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# RECORD OF PROCEEDINGS

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

### Attendance

In Attendance were Directors:

- Jim Fraser
- Dave Eickholt
- Barry Parker
- Larry Graveel
- Pam Elsner

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
- Tom Allen, Beaver Creek Resort Company
- Mike Trueblood, Beaver Creek Village Operations
- Jerry Hensel, Beaver Creek Village Operations
- Jeff Luker, Beaver Creek Homeowner
- Liz Jones, Beaver Creek Resort Company
- Tim Kelley, Beaver Creek Homeowner
- Tim Maher, 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 explained due to the Executive Order issued by Governor Polis on March 25, 2020, requiring all residents of the State of Colorado to stay-at-home to minimize the spread and impact of COVID-19, and the Updated Public Health Order 20-24 implementing the Executive Order, issued by the Colorado Department of Health and Environment (CDPHE) on March 26, 2020, the meeting is being held in a teleconferencing format.

### 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 a Board Member of the Beaver Creek Chapel Endowment Foundation; Ms. Pamela Elsner is a Secretary for Vilar Guild

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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 February 26, 2020 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes from the February 26, 2020 meeting.

### Agenda Additions

Village Transportation schedule for coming months - this will be discussed in the Transportation discussion.

Communicate with the Beaver Creek Lodge regarding restrooms billing for half of March and April.

Snow fencing - this will be discussed at the BC Resort Company meeting in the coming months.

### Future Meeting

#### Date

The next meeting will be held on Wednesday, May 27 at 8:30 A.M. at the Beaver Creek Metro District Administrative offices.

### Public Input

#### Village Connect

Mr. Trueblood discussed the communication sent last week to the Metro District with proposed adjustments for Village Transportation. Services were suspended for half of March and all of the month of April. Vail Resorts has applied the principle of 60% credit from the Village Connect contract to the other lines of services to provide an adjustment for the first two months. A plan will be worked out for May, June and July. VR has begun conversations regarding the possibility of services for the second half of May and into the summer. The Board will discuss negotiations of these contracts in the Executive Session.

### Public Safety

Mr. Kenny noted the significant decline in the number of reports this month. There are two public safety officers on 24/7 in the resort. Both

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community entry gates are functioning with a reduced hours at the Prater gate.

### **General Manager**

#### **Update**

The operations staff have been busy with spring clean up and guardrail projects. XCEL is working on the Elk Track gas line. The connections should be finished this week with the remediation work on the asphalt next week. Frontier Paving will provide a schedule for the overlay project. A drainage issue at Willis and Highline should be addressed prior to the overlay. A request was made at the last BC Communications meeting regarding snowmelt on the Ford Hall bridge/West Thomas Place. A core drilling sample of the asphalt will provide information on potential weight limit restriction for a few hundred dollars. Mr. Simmons is working with Karl Bauer for the Fire District report. The Board requests an email when the Peregrine Villa interest payment has been received.

#### **Financial Statement**

Mr. Marchetti discussed both the actuals and projection options for the District finances through 2025. Projects planned for 2020 will continue. Any future projects can be reviewed as necessary in the future.

#### **Accounts Payable**

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

**RESOLVED** to ratify the Accounts Payable list for March and approve the April Accounts Payable.

#### **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 regarding the sale of 185 Elk Track, the termination of the Public Safety Agreement and Transportation Agreements. The Board entered into Executive Session at 10:32 A.M. and adjourned the Executive Session at 11:27 A.M.

#### **Public Session**

The Board gave Mr. Simmons direction to communicate the sale price of the eight Public Safety vehicles to the Resort Company for \$145,000 if the sale is completed in the next 30 days.

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### 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, April 22, 2020.

Respectfully submitted,

*angela kamby*

Angela Kamby  
Secretary for the meeting