

**Eagle River Water and Sanitation District
Upper Eagle Regional Water Authority
Joint Special Meeting
June 24, 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 June 24, 2020, at 1:00 p.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 Robert Warner

18 **The following District director was absent and excused:**

19 Brian Sipes

20 **Also in attendance were:**

21 **ERWSD Staff**

22 Linn Brooks
23 Jason Cowles
24 Catherine Hayes
25 Diane Johnson
26 Siri Roman
27 Brad Zachman

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Consultants

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Cortney Brand, LRE Water

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Scott Fifer, Resource Engineering

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Mark Mitisek, LRE Water

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Kristin Moseley, Porzak Browning & Bushong LLP

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Glenn Porzak, Porzak Browning & Bushong LLP

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35 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

38 **For the Authority:**

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

46 **For the District:**

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

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54 **CALL TO ORDER**

55 Chair Simmons of the Eagle River Water and Sanitation District called the meeting to order at 1:03 p.m., and

56 Chair Gregory of the Upper Eagle Regional Water Authority concurred.

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

1 **PUBLIC COMMENT**

2 Public comment was called for and there was none.

3 **EXECUTIVE SESSION**

4 Mr. Porzak requested the Boards enter Executive Session to receive legal advice of counsel regarding
5 water supply modeling and strategic planning, pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. He asked
6 that no electronic record be made, as the discussion would be entirely privileged attorney-client
7 communications. Upon motion duly made and seconded, it was unanimously

8 **RESOLVED** to enter Executive Session at 1:04 p.m. to receive advice of counsel regarding
9 water supply modeling and strategic planning, pursuant to §24-6-402(4)(b) and (e) C.R.S.
10 with no electronic record created as Mr. Porzak opined the contents of the discussion would
11 contain privileged attorney-client communications.*

12 The regular meeting resumed at 3:35 p.m.

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

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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

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Arrowhead Metropolitan District

Town of Avon

Beaver Creek Metropolitan District

Berry Creek Metropolitan District

EagleVail Metropolitan District

Edwards Metropolitan District