
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT January 22, 2020

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 a.m. on January 22, 2020 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

Attendance

In Attendance were Directors:

- Jim Fraser
- Pam Elsner
- Dave Eickholt
- Larry Graveel (by phone)

Absent and Excused:

- Barry Parker

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole (by phone)
- 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
- Tom Allen, Beaver Creek Resort Company
- Mike Trueblood, Beaver Creek Village Operations
- Jerry Hensel, Beaver Creek Village Operations
- Tim Kelley, Beaver Creek Homeowner
- Jeff Luker, Beaver Creek Homeowner
- Dave Berg, Bachelor Gulch Metropolitan District

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.

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

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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; 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; Mr. Dave Eickholt is a Board Member 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 December 11, 2019 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the December 11, 2019 meeting.

Agenda Changes

Ms. Brown will discuss the snow fences. Director Elsner would like to add a discussion on the Vail Valley Foundation.

Future Meeting

Date

The next meeting will be held on Wednesday, February 26 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

Public Input

Mr. Berg of the Bachelor Gulch Metropolitan District proposed a cost sharing project for the addition of a sidewalk on the west side of lower Prater Road. This joint proposal will also include a presentation to the Beaver Creek Resort Company and the Bachelor Gulch Village Association. The project in total will be approximately \$390,000 with a completion date on or before June 19, 2020. The Board will review and discuss this proposal with Counsel in the Executive Session.

Village Connect

Mr. Gorbold compiled an extensive report of the eight lines of service provided by Village Transportation. There was significant ridership increase on the Eastern and Creek routes over the holiday season. The Board discussed the lack of providing enough vehicles consistently over the holidays, particularly the second vehicle on the fixed routes. The Metro

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Board would like to better understand the challenges faced by Mr. Gorbold and staff to meet the service requirements.

Public Safety

Mr. Kenny discussed the December Public Safety report. Boot tow orders and motor vehicle accidents have decreased year over year. Medical and criminal activity have increased with a relation to altitude sickness and intoxication. No outstanding complaints have been documented regarding AirBNB properties in

Beaver Creek. Mr. Kenny urged homeowners to contact Public Safety if there are future situations regarding noise, parking or trash in short or long term rentals.

Public Input

Ms. Brown notified the Board that snow fences are not addressed in the residential design guideline. The Resort Company does intend to address this issue in the future.

Director Elsner discussed historically that the Beaver Creek Metropolitan District has had representation on the Board of the Vail Valley Foundation. The Board discussed the potential benefit of requesting a board seat and determined there is not a need at this time.

General Manager Update

Mr. Niemi will attend the February meeting to discuss the status of sales activity and schedules at the Peregrine Villa project.

The bids for the 2020 overlay of Bachelor Gulch Road, Willis Place, Highline Drive, Holden Place and Elk Track Road were included in the packet. Frontier Paving came in as the low bidder for the project. This company completed the Village Road, Borders Road and Recreation Path with minimal disruption two years ago. A motion was made and seconded to award the contact to Frontier Paving. It was unanimously

RESOLVED to approved the contract with Frontier Paving for the 2020 overlays.

Mr. Simmons requested an extension of the original Memorandum of Understanding dated April 22, 2015 with the VPAC. This MOU will be extended from January 1, 2021 to December 31, 2031. A motion was made

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to approve the extension of the VPAC MOU. The motion was seconded. It was unanimously

RESOLVED to approve the MOU extension with the VPAC through December 31, 2031.

The proposed meeting dates for 2020 were reviewed and discussed by the Board. A motion was duly made and seconded to resolve the 2020 meeting dates as presented. It was unanimously

RESOLVED to approve a Resolution to Set the 2020 Meeting Dates.

The Board discussed the creation of an Entertainment District set forth by the Resort Company. A motion was made to ratify the Resolution of support for the Entertainment District. The motion was seconded. It was unanimously

RESOLVED to ratify the Resolution supporting the Creation of an Entertainment District by the Beaver Creek Resort Company.

The Election Resolution was presented to call the May 5, 2020 Board of Directors election and to designate an Election Official. There are three positions available on the BC Metro Board. If there are 3 or less candidates, no election will be needed. If there are 4 candidates or more, an election will proceed. The ballots will be issued via mail. All Self-Nomination and Acceptance forms are due to the Designated Election Official by close of business on Friday, February 28, 2020. Upon motion duly made and seconded, it was unanimously

RESOLVED to approve the May 2020 Election Resolution as presented.

Financial Statement Mr. Marchetti discussed the strong finish to the fiscal year. The ending fund balance was \$3.714 mill compared to the forecast of \$3.6 mill.

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

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RESOLVED to approve and ratify the Accounts Payable lists from December, 2019.

Executive Session Mr. Collins joined the meeting by phone. 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)(f) C.R.S regarding Personnel Matters related to the General Manager. The Board entered into Executive Session at 10:19 a.m. and adjourned the Executive Session at 11:52 a.m.

Public Session Upon return to Public Session, the Board determined to take no action regarding participation in the request from the Bachelor Gulch Metropolitan District sidewalk project. The Board further requested for the General Manager to inform BGMD of its determination.

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, January 22, 2020.

Respectfully submitted,

angela kamby

Angela Kamby
Secretary for the meeting