
RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT July 17, 2006

The Special Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 12:00 p.m., July 17, 2006 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- Stephen Friedman
- John Forstmann
- Mike Balk
- Ernie Elsner (via phone)

Absent and excused was Director:

- Robert Gary

Also in Attendance were:

- Clyde Hanks, General Manager
- Kathy Lewensten, Recording Secretary
- Lou Kreig, BCPOA
- John Garnsey, COO Beaver Creek
- Tony O'Rourke, BCRC
- Glen Palmer, Alpine Engineering, Inc.
- Frank Harrison, Golder Associates
- Richard Johnson, Yeh and Associates, Inc.

Call to Order

The Special Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Director Friedman, Chairman of the Board, noting that a quorum was present. Director Friedman 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. Stephen Friedman is a board member of the Beaver Creek Arts Foundation which operates the performing arts facilities within Beaver Creek; Mr. John Forstmann is a board member of the Beaver Creek Club; and Mr.

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District July 17, 2006 Meeting Minutes

Michael Balk is a director of the Beaver Creek Property Owners Association and a director of the Vilar Center for the Arts. 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.

Village Road Slope Failure

Director Friedman stated the primary objective of this special meeting is to come to an agreement on which option should be chosen for the repairs related to the slope failure on Village Road. Once the option is chosen the final design can be completed and the project could get underway. Mr. Hanks reiterated the professionals consulted have all agreed that some measure of repair, whether it is temporary or permanent, needs to be done this fall. He had met with the various professionals to develop four options for consideration. A hand out was provided which described the four options including rough sketches. He noted Option #1 and #2 are conservative approaches to the situation and appear to be the best choices in regards to timing.

The first option discussed was Option #3. This option would relocate Village Road to the south approximately 15-20 feet. A retaining wall would be built on the south side, soil nails and shotcrete would be used, a rock face could be placed over the wall once in place. The pressure on the north side of the slope would be relieved by the relocation of the roadway. One concern with this option involves the potential relocation of the underground utilities such as the gas line and water line. Xcel Energy requires any relocation of the gas lines be performed by itself; they will not guarantee any timeframe for any work this fall. It appears this option would require a temporary fix for over the winter with the work being done next year.

Option #4 proposes a wall across the bottom of the slope for stabilization. The construction process for this option is inconvenient. The wall would be located on property owned by Vail Resorts so appropriate authorization would be needed.

Mr. Hanks introduced Mr. Harrison from Golder Associates to present Option #1. Mr. Harrison stated this option used a drilled pier wall at the top of the slope. He explained this was a low risk design using a very conservative approach to the issue. Soldier pilings that can be as large as 30 inches across would be used to

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District July 17, 2006 Meeting Minutes

create a vertical foundation along the roadway with soil nails and shotcrete being used to create a horizontal foundation. The shotcrete wall can then be improved cosmetically by the addition of rock or another material. Other mitigation methods such as a horizontal drainage system would be used towards the bottom of the hill. Mr. Harrison explained the difference between micropile and soldier piling methods. He stated it was his opinion soldier pilings would be a better choice in this instance. Mr. Hanks and Mr. Palmer explained one drawback for this option is that not many contractors are available that have the ability to do soldier piling. The Board asked if the project could be done in phases. Mr. Harrison stated it would be possible to place approximately 20 soldier pilings to stabilize the roadway this fall with the remainder of the work being completed at a later time. Mr. Palmer expressed a concern that there may not be sufficient room at the edge of the roadway for soldier pilings due to the location of underground utilities. Mr. Harrison explained the pilings could be reduced in size to allow for that. Several alternatives regarding shortening the lineal feet of the soldier piles and the possibility of extending the roadway shoulder with back fill were discussed. The potential impact of underground utilities was reviewed. The underground utilities will need to be located by potholing of the roadway regardless of the option chosen. Mr. Balk inquired as to why the sketch plans for option #1 reflected 500 lineal feet of soldier pilings and option #2 reflected 200 lineal feet of micropiles. Mr. Harrison stated he could review whether 200 lineal feet of soldier pilings would be adequate but stated he felt 500 lineal feet was a more conservative approach.

