

---

# RECORD OF PROCEEDINGS

---

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT October 25, 2017

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., October 25, 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
- Pam Elsner
- Larry Graveel (by phone)
- Barry Parker (by phone)

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole
- Ken Marchetti, Marchetti & Weaver
- Jim Clancy, BC Public Safety
- Mark Miscio, BC Metro District
- Mac Garnsey, Vail Valley Foundation
- Jen Brown, BC Resort Company
- Paul Gorbald, BC Transportation
- Tim Kelley, BC Homeowner
- Jerry Hensel, BC Base Operations
- Tim Baker, Vail Resorts
- Jim Lee, BC Homeowner
- Dave Eickholt, BCPOA
- Liz Jones, BC Resort Company

### 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

---

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District November 15, 2017 Meeting Minutes

---

---

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 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 September 27, 2017 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the September 27, 2017 Regular Meeting.

### Agenda Addition

The following additions were made to the agenda:

- Encroachment
- Security Issues

### Future Meetings

The next regular meeting is scheduled for Wednesday, November 15, 2017 at the same time and location.

### Public Input

Mr. Garnsey expressed his gratitude on behalf of the Vail Valley Foundation to the Board for the services provided for the Birds of Prey races. The race is scheduled for December 1 - 3, 2017.

Mr. Simmons reported that the Village Transportation contract has been sent to the Vail Resorts legal department. The current contract is due to expire 10.31.2017. A motion was made and seconded to approve a temporary contract extension until the documents are returned to the Metro Board for approval. It was unanimously

**RESOLVED** to temporarily extend the Dial-A-Ride and Parking Lot service agreements with Vail Resorts.

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District November 15, 2017 Meeting Minutes

---

Mr. Simmons provided the Board with an Encroachment Agreement from the Beaver Creek Resort Company for a semi-permanent digital kiosk. The digital kiosk is a joint project between Vilar Performing Arts Center and

Beaver Creek Resort Company. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the encroachment for a digital kiosk at 26 Avondale Lane, on the sidewalk near the bus turn around area west of the Covered Bridge.

Director Elsner expressed gratitude to the Public Safety for separating the dog and bear incidents in the monthly report.

Director Elsner inquired as to the signage posted in Beaver Creek during the hunting season. Mr. Clancy stated that there can be signs posted at the entry gates in the future. Mr. Hensel shared that there are signs at the gates on Beaver Creek Mountain.

### **General Manager**

#### **Update**

The operations crew spent over a week cleaning up trees and debris from the heavy snow storm. This was a good opportunity to prepare the new operators on the roads.

The recreation path project uncovered that there was no base under the original asphalt. Mr. Miscio's crew rebuilt the base and re-established a larger drain. Asphalt was replaced by a contractor.

EdgeCreek LLC did take their conceptual plan to the DRB. The architectural drawings are scheduled to be presented at the December DRB meeting.

#### **Legal**

No legal update this month.

#### **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 September 2017 preliminary financial statements as presented.

---

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District November 15, 2017 Meeting Minutes

---

---

### 2018 Budget

The public hearing for the 2018 budget was opened. The Board had reviewed the 2018 budget in detail at a work session held on August 31, 2017. Discussion followed regarding appropriate wildfire mitigation and the pedestrian bike path. The public hearing was closed. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to adopt the Beaver Creek Metropolitan District 2018 budget and the attached resolutions, and

**FURTHER RESOLVED** to appropriate the sums of money for 2018 for Beaver Creek Metro District and the attached resolutions,

and

**FURTHER RESOLVED** to certify the mill levy subject to receipt of the final assessed valuation and the attached resolutions.

### 2017 Amended Budget

The public hearing for the 2017 amended budget was opened for the additional expenditures this year from the general fund to the capital improvements fund. The public hearing was closed. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the amended 2017 budget and the attached resolutions.

### Transportation Leases

An RFP was sent to Wells Fargo, ANB and US Bank for this years transportation leases for new transportation vehicle purchases. These leases are paid for though the transportation fund. US Bank provided the lowest lease rates with 1.93% for a five year term on the Dial-A-Ride vehicles and 2.1% for a seven year term for the parking lot busses. Upon a motion duly made and seconded, it was unanimously

**RESOLVED** to approve the transportation lease purchase agreement with US Bank.

### Accounts Payable

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

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District November 15, 2017 Meeting Minutes

---

**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) C.R.S. for the advice from counsel regarding contract negotiations.

The Board entered into executive session at 9:55 a.m. and adjourned the executive session at 10:20 a.m.

**Other Business** Upon returning from Executive Session, a motion was made to authorize staff to proceed with the application waiver for RETA. A second was made and it was unanimously

**RESOLVED** to submit an application waiver for RETA.

**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 October 25, 2017.

Respectfully submitted,



Angela Kamby  
Secretary for the meeting