

---

# RECORD OF PROCEEDINGS

---

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT March 23, 2016

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., March 23, 2016 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### Attendance

In Attendance were Directors:

- Louis Kreig
- Jim Power
- Stephen Friedman
- Jim Fraser
- Pam Elsner (by phone)

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel, Cole (by phone)
- Ken Marchetti, Marchetti & Weaver LLC
- Jim Clancy, BC Public Safety
- Tim Kelley, BC Homeowner
- Barry Parker, BCPOA
- Jerry Hensel, BC Base Operations
- Jen Brown, BC Resort Company
- Liz Jones, BC Resort Company
- Angela Kamby, Administrative Assistant, BCMD

### Call to Order

The Regular Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Lou Kreig, 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: Dr. Louis Kreig is a member of the Board of Directors for Beaver Creek Property Owners Association; Mr. James Fraser is a Director of the Beaver Creek Property Owners Association; Mr. James Power is a member of the Board of Directors for the Upper Eagle Water Authority; Mr. Stephen

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District March 23, 2016 Meeting Minutes

---

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 member of the Board of Directors for Vilar Guild Executive Board; 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 February 24, 2016 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the February 24, 2016 Regular Meeting.

The Board reviewed the minutes of the March 14, 2016 Special Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the March 14, 2016 Special Meeting.

### Future Meetings

The next regular meeting is scheduled for Wednesday, April 27, 2016 at the same time and location.

### Public Input

Mr. Clancy reported that Public Safety has parked vehicles on Prater Road for 28 out of the 120 days of the ski season. This is the least amount of days parking on Prater in the last four years. Director Friedman purposed an indemnification letter from the BC Resort Company and/or Vail Resorts regarding the safety concerns of parking on Prater Road for the future. Mr. Simmons was directed to review and investigate the current agreement with Vail Resorts.

The Board reviewed the Public Safety report for February. Director Elsner questioned as to the status of drones in Beaver Creek. Mr. Clancy explained that drones are not allowed on Vail Resorts property, nor are they permitted on federal land. The Resort Company is in the process of documenting a formal policy prohibiting drones on BC private property.

### General Manager Update

**Fire Station:** The fire station construction continues to be on schedule. The TCO is still expected to be the first part of May.

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District March 23, 2016 Meeting Minutes

---

**Fire Station Site Sale:** There is one item to discuss in Executive Session.

**Road Projects:** The projects for review were provided in the General Manager memo. Mr. Simmons recommended that the guard rail project remain on schedule, as Adarand held the original bid for work rolled over from last year. Mr. Simmons also recommended to defer the Holden Place overlay until 2017. Discussion followed concerning the guard rail masonry and deep patching of asphalt of Village Road.

### **Financial Statements**

In conjunction of project considerations, Mr. Marchetti presented the February 2016 preliminary financial statement. Upon motion duly made and seconded, it was with a vote of four (4) ayes and one (1) nay, (Director Friedman)

**RESOLVED** to accept the February 2016 preliminary financials as presented and move forward with all projects with the exception of the Holden Place Overlay.

### **General Manager Update (Cont)**

Mr. Simmons requested a change in the schedule of vehicle replacement. A replacement of the 1999 International plow truck would need to be ordered now for delivery in the first quarter of 2017. The Board gave direction to order the large plow.

### **Legal**

Mr. Collins reported upon review of the BCMD Service Plan that the District is compliant. There are no recommended actions at this time.

### **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) for the purpose of determining positions subject to negotiations related to the sale of property where the current fire station is

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District March 23, 2016 Meeting Minutes

---

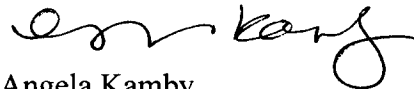
located. The Board entered into executive session at 9:35 a.m. and adjourned the executive session at 10:01 a.m.

### 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 on March 23, 2016.

Respectfully submitted,



Angela Kamby  
Secretary for the meeting