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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 September 26, 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 September 26, 2018 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### Attendance

In Attendance were Directors:

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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Ken Marchetti, Marchetti & Weaver
- Jim Clancy, Beaver Creek Public Safety
- Paul Gorbald, Beaver Creek Transportation
- Liz Jones, Beaver Creek Resort Company
- Jeff Luker, Beaver Creek Homeowner
- Jen Brown, Beaver Creek Resort Company
- Dave Eickholt, Beaver Creek Homeowner
- Tom Allen, Beaver Creek Resort Company
- Jerry Hensel, Beaver Creek Village Operations

### 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 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

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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 August 22, 2018 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes from the August 22, 2018 Regular Meeting.

### Agenda Changes

Chairman Fraser would like Mr. Eickholt to provide an update on the BCPOA Campaign Committee.

### Future Meeting

#### Date

The next meeting will be held on Wednesday, October 24 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

### Public Input

Mr. Eickholt provided an update from the BCPOA Revenue Stabilization Committee. There are approximately 415 voters currently registered to vote in Beaver Creek. The last few elections have seen as few as 115 and as many as 165 homeowners who have submitted ballots. The Campaign Committee will distribute a newsletter, send a mail flyer and make personal contact with community members to provide detail of the Ballot Question.

Director Parker would like to acknowledge Mr. Eickholt, Mr. Luker, Mr. Scott and Ms. Nichamin for their dedication to the Revenue Stabilization Committee.

### Transportation

#### Report & Agreements

The Board reviewed the August Transportation Report. The red-lined Transportation Agreements were included in the packet for discussion. The Village Connect application is offered to each call received at the dispatch office. The app will be reviewed for efficiency following the winter season. The Resort Company Board is required to set and approve the service level standard. A three (3) hour service increase Thursday - Sunday

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during the dinner hours was added to the agreement. A motion was duly made and seconded, it was unanimously

**RESOLVED** to approve the Village Connect, Parking Lot and Inter Village agreements.

### **Public Input**

Peregrine Villas - Mr. Niemi provided an update on the Peregrine Villas development. There were slight delays with preparing the infrastructure. Sotheby's brokers have some leads on potential buyers. The projected date for closing on units is Spring 2020.

Public Safety - Mr. Clancy addressed a request for information on All Terrain Vehicle usage in Beaver Creek. There was a company spraying for noxious weeds in late summer that was permitted to use ATVs for ground coverage. The Mountain Operations group has decreased their fleet to three (3) vehicles. Hunting regulations state no ATV or motorcycles are allowed on the mountain.

Prater Road Roundabout - The Bachelor Gulch Metro District will close the Prater Road traffic for a remodel of the roundabout from October 1-12. Mr. Hensel will address the overgrowth of vegetation in the roundabout.

### **Legal**

Mr. Marchetti discussed Resolution with the Board. A motion was made and seconded to approve the Resolution in support of the Ballot Question. It was unanimously

**RESOLVED** to approve Resolution of Support for the Beaver Creek Metropolitan District ballot question to stabilize district revenues.

### **General Manager**

#### **Update**

Mr. Simmons reported the Village Road Storm Drainage project will be finished next week. The Operations group will be pulling ditches during October.

The Board held a discussion regarding the possibility of a Vail Honey Wagon and/or Waste Management community contract. Ms. Brown noted that she will take the topic to the Resort Company Board.

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**Financial Statement** Mr. Marchetti noted nothing of concern in the financial statement. The Board review of the August Accounts Payable list. Upon a motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Account Payable list as presented.

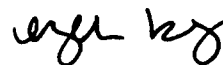
**Executive Session** Upon motion duly made and seconded, it was unanimously

**RESOLVED** to enter into executive session citing §24-6-402(4)(a) C.R.S. for the purpose of negotiations regarding the Eagle River Fire Contract. The Board entered into executive session at 10:53 a.m. and adjourned the executive session at 11:02 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 Wednesday, August 22, 2018.

Respectfully submitted,



Angela Kamby  
Secretary for the meeting