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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 27, 2017

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., September 27, 2017 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### **Attendance**

In Attendance were Directors:

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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (by phone)
- Ken Marchetti, Marchetti & Weaver
- Jim Clancy, BC Public Safety
- Mark Miscio, BC Metro District
- Liz Jones, BC Resort Company
- Paul Gorbald, BC Transportation
- Jeff Luker, BC Homeowner
- Jerry Hensel, BC Base Operations
- Tim Baker, Vail Resorts

### **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 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.

### **Minutes**

The Board reviewed the minutes of the August 23, 2017 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the August 23, 2017 Regular Meeting.

### **Agenda Addition**

The following additions were made to the agenda:

- Beaver Creek Wildlife

### **Future Meetings**

The next regular meeting is scheduled for Wednesday, October 25, 2017 at the same time and location.

### **Public Input**

Mr. Baker reported on the progress of the Village Transportation contract, including meetings with Mr. Simmons and Mr. Gorbald. Mr. Baker expects to have a draft of the contract available the first week of October.

A wildlife incident involving a bear and hunter on private property occurred on September 17, 2017. The Department of Wildlife did follow up with the hunter to verify the appropriate tag. Mr. Clancy will communicate with Mr. Andre at DoW to report any unusual circumstances per request of the Board.

### **General Manager Update**

The storm sewer drops have been cleaned out by a local contractor.

EdgeCreek LLC met with Mr. Nusbaum and plan on going before DRB in October.

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The Pond Maintenance Agreement for 11 and 21 Highline was included for review by the Board. Upon a motion duly made and seconded it was unanimously

**RESOLVED** to not contribute to pond maintenance with 11 and 21 Highline Drive.

**Legal** No legal update this month.

**2017 Audit**

**Engagement Letter** An audit engagement letter from McMahan and Associates was in the board packet. There will be a \$300 price increase for services. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to engage McMahan and Associates for the Beaver Creek Metro District 2017 Audit.

**Financial Statement** Mr. Marchetti presented the preliminary financial statements. The financials were reviewed and upon motion duly made and seconded, it was unanimously

**RESOLVED** to accept the August 2017 preliminary financial statements 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)(b) C.R.S. for the advice from counsel regarding contract negotiations. The Board entered into executive session at 10:03 a.m. and adjourned the executive session at 10:32 a.m.

**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 on September 27, 2017.

Respectfully submitted,



Angela Kamby  
Secretary for the meeting