
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT September 28, 2016

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., September 28, 2016 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- Pam Elsner
- Barry Parker
- Larry Graveel

Absent and Excused was Director:

- Jim Fraser
- Stephen Friedman

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (via phone)
- Ken Marchetti, Marchetti & Weaver LLC
- Jerry Hensel, BC Grounds Operations
- Jim Clancy, BC Public Safety
- Paul Gorbald, BC Village Transportation
- Tim Baker, VR Sr. Director of Village Operations
- Jen Brown, Beaver Creek Resort Company
- Mari Renzelman, Eagle County Treasurer
- Tim Kelley, BC Homeowner
- Steve Cardinale, Slifer, Smith & Frampton

Call to Order

The Regular Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Barry Parker, Vice President, 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

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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: 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 24, 2016 Regular Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the August 24, 2016 Regular Meeting.

Agenda

Mr. Simmons requested Mr. Gorbold to discuss the sale of Village Transportation vehicles.

Director Parker would like to add Animal Control to the agenda.

Future Meetings

The next regular meeting is scheduled for Wednesday, October 26, 2016 at the same time and location. The budget work session is scheduled for Tuesday, October 11, 2016 at 8:30 a.m.

Public Input

Treasurer Candidate: Director Parker introduced Ms. Renzelman. 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 addressed the follow up discussion from the August meeting regarding pay parking along Prater Road. At this time, it will not be feasible to charge for parking at this location. Mr. Clancy explained that Public Safety will increase staffing to use the available lots more efficiently than in past years. Beaver Creek employees will be directed to park in the Wolf lot. Mr. Clancy stated that he will look into signage regarding late night parking along Prater Road.

Transportation Agreements: Mr. Baker discussed the minimal changes to the Transportation Agreements. Due to the late date of Easter, the buses will run one (1) week longer in the 2016/17 season. The hourly rate is the same, the hours have changed. Final contracts will be presented at the October meeting for execution.

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Animal Control

Director Parker asked Mrs. Brown if she was aware of the recent situation in regards to a dog in Beaver Creek. Mrs. Brown relayed that she was notified of the issue the previous day. Director Parker noted that the Sheriff's Office has been notified of this animal's behavior. Director Graveel added that Animal Control is the correct group to contact, during business hours. At this time, Mrs. Brown has reached out to the Resort Company's legal counsel for direction. Mr. Clancy stated that Public Safety will reach out directly to Sheriff Van Beek to clearly define the line between the Sheriff's Office and Animal Control and how the two county agencies can effectively be used in this case.

General Manager Update

Fire Station: The fire station has received the Certificate of Occupancy. There are punch list items to be completed by the end of next week. A final meeting with the contractor and architect will be scheduled in the next couple of weeks.

Fire Station Site Sale: The District has submitted a PUD amendment to Eagle County for removal of the access easement. Comments will be received during the twenty-one (21) day referral period to Eagle County, concluding on September 30, 2016. The Planning Commission will schedule a publicly posted meeting as early as the third (3rd) Wednesday of October or the first (1st) Wednesday of November.

Fire Station Demolition: There is no old fire station, other than a heap of rubble. The foundation work will be cleared by the end of next week. Asbestos remediation came in slightly less than the original budget.

Guardrail Masonry: The steel work is done on Holden Road. The Scott Hill Road and Offerson concrete pillars have been poured. The project is behind schedule at this time. Mr. Simmons has agreed to a revised deadline for completion of October 14. If the project exceeds this date, the daily penalties will be incurred of \$250 per day.

Long Range Capital: Mr. Simmons met with Alpine Engineering to update the long range road capital project list. The details will be addressed at the budget review meeting later this month.

Financial

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Statements

Mr. Marchetti shared with the Board that following his Long Range Capital meeting with Mr. Simmons, there were minimal changes to the 2017 budget. The Budget Meeting packet will be distributed prior to the budget work session. Mr. Marchetti presented the August 2016 preliminary financial statement. Upon motion duly made and seconded, it was unanimously

RESOLVED to accept the August 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.

Village

Transportation

Mr. Gorbold has two (2) passenger buses currently and five (5) more this fall for sale. Historically, these vehicles go to auction in Denver. Mr. Gorbold has been approached by a private local company to purchase these high demand vehicles. At this time, Mr. Gorbold has removed all BC logos, decals and radios from these busses. The verbal offer is higher than actual sale from the auction last year. Mr. Gorbold requests permission from the Board to complete this transaction. The Board gave Mr. Gorbold direction to sell the vehicles.

Legal

No legal update this month.

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 9:40 a.m. and adjourned the executive session at 10:55 a.m.

Upon returning from executive session, the Board took the following action. Upon motion duly made and seconded, it was unanimously

RESOLVED to reject the current purchase offer on the fire station property.

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Upon returning from executive session, the Board took the following action. Upon motion duly made and seconded, it was unanimously

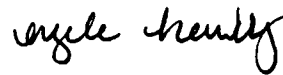
FURTHER RESOLVED to request a joint meeting with the Village Walk homeowners regarding the PUD Amendment.

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 September 28, 2016.

Respectfully submitted,



Angela Kamby
Secretary for the meeting