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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 May 21, 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
- Liz Jones, Beaver Creek Resort Company

### 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 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

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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 April 22, 2020 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes from the April 22, 2020 meeting.

### Election of Officers

The election of officers within the Board was discussed. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to appoint the following officers

Director Fraser as the Chairman and President of the Board.

Director Graveel Vice President, Treasurer

Director Elsner, Vice President, Secretary

Director Parker as Vice President, Assistant Secretary/Treasurer

Director Eickholt as Vice President, Assistant Secretary/Treasurer

Mr. Ken Marchetti, Assistant Secretary

### Appointment Of Delegates

The Board discussed the delegates it would need to appoint to Upper Eagle Regional Water Authority (UERWA) board. The Board appointed Director Elsner as the delegate with Director Parker as the first alternate and Mr. Simmons as a second alternate. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to appoint Director Elsner as the delegate to UERWA, with Director Parker as the alternate and Mr. Simmons as the second alternate.

### Agenda Additions

Water Authority and snow fencing.

### Future Meeting

#### Date

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

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### **Public Input**

#### **Village Connect**

Mr. Trueblood notified the Board that Village Connect has continued status quo for operations. The team is working diligently with the Resort Company to determine protocols for employees to return to work once dates are announced from Eagle County. Ms. Brown included that a recommended date will be discussed at the BCRC meeting tomorrow. Vail Resorts plan is to be deliberate with opening facilities.

#### **Public Safety**

Mr. Kenny discussed the similar report to the previous month. An increase in the Boot & Tow Orders as well as Resort Violations for this month. There are two public safety officers working around the clock to keep an eye on the community, residences and BC Village.

### **General Manager**

#### **Update**

The operations team is continuing spring clean up, signage and drainage. The next project will be completing the Strawberry Park guardrail. The overlay schedule arrived last evening. The milling and manholes should be finished by Friday. The paving next week is scheduled to be complete in two days, followed by shoulder work through the end of the week. Mr. Simmons will request some cost estimates for snowmelt on the Ford Hall bridge. Peregrine Villas are working to complete the first unit and to seal the foundation on the second unit. Beaver Creek Lodge will not invoice the District for the second quarter. The Lodge is planning on reopening June 15. All the PPE fire equipment was reviewed by ERFPD. They are interested in purchasing most of our used equipment. The rest can be donated to CMC.

#### **2019 Audit**

The Audit committee met to discuss the 2019 Audit. The Auditor made the preliminary draft available to the District. The Board would like to extend appreciation to Ken and team on the financial functions. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2019 Audit.

#### **Financial Statement**

Mr. Marchetti discussed the April 30 report. There is an unfavorable variance in Property Taxes. This is related to the inconsistent collection of the taxes. Taxes are required to be paid by October 31. The Board requests for next month to take the expenses back down to No Inflation for the future modeling.

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

**RESOLVED** to approve the May Accounts Payable.

**Public Input** Director Elsner reminded the Board of the Water Authority rate increases and rebate program. The Authority has a presentation to deliver for a future meeting.

The snow fences will be addressed by the BCRC and a regulation in place in the fall.

**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 the Transportation Agreements and the termination of the Public Safety Agreement. The Board entered into Executive Session at 9:37 A.M. and adjourned the Executive Session at 10:36 A.M.

**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, May 27, 2020.

Respectfully submitted,

*angela kamby*

Angela Kamby  
Secretary for the meeting