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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 July 27, 2016

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., July 27, 2016 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### Attendance

In Attendance were Directors:

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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Ken Marchetti, Marchetti & Weaver LLC
- Tim Kelley, BC Homeowner
- Dave Eickholt, BCPOA
- Jen Brown, BC Resort Company
- Liz Jones, BC Resort Company
- Angela Kamby, BCMD

### 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 the 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 the Board Member/Assistant Secretary/Treasurer of the Upper Eagle Regional Water Authority; Mr. Parker is a Director on the Beaver Creek Property Owners Association; the Board noted for the record that

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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 22, 2016 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the June 22, 2016 Regular Meeting.

### Future Meetings

The next regular meeting is scheduled for Wednesday, August 24, 2016 at the same time and location.

The Board changed the annual Budget meeting from Wednesday, October 5 to Wednesday, October 12, 8:30 AM at the BCMD office in Eagle-Vail.

### Public Input

Mr. Kelley requests the Board to discuss local water issues at the September meeting.

### General Manager Update

**Fire Station:** The handrail should be installed today, as will the sign for the front door. The inspection for the flue and dampers is scheduled for tomorrow, July 28. The stove is a commercial grade but the inspector requests a residential appliance. The TCO inspection is set for Friday, July 29. The Fire Station open house is scheduled for Friday, August 13.

**Fire Station Site Sale:** The demolition contract is scheduled to arrive this week. The Fire District would like to use the old fire station for training exercises before demolition begins.

**Guardrail Masonry:** The concrete pillars were poured last week on Holden. There are still some pillars scheduled for completion in August on Scott Hill and Offerson. The backside of the pillars on Wayne Creek are visible from the road. The Board members requested Mr. Simmons to submit a change order to have the three pillars updated on three sides for beautification purposes.

**Vail Resorts Operations Agreement:** Mr. Simmons submitted the BCMD changes to the Operations Agreement to Tim Baker, where he will have Vail Resorts review the document. The document is expected to be returned from VR and included in the August packet for review. The

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changes include updating the exhibits, the addition of the new Elk Track Road, the estimated budget for the Vail Resorts Operations.

### Drug & Alcohol Policy

The policy was presented to the Board. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Drug and Alcohol Policy.

### Legal

No legal update this month.

### COPS

Under Colorado law, in order for a Metro District to borrow funds, it is required to use voter funds or collateral that is essential to operations of the District. The original fire station was used for collateral on the loan for the new fire station. The Resolution has been prepared and approved by the loan counsel and Mr. Collins office. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2015 COPS Resolution.

### Financial Statements

Mr. Marchetti included the fire station cash flow projections with the June 2016 preliminary financial statement. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to accept the June 2016 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 current fire

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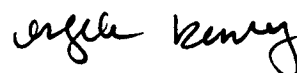
station is located; The Board entered into executive session at 9:23 a.m. and adjourned the executive session at 10:17 a.m.

#### 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 July 27, 2016.

Respectfully submitted,



Angela Kamby  
Secretary for the meeting