
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT March 27, 2019

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m., March 27, 2019 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Esq Collins Cockrel & Cole
- Ken Marchetti, Marchetti & Weaver
- Mark Miscio, Beaver Creek Metro District
- Paul Gorbald, Beaver Creek Transportation
- Liz Jones, Beaver Creek Resort Company
- Jen Brown, Beaver Creek Resort Company
- Tom Allen, Beaver Creek Resort Company
- Jerry Hensel, Beaver Creek Village Operations
- Koby Kenny, Beaver Creek Public Safety
- Dave Eickholt, BC Homeowner
- Dan Cudahy, McMahan and Associates, LLC

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 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

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Endowment Foundation; Mr. Larry Graveel is the President 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 February 27, 2019 Regular Meeting. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the February 27, 2019 Regular Meeting.

Future Meeting

Date

The next meeting will be held on Wednesday, April 24 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

Agenda

Mr. Collins requested the addition of a brief report related to Water Authority matters.

2018 Audit

The audit committee had met with the auditors and staff to review the 2018 preliminary audit. Mr. Cudahy briefly reviewed the 2018 audit report and highlights. He stated the District is in good financial position and will receive an “unqualified opinion”. The audit committee recommended acceptance. Upon motion duly made and seconded, it was unanimously

RESOLVED to accept the 2018 Audit as presented.

Transportation

Report

Mr. Gorbold reported a 73% booking rate using the Village Connect App noting the app booking rate continues to improve. Several questions regarding wait times and capacity on the looping services followed. He assured the Board they are continuing to work on improvements and efficiencies for the services. He shared they are working with the app developers to refine the data that is provided regarding wait times and reasons.

Public Safety

Mr. Kenny reported the skier drop off areas are being more strictly enforced. The Board asked about bears and when they may emerge. Mr. Kenny stated it will primarily depend on weather but reminded everyone to be careful with food waste and garbage. He expressed appreciation to Mr. Miscio and his crew for doing a great job in maintaining the roadways through this year’s snow storms.

UERWA Update

Director Elsner and Mr. Collins reported a settlement has been reached related to the Traer Creek water tank leak. The tank will be rebuilt, not repaired. The settlement agreement will become final after execution by all parties.

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Public Input

Ms. Brown had provided an updated rendering of the improved village bus shelter area. She explained the design is intended to enhance the arrival area into Beaver Creek, it includes a fire ring and seating under the bus shelter as well as a tribute plaza. The District owns the current shelter which will be removed and rebuilt as part of the project. She noted the project is a major reconstruction of the area and they hope to begin demolition as soon as possible. Director Fraser requested a monthly update from Ms. Brown on the project at the District's Board meetings.

Director Friedman expressed concern related to the Beaver Creek Drive and Village Road intersection enhancements questioning whether the golf course should be asked to contribute to the cost. Assurance was made that this is not a golf course related improvement. Ms. Brown stated the area being improved is within the District right of way and will be similar to improvements made to the other side.

General Manager Update

Mr. Simmons reported the street sweeper overhaul maintenance work is complete and it will be picked up later in the day. Street sweeping operations will begin as soon as practical.

The bids for the curb and gutter project have been tabulated as presented on the recap included in the packet. It is expected the project will be complete by June. 360 Civil's bid was below budget. Mr. Simmons mentioned that depending on time and actual costs, other area's which have snowmelt components may be included as the budget allows. Upon motion duly made and seconded, it was unanimously

RESOLVED to accept 360 Civil's bid for the curb and gutter project and authorize Mr. Simmons to execute the necessary project documents.

Mr. Simmons began discussion related to the Eagle County Hazard Plan. A link to the full document had been provided to the Board via email prior to today's meeting. This plan needs to be updated every 5 years and then adopted by each entity involved. He and Mr. Clancy were on the committee which worked on the update. The District does not need to take any specific actions at this time. A minor revision to the resolution was requested. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Resolution Authorizing the Adoption of the 2019 Eagle County, CO Hazard Mitigation Plan as revised.

Peregrine Villas continues the process for obtaining their building permit. It is anticipated it will be received "any day" at which point construction will commence.

A fire committee meeting is scheduled with Eagle River Fire Protection District.

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Legal

Mr. Collins gave a brief legislative update on the current session. He mentioned several matters which may impact the District such as posting notices on websites, sales tax use for fire protection services, investment option revisions and water conservation authority.

Financial Statement

Mr. Marchetti presented the February 2019 preliminary financial statements noting there was nothing unusual to report.

Accounts Payable

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


RESOLVED to approve and ratify the Accounts Payable list as presented.

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 Wednesday, March 27, 2019.

Respectfully submitted,



Kathy Lewensten
Secretary for the meeting