
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT December 16, 2015

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., December 16, 2015 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
- Stephen Friedman
- Jim Fraser
- Pam Elsner

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (by phone)
- Ken Marchetti, Marchetti & Weaver LLC
- Kathy Lewensten, Marchetti & Weaver LLC
- Jim Clancy, BC Public Safety
- Barry Parker, BCPOA
- Dave Eickholt, BCPOA
- Jim Lee, BC Homeowner
- Jerry Hensel, BC Base Operations
- Angela Kamby, Administrative Assistant, BCMD

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 Fraser is a Director of the Beaver Creek Property Owners Association; Mr. James Power is a member of the Board of Directors for the Upper Eagle Water Authority; Mr. Stephen

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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; 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 November 13, 2015 Continued Special Meeting from November, 5, 2015. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the November 13, 2015 Continued Special Meeting.

The Board reviewed the minutes of the November 18, 2015 Regular Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the November 18, 2015 Regular Meeting.

Agenda

Director Kreig would like to add the topic of the Mill Levy to the agenda.

Future Meetings

The next regular meeting is scheduled for Wednesday, January 27, 2016 at the same time and location.

Public Input

Mr. Clancy provided an update on parking. There have been four days utilizing Prater Road for parking to date for the 2015/16 ski season, including three days during the Birds of Prey event. On these days, BCPS also parked vehicles at the rodeo lot.

General Manager Update

Fire Station Road: The gate is close to completion. CenturyLink is scheduled to install the phone line this week.

Fire Station: The gas line has finally been installed, backfill done and equipment has cleared. There is temporary heat to the fire station. Once the construction is walled and dried in, the construction management will move into the bay. The concrete pad outside the bay doors is complete. The interior electric and plumbing rough ins have begun. The windows have arrived, a mock build will begin today. Windows will be installed

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following approval. Sheet rock will begin mid January. Overall, the station is still on schedule.

World Cup: Mark's crew did an amazing job supporting the VVF to keep the road's plowed, even while the snowmaking was in full force on Dally.

Fire Station Sale Update

An offer of \$7.4 million was received for the current fire station property at 185 Elk Track Road. The District Board submitted a counter proposal of \$7.6 million, which was accepted by the buyer. The closing is scheduled for June 1, 2016. The Board reviewed the Counter Proposal. Upon motion duly made and seconded, it was with a vote of four (4) ayes and one (1) nay, (Chairman Kreig)

RESOLVED to ratify and affirm the Contract and Counter Proposal with Mesa Homes, LLC selling the property at 185 Elk Track Road for \$7.6 million.

The BCMD Board of Directors discussed the request of a waiver of the Beaver Creek Transfer Assessment. The imposition of this assessment on the District sale of this property will substantially reduce the funds available for construction and completion of the new fire station. Upon motion duly made and seconded, it was unanimously

RESOLVED to request a waiver of the Beaver Creek Transfer Assessment of 2.375% on the sale of 185 Elk Track Road.

Legal

No legal update.

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.

Financial Statements

No financial statements were provided due to the early meeting date.

Addition to Agenda

Director Kreig would like to commend the BCPOA on positive communication and support of the Mill Levy ballot initiative. The Mill

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Levy certified to Eagle County, will now be 25.844 mills. An annual increase for a property owner of \$330 per million of assessed value.

Mr. Simmons requested the authority to order the Metro District replacement truck scheduled in 2016. The Board directed Mr. Simmons to move forward with the truck replacement. Upon motion duly made and seconded, it was unanimously

RESOLVED to authorize Mr. Simmons to replace the truck.

Executive Session

Upon motion duly made and seconded, it was unanimously

RESOLVED to enter into executive session citing §24-6-402(4)(f) C.R.S. for the purpose of personnel matters related to the General Manager. The Board entered into executive session at 9:05 a.m. and adjourned the executive session at 9:40 a.m.

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 16, 2015.

Respectfully submitted,



Angela Kamby
Secretary for the meeting