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# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT February 22, 2017

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., February 22, 2017 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
- Barry Parker

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (by phone)
- Ken Marchetti, Marchetti & Weaver
- Jim Clancy, BC Public Safety
- Jen Brown, BC Resort Company
- Mark Miscio, BC Metro District
- Jerry Hensel, BC Village Operations
- Dave Eickholt, BCPOA
- Tim Kelley, BC Homeowner
- Paul Gorbald, BC Village Transportation
- Jim Lee, BC Homeowner
- Jeff Luker, BCPOA
- Tim Baker, Vail Resorts
- Todd Goulding, Goulding Development Advisors

### 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

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conflicts: Mr. James Fraser is Vice President of the Beaver Creek Property Owners Association; Mr. Stephen Friedman is a member of the Board 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; 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 January 25, 2017 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the January 25, 2017 Regular Meeting.

### Additions to the Agenda

Director Graveel would like to add the following topics to the agenda:

- Public Easements
- Snow Plow
- Effectiveness of BCMD website

Director Parker would like to discuss the Ford Hall Parking garage.

Director Elsner would like to add the following topics to the agenda:

- Revised regulations
- Dog Issue
- Joint meeting between BCRC & BCMD
- Project Legacy

### Future Meetings

The next regular meeting is scheduled for Wednesday, March 22, 2017 at the same time and location.

### Public Input

Mr. Gorbald provided the Board a handout with service statistics. The Board responded that the customer service, cleanliness and professionalism expectations are currently not being met. Mr. Baker explained that the fixed routes are being augmented with Dial A Ride due to lack of staff. It is requested that Village Transportation attend the future board meetings to provide detail regarding the service standards.

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Director Parker requests improved and additional ONE WAY signage for the Ford Hall Parking structure.

Director Elsner requested that all Public Safety officers be updated on the new animal regulations with the County.

Director Elsner followed up to the previous discussion of a joint meeting between the BCMD Board and the Resort Company. It was decided to distribute Project Legacy summary booklets to the board members for review. The Resort Company has requested agenda items.

Director Elsner notified the Board that the Water Authority will make a presentation at the March BCMD meeting.

### **General Manager Update**

Mr. Goulding provided an update on the fire station. The Fire District notified Mr. Goulding of a couple warranty issues. The roof has some leaks that are being addressed this week. The warranty has been extended through Winter 2018. The more significant issue is diesel fumes and particulates in the building not exhausting correctly. The solution is to replace the current fans with a direct capture system. The Board gave direction to install the direct capture system at a cost of \$23,000. Mr. Goulding is working with Mr. Collins to seek reimbursement from the design team.

Mr. Simmons shared that the topics have been identified for the Board Book. There will be distribution to Directors Elsner and Graveel for review.

The fire station site sale will be discussed in Executive Session.

The Village Road golf landscape proposal was included in the packet. This is a one-third shared program with the BCPOA, BC Golf Operations and BCMD. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the proposal and one-third expense for Village Road landscape.

Mr. Simmons discussed a recent snowplowing operation where an antennae was broken off a Metro District vehicle by branches of a tree in an

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easement. The District facilitated removal branches. Mr. Simmons met with the homeowner to listen to concerns, as well as apologize on behalf of the Metro District.

Director Graveel is interested in the traffic on the BCMD website. He has requested a monthly visit report, including the length of time on the website.

### Legal

Mr. Collins reported that the Resolution to eliminate the PUD Access Provision will be on the County Commissioner's agenda for February 27, 2017 board meeting. Mr. Collins suggested that the document be dated with the original approval hearing date of January 24, 2017.

### Financial Statement

Mr. Marchetti included the Gallagher Constitutional Amendment assessment document in the board packet. The County Assessor determines the actual and assessed values of all properties within the county on May 1 of odd numbered years. Per the Board, a more detailed report was included for this month. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to accept the January 2017 preliminary financials as presented.

### 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 list as presented.

### Executive Session

Upon motion duly made and seconded, it was unanimously

**RESOLVED** to enter into executive session citing §24-6-402(4) (a) C.R.S. for the purpose of determining positions subject to negotiations related to the sale of property where the former fire station is located and personnel matters §24-6-402(4)(f),C.R.S. The Board entered into executive session at 10:35 a.m. and adjourned the executive session at 11:49 a.m.

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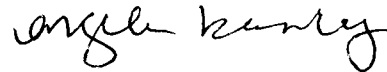
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### Adjournment

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 on February 22, 2017.

Respectfully submitted,



Angela Kamby  
Secretary for the meeting