
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT December 3, 2014

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., December 3, 2014 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- Louis Kreig
- Jim Power
- Jim Fraser
- Pam Elsner
- Stephen Friedman (on phone)

Also in Attendance were:

- Clyde Hanks, General Manager, BCMD
- Ken Marchetti, Marchetti & Weaver, LLC
- Jim Collins, ESQ, Collins Cockrel & Cole
- Jennie Fancher, BC Admin Assistant, BCMD
- Bill Simmons, Vail Resorts
- Jim Clancy, BC Public Safety
- Liz Jones, BCRC
- Tim Kelley, BC homeowner

Call to Order

The Regular Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Lou Kreig, 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: Dr. Louis Kreig is a member of the Board of Directors for Beaver Creek Property Owners Association; Mr. James Power is a Director of the Beaver Creek Property Owners Association; Mr. James Fraser is a Director 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 member of the Board of Directors for Vilar Guild Executive Board; and.

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District December 3, 2014 Meeting Minutes

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 22, 2014, Regular Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the October 22, 2014 Regular Meeting.

Agenda

Director Power added an update of the UERWA Agreement to the agenda.

Future Meetings

The next regular meeting for the District is scheduled for January 28, 2015, at the same time and location.

Public Input

There was no public participation.

General Manager Update

The Board acknowledged the meeting as Mr. Hanks' last meeting and recognized their appreciation of his work over the years. It was announced that Bill Simmons has been hired as Mr. Hanks' replacement.

Fire Station Road: Mr. Hanks informed the Board that the road is 90% ready for the bid process. The bid process will start mid January. The gate for the top of Elk Track Road will be bid separately. An application to Xcel Energy is being drafted to get a cost estimate for natural gas service to the site. The estimated cost for construction of the road is \$1.2 million.

Fire Station Sale: Negotiations will be discussed during Executive Session.

New Fire Station Architect Search: The sub-committee will view final presentations by the three finalists on Wednesday, December 10th.

Emergency Management Liaison: The formality of appointing an Emergency Management Liaison was discussed. Upon motion duly made and seconded, it was unanimously

RESOLVED to appoint Chairman Lou Kreig as the Emergency Management Liaison for the beaver Creek Metro District.

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District December 3, 2014 Meeting Minutes

Insurance Claims: Two new incidents have occurred in the last month. One incident involved a driver knocking down a lamp post. The second involved two vehicles and some damage to the guardrail at the Prater Road curve. Both are still open and reimbursement for damages is being sought.

Other Business

Chairman Kreig inquired about the status of Mr. Oltman's property and the removal of the rocks along the road. Mr. Oltman never accepted the registered letter consequently the BCMD road crew began the rock removal but was interrupted by snow. Work will resume in the spring.

The subject of lighting Prater Road and the possibility of using solar lights was discussed.

Signage at pedestrian crossings was discussed and whether flashing lights should be used. Maintaining charm within the resort is a priority and better striping on the road is preferred over the installation of flashing lights.

The joint meeting with the BCRC that was held on Tuesday, December 2nd, was discussed. The focus of the meeting was to discuss the future of Beaver Creek. Projects with the highest priority within the resort include the main gate and the entrance to the eagle statue. There will be another joint meeting scheduled in March. The entrance to Arrowhead was discussed and a priority to have the flowers have the same impact at Beaver Creek entrances is desired. In addition the different neighborhoods may be signed with large boulders.

Director Elsner requested reports of car accidents within the resort.

Legal

Mr. Collins informed the Board of communication received from attorneys representing the Village Walk homeowners inquiring about compliance with the Connector Road easement. The issue has been completed. Correspondence has been received from the Elk Track homeowners' attorneys inquiring about whether a gate will be installed at the top of the road.

Mr. Collins noted the prior passing of the integrated project delivery resolution allowing staff to seek best value for contracting services for the new fire station. Upon motion duly made and seconded, it was unanimously

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District December 3, 2014 Meeting Minutes

RESOLVED to authorize the sub committee in charge of the architect search to select and contract the architecture firm of its choosing and;

FURTHER RESOLVED to authorize the General Manger to authorize the bid process for construction of the road to the new fire station in mid January with a review of the bids expected mid February.

UERWA

Agreement

Director Power updated the Board on the status of the UERWA Agreement. The attorney for the water authority continues to work through the suggested changes, which will be discussed at next week's meeting. The removal of the policy of collecting water tap fees will be discussed in January.

2015 Budget

Reconsideration

Mr. Marchetti requested reconsideration of the 2015 budget. The public hearing was reopened. Three items were discussed: 1) the final certification of assessed values is a smaller amount than expected due to abatements which results in a .143 mill rate increase; 2) the desire to move costs from the 2014 budget to the 2015 budget for architect fees for the new fire station; 3) a clarification related to the Holden Road guardrail project, creating a budget line item of \$160,000 as opposed to expecting it to come out of contingency. There being no public comment the public hearing was closed. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve a .143 mill rate increase for the 2015 budget; accept the moving of expenditures related to architect fees from the 2014 budget to the 2015 budget; and the addition of \$160,000 to the 2015 capital improvements fund budget for the construction of additional guardrails on Holden Road.

Financial

Statements

Mr. Marchetti referred to the October 2014 preliminary financial statements in the packet. Upon motion duly made and seconded, it was unanimously

RESOLVED to accept the October 2014 preliminary financials as presented.

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 December 3, 2014 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)(a) and (f) 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 and personnel matters related to the GM Search. The Board entered into executive session at 9:50 a.m. and adjourned the executive session at 10:38 a.m.

Other Business Upon motion duly made and seconded, it was with a vote of four (4) ayes and one (1) nay, (Director Elsner)

RESOLVED to acknowledge the acceptance of a contract to purchase Lot 1, Tract M; and to acknowledge the effort to move forward quickly toward its possession, with construction of the new station proceeding expediently and efficiently.

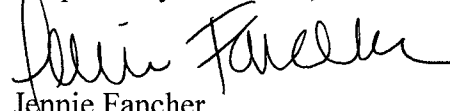
Upon motion duly made and seconded, it was unanimously

RESOLVED to acknowledge the service, commitment, and contributions of Clyde Hanks as General Manager of the Beaver Creek Metro District.

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 December 3, 2014.

Respectfully submitted,



Jennie Fancher
Secretary for the meeting