

**Eagle River Water & Sanitation District  
Upper Eagle Regional Water Authority  
Special Joint Meeting  
February 22, 2024  
MINUTES**

A special joint meeting of the Boards of Directors of the Upper Eagle Regional Water Authority (Authority) and the Eagle River Water & Sanitation District (District) was held February 22, 2024, at 11:00 a.m., in the Walter Kirch Room of the District, 846 Forest Road, Vail, Eagle County, Colorado, in accordance with the applicable statutes of the state of Colorado.

**ATTENDANCE**

**The following Authority Directors were present and acting:**

Geoff Dreyer, Arrowhead Metropolitan District,  
George Gregory, Berry Creek Metropolitan District  
Kevin Hillgren, Beaver Creek Metropolitan District  
Joanna Kerwin, Edwards Metropolitan District  
Tamra Underwood, Town of Avon

**The following Authority Director was absent and excused:**

Kim Bell Williams, EagleVail Metropolitan District

**The following District Directors were present and acting:**

Kate Burchenal  
Dick Cleveland  
Steve Coyer  
Sarah Smith Hymes  
Timm Paxson  
Rick Pylman

**The following District Director was absent and excused:**

Robert Warner, Jr.

**Also in attendance were:**

<u>District Staff</u>	30	<u>Consultants</u>
Jason Cowles	31	Kristin Moseley, Somach Simmons & Dunn
Tim Friday	32	Kathryn Winn, Collins Cole Flynn Winn & Ulmer PLLC
Jesse Hooker	33	
Diane Johnson	34	<u>Public</u>
David Norris	35	Kathy Chandler-Henry, Colorado River Water Conservation District
Chuck Owen	36	Lindsay DeFrates, Colorado River Water Conservation District
Siri Roman	37	Zoe Goldstein, Vail Daily
Brian Thompson	38	Amy Moyer, Colorado River Water Conservation District
Brad Zachman	39	Andy Mueller, Colorado River Water Conservation District
	40	Mike Towler, Beaver Creek Metropolitan District Alternate

**DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST**

Each of the respective Boards noted it had received more than 72 hours prior to the meeting certain disclosures of Potential Conflicts of Interest Statements for the following Directors indicating the following conflicts:

**For the Authority:** Director Gregory disclosed that he occasionally undertakes minor development and construction activities within the Authority's service area. Director Bell Williams disclosed that she is the Housing Director for Eagle County and works with the Eagle County Housing and Development Authority Advisory Committee. Director Kerwin disclosed that she is a board member of Mountain Recreation Metropolitan District, Mountain Recreation Foundation, Homestead Court Club Homeowners Association, Homestead Owners Association, and Homestead Valley Association. Director Underwood disclosed that she serves on Avon Town Council as an elected official.

**For the District:** Director Pylman disclosed that he owns a land planning consulting company doing business in the District's service area that has represented entities that have and may do business with the District. Director Warner disclosed that he is a Board Member of Arrowhead Metropolitan District, a former builder/developer in the District, a Member of the Eagle County Planning Commission and Board of Adjustment, and President of McCoy Springs at Arrowhead Homeowners Association. Director Burchenal disclosed that she is an employee of Airborne Snow Observatories, Inc., which does not currently do business with the District but there may be a time in the future when they do business with the District or other partners in the District's service area.

**CALL TO ORDER**

Having determined there was a quorum, Authority Chair Gregory called the meeting to order at 11:00 a.m.

District Chair Cleveland concurred.

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

1 **INTRODUCTIONS**

2 Ms. Roman introduced representatives from the Colorado River Water Conservation District (River  
3 District): Board President Kathy Chandler-Henry, General Manager Andy Mueller, Director of Strategic  
4 Partnerships Amy Moyer, and Deputy Director of Public Relations Lindsay Debrates.

5 **PUBLIC COMMENT**

6 Public comment was called for and there was none.

7 **SHOSHONE WATER RIGHT PRESERVATION CAMPAIGN**

8 Mr. Mueller presented a memorandum with attachments, a copy of which is attached hereto as **Exhibit A**  
9 and incorporated herein by this reference. He said the River District signed a Purchase and Sale  
10 Agreement with Xcel Energy on Dec. 19, 2023, to transfer ownership of the Shoshone water rights on the  
11 Colorado River, which presents an historic opportunity for the Western Slope to control its water security  
12 future by permanently protecting the flows created by the Shoshone call and the resulting benefits  
13 provided by the Shoshone water rights. He also discussed the closing conditions that must be completed  
14 by Dec. 31, 2027, including secured funding of the \$99 million purchase price. Ms. Moyer said the River  
15 District's funding strategy relies on a diverse partnership of local, state, and federal funding sources. Mr.  
16 Mueller said the Western Slope coalition partners will be asked to commit \$10 million, of which he  
17 requested the Authority and District boards consider a \$1.5 million combined contribution. He further  
18 discussed the importance of unified support by the Western Slope and thanked both boards for their  
19 leadership as coalition partners. Authority Chair Gregory and District Chair Cleveland said their respective  
20 boards will consider this request at a future meeting.

21 **ADJOURNMENT**

22 There being no further business to come before the boards at this meeting and upon motion duly moved and  
23 seconded by each board, it was unanimously

24 **RESOLVED**, that the signing of the minutes of this meeting shall be deemed to constitute  
25 full and complete adoption, ratification, and approval of the business conducted and the  
26 resolutions passed; and be it

27 **FURTHER RESOLVED**, that the meeting be adjourned at 12:14 p.m.

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Secretary to the Meeting