
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT August 24, 2016

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., August 24, 2016 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- ☐ Jim Fraser
- ☐ Pam Elsner
- ☐ Barry Parker
- ☐ Stephen Friedman

Absent and Excused was Director:

- ☐ Larry Graveel

Also in Attendance were:

- ☐ Bill Simmons, General Manager, BCMD
- ☐ Jim Collins, Collins, Cockrel & Cole (via phone)
- ☐ Ken Marchetti, Marchetti & Weaver LLC
- ☐ Kathy Lewensten, Marchetti & Weaver LLC
- ☐ Dave Eickholt, BCPOA
- ☐ Jeff Luker, BCPOA
- ☐ Jerry Hensel, BC Grounds Operations
- ☐ Jim Clancy, BC Public Safety
- ☐ Tim Baker, VR Sr. Director of Village Operations
- ☐ Dominic Mauriello, Mauriello Group (via phone)
- ☐ Teak Simonton, Eagle County Clerk & Recorder
- ☐ Steve Cardinale, Slifer, Smith & Frampton
- ☐ Lea Zugschwerdt, Slifer, Smith & Frampton

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; Mr. Stephen Friedman is a member of the Board of Directors for the Vail Valley Foundation and the Eagle River Water and

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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: 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.

Agenda

Director Elsner requested an agenda item for presentation of an update on UERWA water matters be included at the next meeting.

Minutes

The Board reviewed the minutes of the July 27, 2016 Regular Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the July 27, 2016 Regular Meeting.

Future Meetings

The next regular meeting is scheduled for Wednesday, September 28, 2016 at the same time and location. It was noted the budget work session is scheduled for Tuesday, October 11, 2016 at 8:30 a.m.

The Board asked if there would be a joint meeting with BCRC this fall to discuss joint projects, budgets and expectations. Mr. Luker stated it would be beneficial for the committee to meet prior to a joint meeting. The Board directed Mr. Simmons to work with Mr. Luker to schedule the meeting.

Public Input

Treasurer Candidate: Director Fraser introduced Ms. Simonton. She stated she is running for the Eagle County Treasurer position in the election this November. She reviewed her experience and her qualifications related to the Treasurer position. The Board thanked her for coming.

BC Parking Plan: Mr. Clancy began discussion on the parking plan for the upcoming season. A memo had been included in the packet. This will be the first year that there will be paid parking at the Bear and Elk lots. He reviewed the flow of traffic related to this change. He stated employees will be using the Wolf and little Bear lot and that parking along Prater Road will be utilized once all lots are full. He expects there to be 30 days that parking will be necessary along Prater Road. The Board asked if there would be a fee to park along Prater Road? Mr. Clancy said at this time no fee has been anticipated. The Board then expressed concern that if Prater Road parking was free there may be some incentive for patrons to utilize it instead of the paid parking. Mr. Clancy stated they would be monitoring the situation to control access to Prater Road parking. Mr. Luker asked if it would be possible to charge for parking along Prater Road? Mr. Clancy offered to take a look at the costs related to collecting a fee along Prater Road. The matter was tabled to the next meeting.

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General Manager

Update

Fire Station: The fire station is now operational. The exterior punch list is being completed. The open house is scheduled for this afternoon.

Fire Station Site Sale: Will be discussed in Executive Session.

Fire Station Demolition: Asbestos was found in the tiles of the old fire station. The cost of remediation will be approximately \$15,000. It is expected the asbestos mitigation will be complete in the next few weeks with demolition to follow. The fire department is using the site for training prior to the demolition.

Guardrails: Work on the guardrails will be continuing as the contractors are available. The expected completion date is the end of September.

Operations Agreement: The Board discussed the renewal of the Operations Agreement with Vail Resorts. A copy of the agreement had been included in the packet. The term of the agreement is three years subject to annual appropriation with an automatic renewal for another three year term. The District can terminate services at any time. It was noted VR has not yet provided comments however Mr. Baker indicated he did not expect any substantial changes. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Resort Operations Management Agreement subject to receipt of comments from Vail Resorts with final review by Mr. Simmons.

Legal

No legal update this month.

Financial Statements

Mr. Marchetti presented the July 2016 preliminary financial statement. Mr. Luker asked about carrying costs for the COPS funding expressing a desire for continued District investment in Beaver Creek projects. Mr. Marchetti explained the carrying costs associated with the COPS. Upon motion duly made and seconded, it was unanimously

RESOLVED to accept the July 2016 preliminary financials as presented.

Accounts Payable

The Board reviewed the Accounts Payable listing. Upon motion duly made and seconded, it was unanimously

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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 station is located; The Board entered into executive session at 9:45 a.m. and adjourned the executive session at 10:45 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 August 24, 2016.

Respectfully submitted,



Kathy Lewensten
Secretary for the meeting