

**Eagle River Water and Sanitation District
Upper Eagle Regional Water Authority
Joint Special Meeting
July 22, 2021
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 July 22, 2021, at 11:03 a.m., via Microsoft
3 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 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 Authority Director was absent and excused:**

12 Pam Elsner, Beaver Creek Metropolitan District

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

14 Kate Burchenal
15 Dick Cleveland
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 Beth Doliboa
25 Catherine Hayes
26 Christine Heimerl
27 Diane Johnson
28 David Norris
29 Siri Roman
30 Len Wright

31 **Consultants**

32 Kristin Moseley, Porzak Browning & Bushong LLP
33
34 Jim Collins, Collins Cockrel & Cole
35 Kathryn Winn, Collins Cockrel & Cole

36 **Other**

37 Eric Heil, Town of Avon
38 Kevin Hillgren, Beaver Creek Metro District alternate

39 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

42 **For the Authority:**

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

50 **For the District:**

51 Director Burchenal disclosed that she serves on the board of the Eagle River Watershed Council. Director Gregory disclosed that
52 he serves on the Boards of the Upper Eagle Regional Water Authority (Authority and the Berry Creek Metropolitan District and
53 occasionally undertakes development and construction activities within the District and Authority service areas. Director Simmons
54 disclosed that he is the General Manager of the Beaver Creek Metropolitan District, an alternate Authority Director, and serves on
55 the boards of the Edwards Metropolitan District and Eagle River Fire Protection District. Director Warner disclosed that he is a
56 developer within the District's service area and serves on the Eagle County Planning Commission, which occasionally has
57 dealings with the District.

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1 **CALL TO ORDER**

2 Chair Gregory of the Upper Eagle Regional Water Authority called the meeting to order at 11:03 a.m. Chair
3 Simmons of the Eagle River Water and Sanitation District concurred.

4 **PUBLIC COMMENT**

5 Public comment was called for and there was none.

6 **DISCUSSION OF UNIFICATION**

7 The board of directors discussed potential terms and benefits of the unification of the District and the
8 Authority. A memo from District Chair Simmons was discussed and is attached hereto as **Exhibit A** and
9 incorporated herein by this reference.

10 **EXECUTIVE SESSION**

11 Ms. Winn requested the Boards enter Executive Session to receive legal advice of counsel regarding
12 Bolts Lake and Attorney letters of engagement pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. She asked
13 that no electronic record be made, as the discussion would be entirely privileged attorney-client
14 communications. Upon motion duly made and seconded, it was unanimously.

15 **RESOLVED** to enter Executive Session at 11:29 a.m. to receive advice of counsel regarding
16 Bolts Lake and Attorney letters of engagement, pursuant to §24-6-402(4)(a)(b) and (e) C.R.S.
17 with no electronic record created as Ms. Winn opined the contents of the discussion would
18 contain privileged attorney-client communications.*

19 The regular meeting resumed at 12:39 p.m.

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ADJOURNMENT

There being no further business to come before the Boards, the meeting adjourned at 12:40 p.m.

Respectfully submitted,

Secretary to the Meeting