
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT August 28, 2019

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m. on August 28, 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
- Larry Graveel
- Pam Elsner
- Barry Parker

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole
- Ken Marchetti, Marchetti & Weaver
- Mark Miscio, Beaver Creek Metro District
- Koby Kenny, Beaver Creek Village Operations
- Jen Brown, Beaver Creek Resort Company
- Matt Blake, Sotheby's International Realty

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

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Property Owners Association and a Board Member of the Beaver Creek Chapel 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 July 24, 2019 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the July 24, 2019 Regular Meeting.

Future Meeting

Date

The next meeting will be held on Wednesday, September 25 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

Public Input

Mr. Blake with Sotheby's presented the marketing material for Peregrine Villas. The sales team is made up of five members. There has been real interest in both the first build and one half of the duplex. Construction will begin on the second unit before the end of August.

Village Connect

Mr. Gorbald reviewed the transportation report, noting that both on demand and parking lots routes increased by 3,000 riders for the month of July. A change to the schedule will allow the 9:00 AM bus driver to begin the shift at 8:00 AM. This will assist in the early on demand requests. The Board requested the percent of captured responses from riders. Mr. Gorbald will provide print media for the lodging partners and restaurants.

Public Safety

Mr. Kenny reported the bike race was a success and thanked the Board for the support. The length of time the roads were closed became a non-event due to the time of day.

Mr. Kenny notified the Board of recent mountain lion sightings within valley communities. A reminder for all homeowners to watch animals and children around the dawn and dusk hours. Any sightings will be sent on a blast from Eagle County Communication. Summit County has moved to a Stage 1 fire restriction. Beaver Creek will post signs at the entrance and send a communication if the resort moves toward restriction.

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Public Input

Ms. Brown is aware of the Metro Board discussion regarding a change to the ERFPD contract. The Resort Company Board would like to respectfully request May 1, 2020 as a start date for the new contract.

Ms. Brown reported that bus shelter is expecting a late October delivery. The copper roof will have a patina finish to be visually appealing from above the structure.

Revised Election Resolution

The Revised Election Resolution and ballot questions were included in the packet. Kathy Lewensten will serve as the Designated Election Official. This will be a mail ballot. A motion was both made and seconded to adopt the Revised Election Resolution as presented. It was unanimously

RESOLVED to approve the Revised Election Resolution and Ballot Questions.

The Board directed Mr. Collins to draft a Resolution in Support of Ballot Questions A and B. Upon a motion and a second, it was unanimously

RESOLVED to approve the Resolution in Support of Ballot Questions A & B.

General Manager Update

Metro staff has been crack sealing the resort and parking lots. Mr. Simmons and Mr. Miscio will meet with Alpine Engineering to finalize the budget for the overlay next year. The guardrail will ship the end of next week.

Financial Statement

The Board met last week for the Budget Work Session. All financials were reviewed and discussed at that time. No new expenses have been requested or processed.

Accounts Payable

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

RESOLVED to ratify the Accounts Payable list as presented.

Executive Session

Upon motion duly made and seconded, it was unanimously

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RESOLVED to enter into Executive Session citing §24-6-402(4)(b) C.R.S. for the purpose of conferences with the District's attorney regarding legal advice and §24-6-402(4)(e) C.R.S. negotiation strategies. The Board entered into executive session at 9:30 a.m. and adjourned the Executive Session at 10:36 a.m.

Public Session

Upon return from Executive Session, the Board made a motion to approve the redrafted letter to the Beaver Creek Resort Company with an effective date of February 1, 2020; and to approve the new contract with ERFPD, each subject to voter authorization. The motion was seconded. It was unanimously

RESOLVED to approve the above referenced revised letter to BCRC and the new ERFPD contract, both contingent upon voter approval at the November 5 election.

FURTHER as regards to BCRC and the purposed License regulation, the Board directed that a letter stating its position be prepared and presented at the September meeting which would restate the District's belief that the Metro District must concur with any such regulation regarding the use of the Districts roads; and avoid any impact on minor service providers.

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, August 28, 2019.

Respectfully submitted,

angela kamby

Angela Kamby
Secretary for the meeting