

**Eagle River Water and Sanitation District  
Upper Eagle Regional Water Authority  
Joint Special Meeting  
May 27, 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 May 27, 2021, at 11:00 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 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 Beth Doliboa  
24 Catherine Hayes  
25 Christine Heimerl  
26 Diane Johnson  
27 David Norris  
28 Len Wright

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32 **Consultants**

33 Steve Bushong, Porzak Browning & Bushong LLP  
34 Kristin Moseley, Porzak Browning & Bushong LLP  
35 Glenn Porzak, Porzak Browning & Bushong LLP  
36 Kathryn Winn, Collins Cockrel & Cole

37 **Other**

38 Eric Heil, Town of Avon  
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40 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

43 **For the Authority:**

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

51 **For the District:**

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

59 **CALL TO ORDER**

60 Chair Gregory of the Upper Eagle Regional Water Authority called the meeting to order at 11:00 a.m. The  
61 board of the Eagle River Water and Sanitation District concurred.

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Upper Eagle Regional Water Authority**

1    **PUBLIC COMMENT**

2    Public comment was called for and there was none.

3    **EXECUTIVE SESSION**

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

8                    **RESOLVED** to enter Executive Session at 11:01 a.m. to receive advice of counsel regarding  
9                    unification, pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. with no electronic record created as  
10                   Ms. Winn opined the contents of the discussion would contain privileged attorney-client  
11                   communications.\*

12   The regular meeting resumed at 12:09 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 12:10 p.m.

Respectfully submitted,

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Secretary to the Meeting