
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT July 25, 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 July 25, 2018 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- Barry Parker
- Jim Fraser
- Larry Graveel
- Pam Elsner

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Ken Marchetti, Marchetti & Weaver
- Jim Collins, Collins, Cockrel & Cole, LLC
- Mark Miscio, Beaver Creek Metro District
- Jim Clancy, Beaver Creek Public Safety
- Jerry Hensel, Beaver Creek Base Operations
- Paul Gorbald, Beaver Creek Transportation
- Tim Kelley, Beaver Creek Homeowner
- Dave Eickholt, Beaver Creek Homeowner
- Liz Jones, Beaver Creek Resort Company
- Jeff Luker, Beaver Creek Homeowner
- Bill Nutkins, Nutkins Design Group

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 the President 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 June 27, 2018 Regular Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the June 27, 2018 Regular Meeting.

Agenda Changes

Chairperson Fraser would like to discuss the possibility of additional lighting on Scott Hill Road. Director Parker would like to discuss a public disturbance on South Fairway and the Honey Wagon Recycling program. Director Elsner would like to share information on the possible I-70 expansion over Vail Pass.

Future Meeting

Date

The next meeting will be held on Wednesday, August 22 at 8:30 AM at the Beaver Creek Metro District Administrative offices. The budget work session will be held on Wednesday, August 29 at 8:30 AM.

Public Input

Mr. Nutkins presented an encroachment for 90 Elk Track Court. The request is for two (2) pillars to support a deck that will overhang into the easement. Upon discussion, a motion was made and seconded to approve the encroachment. It was unanimously

RESOLVED to approve the encroachment for 90 Elk Track Court.

Transportation Report

Mr. Gorbald discussed the Downtowner application. The application should be loaded and public facing on the App Store by the end of the month. The monthly report has begun a transition with detail provided from the Downtowner platform.

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Public Input

Mr. Clancy discussed the fire mitigation assessment by Anchor Point. Mr. Simmons noted that the Board had previously approved to share the \$5,000 expense of the evaluation evenly with the Beaver Creek Resort Company. The two (2) areas of primary concern are by the first hole on the golf course and south of highway 6 between the Elk and Bear parking lots. Mr. Clancy requested additional funds to assist in clearing the exposed areas of Vail Resorts land. The Board asked Mr. Clancy to bring this issue to the attention of the land owner.

Director Parker requested consideration for the homeowners of Beaver Creek Drive and South Fairway. An employee of a property management company has harassed and made threatening remarks heard by numerous neighbors. Mr. Clancy added that the Sheriff VanBeek has been notified and will need those harassed to file a complaint with Eagle County. Mr. Collins offered to assist in preparing a communication to the property management company. Mr. Clancy will follow up with details to Mr. Simmons by the end of the week.

Director Parker brought to the attention of the Board that Honey Wagon Recycling has changed the policy to not allow the recycled items to be placed in bags. The Board collectively discussed that this is the current approach of every local recycle company.

Director Elsner shared that Colorado Department of Transportation is studying the expansion to three (3) lanes on the I-70 corridor. Each event of a road closure has a detriment to the economic growth to the valley. The ERWSD has suggested local Metro Districts draft a letter of support for healthy project and least damaging to the environment. Mr. Collins will draft a letter to be included for review in the August board packet.

Legal

Mr. Collins explained the Gallagher Amendment as passed by voters in 1982. The residential assessed valuation count for 45% and the commercial values account for 55%. The current residential assessed value is 7.2% and is expected to drop to 6.2% in 2020 tax collection year. Mr. Collins discussed the possibility to include a de-Gallagherization Question on either the November 2018 or 2019 ballot. The Board set a sub-committee to meet prior to the August meeting to determine when and if the District would like to approach the constituents. The Board will serve notice to Eagle County for the possibility to be on the ballot.

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General Manager

Update

Mr. Simmons reported on the manholes following the overlay. The District is currently holding \$10,000 in retainer until satisfaction of the completed project.

The Peregrine Villas website is available with sales information. The quarterly interest payment was recently received this week.

Mr. Miscio and Mr. Simmons met recently to review the 2019 projects and long range project plans. This detail will be provided at the August budget meeting.

A contractor working on Borders Road gouged the new road. The contractor is on notice for road repairs.

A request came in from the Pines Town Homes to add lighting to the sidewalk. The cost is approximately \$18,000 for lights and running power. The Board discussed the option of solar lights and requested Mr. Simmons to meet with the Pines Townhouse Owner Association for more detail.

Financial Statement Mr. Marchetti noted nothing unusual with the financial statement. The real property sales report for the last 24 months was included for review. This is the report that the county assessor uses for assessed values.

The Draft Internal Audit Policy was discussed among the Board. These are procedures that have been followed by the District for approximately 20 years. A recommendation to additionally add the General Manager to approve any invoice over \$10,000 and review 5% of invoices under \$10,000. The policy will be amended and presented at the August meeting.

Accounts Payable for June were reviewed and a motion was made and seconded. It was unanimously

RESOLVED to approve and ratify the Accounts Payable as presented.

Adjournment

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

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RESOLVED to adjourn the Regular Meeting of the Beaver Creek Metropolitan District Board of Directors held Wednesday, July 25, 2018.

Respectfully submitted,



Angela Kamby
Secretary for the meeting