Mr. Hanks introduced Mr. Johnson from Yeh and Associates to present Option #2. Mr. Johnson stated this option used micropiles and soil nails with a shotcrete wall at the top of the slope, and soil nails with mesh at the bottom of the slope. He illustrated the option explaining the micropiles are approximately 7 inches across and extend vertically into the slope, additional micropiles can be placed at an angle for increased support. Soil nails would be put in horizontally to further stabilize the slope. He noted the micropiles would stabilize the roadway, and the soil nails, shotcrete and mesh would stabilize the slope. He offered that it was his experience soldier pilings were better used where shotcrete walls would be over 15 feet. He was suggesting micropiles since the shotcrete walls needed for this project would not exceed 12 feet. He

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District July 17, 2006 Meeting Minutes

explained micropiles can be used through most soil situations without problems where as soldier piles cannot be as flexible. He noted the project could be phased, with the micropiles being done as soon as possible to stabilize the roadway and the soil nails, shotcrete and mesh being completed later. He explained once the mesh was in place it can be covered by topsoil or landscaping to improve the aesthetics of the slope.

The Board continued discussion and comparison of option #1 and option #2. The main topics were soldier piling versus micropiles, the lineal feet needed for stabilization of the roadway, and methods for stabilization of the remaining slope. The Board agreed the main focus for the District is stabilization of the roadway which creates as a byproduct an opportunity to stabilize the slope and improve the aesthetics of the front entrance. The Board asked for input from Mr. O'Rourke and Mr. Garnsey. Mr. O'Rourke stated he had met with Mr. Hanks and the engineers to look at the options. He explained he was familiar with Yeh and Associates, Inc. and projects they have done locally. He stated BCRC was committed to coordinating efforts related to aesthetic improvements that could be made at the front entrance. The Board then requested Mr. O'Rourke and Mr. Garnsey consider cost sharing portions of the project related to aesthetics and slope stabilization.

The Board asked for an estimated timeline for option #2. Mr. Johnson stated the micropiles at the acute failure area could be completed within three to four days, with the soil nails, shotcrete and mesh taking approximately two to three weeks. He stated one lane of traffic would need to be shut down during the work.

After further discussion the Board agreed to retain Yeh and Associates to continue with the final design for option # 2. Mr. Hanks then asked the Board to consider allowing the project to preclude the bid process. He had spoke with Mr. Collins regarding the matter. Mr. Collins explained to him the Board can authorize the project to proceed on a design/build basis based upon a Board Finding that an emergency exists and that District staff has a solid understanding of competitive pricing. A motion was made to make that finding and for the District to retain Yeh and Associates to finalize a design/build project using option # 2. Upon motion duly made and seconded, it was unanimously

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District July 17, 2006 Meeting Minutes

RESOLVED to approve the roadway stabilization portion of Option # 2 as a design/build project precluding the bid process, with the understanding the cosmetic features of the project are excluded, and

FURTHER RESOLVED to retain Yeh and Associates to design/build the road stabilization portion of Option #2 prior to the winter season using a contractor recommended by YEH.

**N. & S. Fairway
Overlay:**

Mr. Hanks reported only one bid was received for the North and South Fairway Drive project. The Bid was for \$220,000, the District had budgeted \$150,000. He requested the Board consider delaying the project until next spring to see if more competitive bids could be obtained. The board asked if there were any concerns regarding the roadways if the project is delayed. Mr. Hanks stated the project could be delayed without structural risk to the roadways. Upon motion duly made and seconded, it was unanimously

RESOLVED to reject all bids received for the North and South Fairway Overlay.

Executive Session

Upon motion duly made and seconded, it was unanimously

RESOLVED to enter into executive session citing §24-6-402(4) (e) C.R.S. for the purpose of determining positions related to the Slopeside failure project. The Board entered into Executive session at 2:20 p.m. and returned at 2:35 p.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 Special Meeting of the Beaver Creek Metropolitan District Board of Directors held on July 17, 2006.

Respectfully submitted,

Kathy Lewensten
Secretary for the meeting