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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 September 23, 2020

### Attendance

In Attendance were Directors:

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

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Jim Collins, Collins, Cockrel & Cole
- Ken Marchetti, Marchetti & Weaver
- Jen Brown, Beaver Creek Resort Company
- Mark Miscio, Beaver Creek Metro District
- Mike Trueblood, Beaver Creek Village Operations
- Koby Kenny, Beaver Creek Village Operations
- Jerry Hensel, Beaver Creek Village Operations
- Paul Gorbald, Beaver Creek Village Transportation
- Tom Allen, Beaver Creek Resort Company
- Liz Jones, Beaver Creek Resort Company
- Tim Kelley, Beaver Creek Homeowner
- 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 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 20-28 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

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

**RESOLVED** to approve the minutes as amended from the August 26, 2020 meeting.

### Public Input Public Safety

Mr. Kenny removed Transcore access for the Mirabelle gate. Signs have been posted in both directions noting the gate will no longer be an access point to the resort. Mr. Kenny discussed the possibility of a traffic study on Village Road. The Board determined speed is the issue and a traffic study would not be a necessary expense. The Board would like to place two speed sensor cameras in the community. The Board made a motion to direct Mr. Kenny to purchase two (2) traffic cameras for \$9,700. The motion was seconded. It was unanimously

**RESOLVED** to approve the purchase of two traffic cameras for \$9,700.

The Board discussed the traffic on Beaver Creek Drive. Mr. Gorbald noted that there have been approximately 300 combined requested trips to use this road. The golf course staff has been requested to minimally access the Drive. Mr. Kenny will meet with Mrs. Boldt later in the week to discuss the traffic flow reduction over the last month.

There was a substantial increase in bear disturbances this month both on the golf course and at individual homes.

The Board discussed the threat to wild land fire mitigation within the resort. Vail Resorts mitigates fuel on the mountain. A few years ago the Resort Company and Metro District shared the expense of removing some

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of the trees in the community. There are a number of dead trees on private property and the recreation path. Director Eickholt will contact the DRB to review the regulations for the October meeting. Mr. Simmons will follow up with Mr. Trueblood regarding the recreation path.

### **Future Meeting**

#### **Dates**

The next meeting will be held on Wednesday, October 28 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

### **Village Connect**

Mr. Gorbald discussed the ridership, hours of service and variances listed in the August report. The big busses are at 50% capacity due to Public Health Guidelines. The month showed 100% of the requests for rides on the Downtowner application, lodging kiosks and drivers. The month of October will see a decrease to one bus during the hours of operation.

### **General Manager**

The staff is beginning winter maintenance projects including placing delineators. Mr. Niemi has the first unit under contract with an expected closing in November.

### **Financial Statement**

Mr. Marchetti reviewed the August 31 financial report. One significant item included this month is the expenditure and reimbursement for water line break.

### **Audit Engagement**

The 2020 Audit Engagement letter from McMahan and Associates. A motion was made and seconded to approve McMahan and Associates for the 2020 audit. It was unanimously

**RESOLVED** to approve McMahan and Associates for the 2020 Audit.

### **2021 Budget**

The Public Hearing was opened for the 2021 budget. A budget work session was held on September 2, 2020. One change made to the report was the inflation rate to 1.6%. (3.1% Denver/Aurora/Lakewood). The budget meeting will continue to the October meeting.

### **Accounts Payable**

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

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

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**Executive Session** A motion duly made and seconded to move into Executive Session. 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)(b) C.R.S. The Board entered into Executive Session at 10:23 a.m. and adjourned the Executive Session at 11:16 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, September 23, 2020.

Respectfully submitted,

*Angela Kamby*

Angela Kamby  
Secretary for the meeting