

**Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority  
Joint Special Meeting  
November 19, 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 November 19, 2020, at 11:00 a.m., via  
3 Microsoft Teams, 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 Pam Elsner, Beaver Creek 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

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

13 Kate Burchenal  
14 Dick Cleveland  
15 Steve Coyer  
16 George Gregory  
17 Timm Paxson  
18 Bill Simmons  
19 Robert Warner

20 **Also in attendance were:**

21 **ERWSD Staff**

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

27 **Consultants**

28 Joe Middleton, Middleton Environmental Law  
29 Kristin Moseley, Porzak Browning & Bushong LLP  
30 Glenn Porzak, Porzak Browning & Bushong LLP  
31 Kathryn Winn, Collins Cockrel & Cole

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

51  
52 **CALL TO ORDER**

53 Chair Simmons of the Eagle River Water and Sanitation District called the meeting to order at 11:00 a.m., and  
54 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    **OATH OF OFFICE**

4    Director Burchenal was recently appointed to fill the vacancy in director district 5; her oath of office is  
5    attached hereto as **Exhibit A** and incorporated herein by this reference.

6    **EXECUTIVE SESSION**

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

11                   **RESOLVED** to enter Executive Session at 11:01 a.m. to receive advice of counsel regarding  
12                   Bolts Lake, unification, and water supply matters, pursuant to §24-6-402(4)(a)(b) and (e)  
13                   C.R.S. with no electronic record created as Mr. Collins opined the contents of the discussion  
14                   would contain privileged attorney-client communications.\*

15   The regular meeting resumed at 12:03 p.m.

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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 12:03 p.m.

Respectfully submitted,

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Secretary to the Meeting

**EAGLE RIVER WATER & SANITATION DISTRICT**

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Kate Burchenal, Director

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Dick Cleveland, Director

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Steve Coyer, Treasurer

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George Gregory, Secretary

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Timm Paxson, Director

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Bill Simmons, Chair

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Robert Warner, 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

\*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.

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**Kathryn Winn, General Counsel**

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**Glenn Porzak, Water Counsel**