 12:47 p.m.
ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 12:48 p.m.

Respectfully submitted,

__________________________________________
Secretary to the Meeting

MINUTES APPROVED, FORMAL CALL, AND
NOTICE OF MEETING WAIVED

__________________________________________
Dick Cleveland, Director

__________________________________________
Steve Coyer, Treasurer

__________________________________________
Stephen Friedman, Chair

__________________________________________
George Gregory, Secretary

__________________________________________
Timm Paxson, Director

__________________________________________
Bill Simmons, Director

__________________________________________
Brian Sipes, Director

*The undersigned attorney for the applicable Executive Session affirms that the portion of the discussion in Executive Session not recorded constituted privileged attorney-client communications.

__________________________________
Glenn Porzak, Water Counsel
UPPER EAGLE REGIONAL WATER AUTHORITY

___________________________________
Arrowhead Metropolitan District

___________________________________
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