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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 November 16, 2016

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., November 16, 2016 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### Attendance

In Attendance were Directors:

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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (by phone)
- Ken Marchetti, Marchetti & Weaver LLC
- Jerry Hensel, BC Grounds Operations
- Dave Eickholt, BC Homeowner
- Jen Brown, Beaver Creek Resort Company
- Jeff Luker, BC Homeowner
- Liz Jones, Beaver Creek Resort Company
- Mark Miscio, Beaver Creek Metro District
- Jim Lee, BC Homeowner

### Call to Order

The Regular Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Jim Fraser, Chairman, 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 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; 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 October 26, 2016 Regular Meeting. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes of the October 26, 2016 Regular Meeting.

### Agenda Additions

Chairman Fraser would like to discuss a Resort Company/BCMD joint meeting date.

Director Elsner would like to add a safety comment to the agenda.

### Future Meetings

The next regular meeting is scheduled for Wednesday, December 21, 2016 at the same time and location.

### Public Input

Chairman Fraser approached the Board and Ms. Brown with the opportunity to set a date for a joint BCMD/Resort Company meeting date. After discussion of schedules, including the new Vail Resorts Beaver Creek COO Ms. Howard, it was determined to set a February date. Mr. Luker suggested that any specific interests in Project Legacy prior to the meeting date by the Board would be welcome.

Director Elsner reviewed the County Commissioners website regarding dogs. She would like to notify the Board that the County is no longer sending annual reminder notices for dog registration.

### General Manager Update

**Fire Station:** The fire station is complete. The punch list is finished. Any warranty or construction items will be followed up on by the Eagle River Fire Protection District.

**Fire Station Site Sale:** The sale will be discussed in the Executive Session. Xcel Energy and Gas disconnected the line.

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**Operations:** The new truck arrived last week. We now have two new trucks that we did not have last winter. These vehicles will assist snow removal in a more efficient manor. Cinders have been dropped off at the new cinder bay at the fire station.

### Fire Station

#### Financials

The fire station project report was included in the packet. The costs associated with the project are incurred since inception. The 2017 forecast includes the cost of sale.

### Financial

#### Statements

The October 2016 preliminary financials were included in the packet. Being there are no significant variances, the Board reviewed the Financial Statements as presented. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to accept the October 2016 preliminary financials as presented.

### 2016 Budget

#### Amendment

The public hearing for the 2016 amended budget was opened. No public comment was offered and the hearing was closed. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the resolution to Amend the 2016 budget 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) (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 9:10 a.m. and adjourned the executive session at 10:30 a.m.

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### 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 November 16, 2016.

Respectfully submitted,



Angela Kamby

Secretary for the meeting