
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT January 24, 2018

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m. on January 24, 2018 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- Pam Elsner
- Stephen Friedman
- Jim Fraser
- Larry Graveel (by phone)

Absent and Excused:

- Barry Parker

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (by phone)
- Ken Marchetti, Marchetti & Weaver
- Mark Miscio, Beaver Creek Metro District
- Jerry Hensel, Vail Resorts Base Operations
- Dave Eickholt, BC Homeowner
- Jennifer Brown, BCRC
- Jim Clancy, BC Public Safety
- Paul Gorbald, BC Transportation
- Liz Jones, BCRC

Call to Order

The Regular Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Jim Fraser, Chairman of the Board, noting that a quorum was present. It was confirmed that prior to the meeting each of the Directors had been notified of the meeting and that written notice was duly posted at the Eagle County Clerk and Recorder's Office and at three public places within the District.

Conflicts

The Board noted that it had received certain disclosures of potential conflict of interest statements more than seventy-two hours prior to the meeting for each of the following Directors, indicating the following conflicts: Mr. James Fraser is Vice President of the Beaver Creek Property Owners Association and a Board Member of the Beaver Creek Chapel Endowment Foundation; Mr. Stephen Friedman is a member of the Board

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of Directors for the Vail Valley Foundation and the Eagle River Water and Sanitation District; Ms. Pamela Elsner is a Secretary for Vilar Guild and Board Member/Assistant Secretary/Treasurer of the Upper Eagle Regional Water Authority; Mr. Barry Parker is a Director of the Beaver Creek Property Owners Association and a Board Member of the Beaver Creek Chapel Endowment Foundation; Mr. Larry Graveel is a Director of the Beaver Creek Property Owners Association: the Board noted for the record that these disclosures are restated at this time with the intent of fully complying with laws pertaining to potential conflicts.

Minutes

The Board reviewed the minutes of the November 15, 2017 Regular Meeting and January 17, 2018 Special Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the November 17, 2017 Regular Meeting and January 17, 2018 Special Meeting.

Agenda Changes

Mr. Graveel would like to submit a new Conflict of Interest Statement. Mr. Collins will provide Mr. Graveel a Disclosure Statement prior to the February meeting.

Resolution for 2018

Meeting Dates

The 2018 proposed meeting schedule was presented to the Board. The most noticeable change will be a combination of the November & December meetings scheduled for Wednesday, December 5. A motion was made and seconded, it was unanimously

RESOLVED to approve the meeting dates for 2018.

Public Input

The Board noticed an increase in activity in the Public Safety report. Mr. Clancy reported that the Public Safety staff is focusing on educating parking violators this season.

Transportation

Report

The Board reviewed the December transportation reports. The Board requested Mr. Gorbold provide a sample break out of the Dial-a-Ride dispatched trips. Mr. Simmons will choose the days for the measurements. Mr. Graveel requested Mr. Gorbold audit the vehicles for No Gratuity signs as directed by the Transportation Agreement.

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Transportation

Property Tax

Director Friedman requested an update regarding the changes in property tax assessment for transportation 2018. There are benefits to municipal financing including tax-free interest rates to the lender. Mr. Marchetti explained that an analysis for the tax cap on deductibility will be included in the February board packet.

General Manager

Update

Mr. Simmons reported that the fire station site sale closing date is the end of January. The Closing Documents will be available to sign on or before Wednesday, January 31, 2018. Director Fraser, Friedman or Elsner will be available for signing the documents.

The summer projects pre-construction meeting date is January 24 for the overlays on Village Road, Borders Road and the Recreation Path. This will give those interested firms an opportunity to ask clarifying questions prior to submission of bids.

Resolution for

Posting Locations

The Board reviewed the resolution to set posting places for notices. The posting places currently used are the Beaver Creek Reception Center, the Beaver Creek Club, and the District Office. Upon motion duly made and seconded, it was unanimously

RESOLVED to post notices of the District's 2018 meetings as follows:

Notices of meeting of the District's Board of Directors required pursuant to Section 24-6-401, et. seq., C.R.S., shall be posted at least 24 hours prior to each meeting at the following location:

BCMD Administration Facility
and
Beaver Creek Reception Center

Notices of regular or special meeting required to be posted at three public places within the District and at the office of the County Clerk and Recorder at least 72 hours prior to said meeting shall continue to be made pursuant to Section 32-1-903(2), C.R.S.

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Election Resolution The Election Resolution was presented to call the May 8, 2018 Board of Directors election and to designate an election official. The ballots will be issued via mail. There are three positions available on the BC Metro

Board. If there are 3 or less candidates, no election will be needed. If there are 4 candidates or more, an election will proceed. All Self-Nomination and Acceptance forms are due to the Designated Election Official by close of business on Friday, March 2, 2018. The question of extending an existing property tax levy authorization for capital improvements at Vilar Center will be included in the May election if an election is held. If no May election is necessary, the Board may consider a November Election question. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the May 2018 Election Resolution as amended.

Resolution

Authorizing Sale

Mr. Collins reviewed the Resolution Authorizing the Conveyance of Real Property with the Board for the sale of 185 Elk Track Road. A motion was made and seconded, it was unanimously

RESOLVED to approve the Resolution to authorize the sale and for Director Fraser, Director Friedman and/or Director Elsner to sign documents related to the Closing on or before January 31, 2018.

Financial Statement Mr. Marchetti presented the preliminary financial statements for December. Invoices are continuing to be received but nothing significant is expected. The financials were reviewed by the Board and upon a motion duly made and seconded, it was unanimously

RESOLVED to accept the December 2017 preliminary financials as presented.

2017 Public Hearing

Budget Amendment

The public hearing for the 2017 amended budget was opened for the additional expenditures for in the Village Transportation fund. The public hearing was closed. Upon motion duly made and seconded, it was unanimously

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RESOLVED to approve the amended 2017 budget and the attached resolutions.

Accounts Payable The Board reviewed the Accounts Payable listing. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve and ratify the accounts payable lists for November and December as presented.

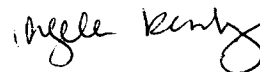
Executive Session Upon motion duly made and seconded, it was unanimously

RESOLVED to enter into executive session citing §24-6-402(4)(f) C.R.S. for the purpose of personnel matters related to the General Manager. The Board entered into executive session at 10:05 a.m. and adjourned the executive session at 10:29 a.m.

Adjournment There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

RESOLVED to adjourn the Regular Meeting of the Beaver Creek Metropolitan District Board of Directors held Wednesday, January 24, 2018.

Respectfully submitted,



Angela Kamby
Secretary for the meeting