
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT July 22, 2015

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., July 22, 2015 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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, BCMD General Counsel, Collins, Cockrel & Cole
- Angela Kamby, Administrative Assistant, BCMD
- Kathy Lewensten, Marchetti & Weaver LLC
- Jen Brown, BCRC
- Elizabeth Jones, BCRC
- Jim Clancy, BC Public Safety
- Kris Sabel, Vilar Center
- Dean Davis, Vail Valley Foundation
- Jeff Luker, BCPOA

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 Friedman is a member of the Board of Directors for the Vail Valley

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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 June 24, 2015 Regular Meeting. The minutes will be revised to reflect adjournment. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the June 24, 2015 Regular Meeting as revised.

Agenda

It was requested an agenda item be added to discuss the Districts culvert policy.

Future Meetings

The next regular meeting is scheduled for Wednesday, August 26, 2015 at the same time and location.

Public Input

Vilar Center Annual Update: Kris Sabel updated the Board on the Vilar Center, offering a summary of expenses and projects that have occurred since funding by the BCMD was initiated. Most of the projects on the five year plan are on track to be completed. The most recent big project is the renovation of the concessions area. A large project on the horizon will be replacement of the subfloor. Upon motion duly made and seconded, it was unanimously

RESOLVED to authorize the release of \$250,000 to the Vilar Center for use on capital projects as outlined in the annual report and ratification of capital projects from the prior year.

Mr. Luker reported recurring service disruptions with Comcast internet that are quite frustrating. He asked if the District would be able to help with the matter. Mr. Simmons offered to follow up with Comcast.

General Manager Update

Fire Station Road: There is a slight delay due to excessive rain. The road platform is scheduled to be completed the week of August 10, 2015.

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Fire Station Sale: Steve Cardinale with Slifer, Smith & Frampton will be the broker for the sale. The District received a Listing Agreement from Slifer which includes a 15 month term and a 3% commission. Upon motion duly made and seconded, it was by a vote of four (4) ayes and one (1) nay (Director Friedman)

RESOLVED to accept Slifer Smith & Frampton's proposal subject to revisions related to 2% commissions and "Special" warranty deed.

Culvert Policy: Mr. Simmons mentioned there are occasional calls when it rains regarding plugged culverts beneath driveways and landscaped areas. Culverts were installed by the owner during original development of the property. BCMD's policy has been for the owner to maintain functional drainage. The Board unanimously confirmed that policy moving forward.

121 Borders Road: The Metropolitan District has made numerous attempts, as far back as Fall, 2014, to communicate with Mr. Oltman regarding his unapproved landscape installation. The current landscaping is causing drainage issues on Borders road. Mr. Simmons requested that the District perform the necessary grading to correct the drainage. Upon motion duly made and seconded, it was unanimously

RESOLVED to direct operations staff to perform necessary work on the roadway easement and bill the property owner for any expenses incurred.

Ballot Initiative

Director Kreig reviewed the process to date for the ballot initiative under consideration. The Board began discussions on a potential ballot question as mentioned in prior meetings. Director Kreig stated one option for a ballot question is a maximum \$1.5 million in total revenue annually, inflation protected by CPI, and the Board has the ability to raise and lower the Mill Levy to meet annual costs. Directors Power and Fraser have mentioned that BCPOA would support the Levy if there is a sunset. All Board members are opposed to a sunset provision.

The Board directed Mr. Collins and Mr. Marchetti to move forward with election matters. Mr. Collins stated an election resolution with draft ballot questions will be presented at the August meeting.

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**Financial
Statements**

Upon motion duly made and seconded, it was unanimously

RESOLVED to accept the June 2015 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.

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 July 22, 2015

Respectfully submitted,



Angela Kamby
Secretary for the meeting