

**Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority  
Joint Special Meeting  
May 28, 2020  
MINUTES**

1 A joint special meeting of the Boards of Directors of the Upper Eagle Regional Water Authority (**Authority**)  
2 and Eagle River Water and Sanitation District (**District**) was held May 28, 2020, at 10:45 a.m., via Skype,  
3 in accordance with the applicable statutes of the State of Colorado.

4 **ATTENDANCE**

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

6 Geoff Dreyer, Arrowhead Metropolitan District  
7 George Gregory, Berry Creek Metropolitan District  
8 Sarah Smith Hymes, town of Avon  
9 Kim Bell Williams, EagleVail Metropolitan District  
10 Mick Woodworth, Edwards Metropolitan District

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

12 Dick Cleveland  
13 Steve Coyer  
14 George Gregory  
15 Timm Paxson  
16 Bill Simmons  
17 Brian Sipes  
18 Robert Warner

19 **Also in attendance were:**

20 **ERWSD Staff**

21 Linn Brooks  
22 Jason Cowles  
23 Catherine Hayes  
24 Diane Johnson  
25 Siri Roman  
26 James Wilkins

27 Brad Zachman

28 **Consultants**

29 Jim Collins, Collins Cockrel & Cole  
30 Kristin Moseley, Porzak Browning & Bushong LLP  
31 Glenn Porzak, Porzak Browning & Bushong LLP

32 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

35 **For the Authority:**

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

43 **For the District:**

44 Director Cleveland disclosed that he serves on the board of Vail Health. Director Gregory disclosed that he serves on the Boards  
45 of the Upper Eagle Regional Water Authority (Authority and the Berry Creek Metropolitan District and occasionally undertakes  
46 development and construction activities within the District and Authority service areas. Director Simmons disclosed that he is the  
47 General Manager of the Beaver Creek Metropolitan District, an alternate Authority Director, and serves on the boards of the  
48 Edwards Metropolitan District and Eagle River Fire Protection District. Director Warner disclosed that he is a developer with in the  
49 District's service area and serves on the Eagle County Planning Commission, which occasionally has dealings with the District.

50  
51 **CALL TO ORDER**

52 Chair Simmons of the Eagle River Water and Sanitation District called the meeting to order at 10:45 a.m., and  
53 Chair Gregory of the Upper Eagle Regional Water Authority concurred.

54 **PUBLIC COMMENT**

55 Public comment was called for and there was none.

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

1    **EXECUTIVE SESSION**

2    Mr. Porzak requested the Board enter Executive Session to receive legal advice of counsel regarding  
3    Bolts Lake and Eagle River MOU matters, pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. He asked that  
4    no electronic record be made, as the discussion would be entirely privileged attorney-client  
5    communications. Upon motion duly made and seconded, it was unanimously

6                    **RESOLVED** to enter Executive Session at 10:46 a.m. to receive advice of counsel regarding  
7                    Bolts Lake and Eagle River MOU matters, pursuant to §24-6-402(4)(b) and (e) C.R.S. with no  
8                    electronic record created as Mr. Porzak opined the contents of the discussion would contain  
9                    privileged attorney-client communications.\*

10   The regular meeting resumed at 12:25 p.m.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

**ADJOURNMENT**

There being no further business to come before the Boards, the meeting adjourned at 12:17 p.m.

Respectfully submitted,

\_\_\_\_\_  
Secretary to the Meeting

**EAGLE RIVER WATER & SANITATION DISTRICT**

\_\_\_\_\_  
Dick Cleveland, Director

\_\_\_\_\_  
Steve Coyer, Treasurer

\_\_\_\_\_  
George Gregory, Secretary

\_\_\_\_\_  
Timm Paxson, Director

\_\_\_\_\_  
Bill Simmons, Chair

\_\_\_\_\_  
Brian Sipes, Director

\_\_\_\_\_  
Robert Warner, 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**

Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority

UPPER EAGLE REGIONAL WATER AUTHORITY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

---

Arrowhead Metropolitan District

---

Town of Avon

---

Beaver Creek Metropolitan District

---

Berry Creek Metropolitan District

---

EagleVail Metropolitan District

---

Edwards Metropolitan District