
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT September 25, 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 September 25, 2019 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

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

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
- Paul Gorbold, Beaver Creek Village Transportation
- Jen Brown, Beaver Creek Resort Company
- Liz Jones, Beaver Creek Resort Company
- Tom Allen, Beaver Creek Resort Company
- Mike Trueblood, Beaver Creek Village Operations
- Jerry Hensel, Beaver Creek Village Operations
- Jeff Luker, Beaver Creek Homeowner

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

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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 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 August 28, 2019 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the August 28, 2019 Regular Meeting.

Future Meeting

Date

The next meeting will be held on Wednesday, October 23 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

Public Input

Mr. Trueblood discussed the possible staffing challenges if the First Responder Agreement termination date is prior to the end of the ski season. Mr. Trueblood requested the District not terminate the contract until April.

Public Safety

Mr. Kenny reported a successful Oktoberfest in the village. Public Safety has seen an increase in trash violations and decrease in bear violations. A water line will be replaced from Village Road to the Ford Hall loading dock; day parking will move to Villa Montane during this project.

Village Connect

Mr. Gorbald noted a slow and steady month at Village Transportation. The on-demand service had a slight increase of passengers during the month of August. Mr. Gorbald is preparing his outreach program during the off season. The current usage of rides booked on the app is 66%, with a soft goal to have bookings in the high 70's for the next season.

Transportation Agreements

The Transportation Agreements were included in the packet along with Amendments for the Parking Lot and Village Connect Agreements. Updates include service hours, operating dates for the season and the financial impacts. A motion was duly made and seconded to approve the

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Inter Village Agreement and Village Connect and Parking Lot Amendments. It was unanimously

RESOLVED to approve the 2019 Inter Village Agreement, the Village Connect Amendment and the Parking Lot Amendment.

General Manager

Update

The crack sealing project is almost complete for the year. The guardrail has arrived and installation will begin next week. Mr. Simmons and Mr. Miscio held discussions regarding the four-wheel options for the new firetruck. Mr. Miscio researched and secured both an acceptable bid and a discount for the new vehicle for the District and the ERFPD new truck. The gas line replacement scheduled for Elk Track has no progress to date. Mr. Simmons left a message for the project manager with no response. This upgrade is necessary to provide natural gas to the Peregrine Villas project. The first unit at Peregrine Villas is framed and has a building permit. The second unit will begin excavation work prior to winter.

A discussion was held regarding exiting the resort on Beaver Creek Drive heading north through the gate at Mirabelle. Mr. Trueblood and Mr. Hensel will look into restricting access.

2020 Budget

A public hearing was open for the 2020 budget. The budget work session was held on August 21, 2019. No questions or comments were received. The public hearing was closed. Upon motion duly made and seconded, it was unanimously

RESOLVED to adopt the Beaver Creek Metropolitan District 2020 Budget and the attached resolutions, and

FUTHER RESOLVED to appropriate the sums of money for 2020 for Beaver Creek Metro District and the attached resolutions, and

FUTHER RESOLVED to certify the mill levy subject to receipt of the final assessed valuation and the attached resolutions.

Transportation

Leases

RFP response for lease purchase proposals for transportation vehicles in the past two years have been minimal. Mr. Marchetti reached out to US Bancorp for an RFP on two buses and three Dial a Ride vehicles. US Bancorp rates are lower than the general market at 2.28% on the 5 year and

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2.29 on the 7 year lease, the Board accepted the proposals. A motion as made to approve the transportation leases with US Bancorp. The motion was seconded. It was unanimously

RESOLVED to approve the terms and conditions of the two lease agreements with US Bancorp for the purchase of five (5) transportation vehicles, and

FURTHER RESOLVED to authorize Mr. Simmons to execute necessary documents.

Financial Statement Mr. Simmons noted the one year lead time to order the new firetruck. The Board gave Mr. Simmons direction to submit the order. The financial statement was reviewed with no areas of concern.

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

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)(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 9:53 a.m. and adjourned the Executive Session at 11:06 a.m.

Public Session Upon returning to Public Session, a motion was made to approve the termination letter to the Beaver Creek Resort Company for the Training and Provision of First Responders Agreement as drafted. The motion was seconded, it was unanimously

RESOLVED to approve the termination letter to the BCRC for the Training and Provision of First Responders Agreement as drafted.

Adjournment There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

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RESOLVED to adjourn the Regular Meeting of the Beaver Creek Metropolitan District Board of Directors held Wednesday, September 25, 2019.

Respectfully submitted,

angela kamby

Angela Kamby
Secretary for the meeting