

**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 12:00 p.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 30
23 Beth Doliboa 31
24 Catherine Hayes 32
25 Christine Heimerl 33
26 Diane Johnson 34
27 David Norris 35
28 Len Wright 36
29 37

Consultants

Kristin Moseley, Porzak Browning & Bushong LLP
Kathryn Winn, Collins Cockrel & Cole

Other

Eric Heil, Town of Avon

38 **DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

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

41 **For the Authority:**

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

49 **For the District:**

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

57 **CALL TO ORDER**

58 Chair Gregory of the Upper Eagle Regional Water Authority called the meeting to order at 12:00 p.m. The
59 board of the Eagle River Water and Sanitation District concurred.

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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 Bolts Lake pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. She asked that no electronic record be made,
6 as the discussion would be entirely privileged attorney-client communications. Upon motion duly made
7 and seconded, it was unanimously.

8 **RESOLVED** to enter Executive Session at 12:06 p.m. to receive advice of counsel regarding
9 Bolts Lake 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 Ms. Moseley requested the Boards continue Executive Session to receive legal advice of counsel
13 regarding Bolts Lake pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. She asked that no electronic record
14 be made, as the discussion would be entirely privileged attorney-client communications. Upon motion
15 duly made and seconded, it was unanimously.

16 **RESOLVED** to continue Executive Session at 12:25 p.m. to receive advice of counsel
17 regarding Bolts Lake pursuant to §24-6-402(4)(a)(b) and (e) C.R.S. with no electronic record
18 created as Ms. Moseley opined the contents of the discussion would contain privileged
19 attorney-client communications. *

20 The regular meeting resumed at 12:55 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 12:55 p.m.

Respectfully submitted,

Secretary to the Meeting