
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT October 28, 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 Maher, Beaver Creek Homeowner
- Jeff Luker, Beaver Creek Homeowner
- Karl Bauer, ERFPD
- Tracy LeClair, ERFPD
- Jeff Zechman, ERFPD

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

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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 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 September 23, 2020 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes as amended from the September 23, 2020 meeting.

Future Meeting

Dates

The next meeting will be held via Zoom on Wednesday, December 9 at 8:30 AM at the Beaver Creek Metro District Administrative offices.

Public Input

Wild Land Fire

Chief Bauer discussed the high level of wildfires seen around the state this summer. Ms. LeClair holds weekly teleconferences to discuss current fire risks and restrictions. Any homeowner can sign up for Eagle County alerts at ECALERT.ORG. The BCPOA recently included the Fire District communication for individual homeowners to schedule a property assessment. The BCPOA will invite the ERFPD to the December meeting.

Wild Fire Protection

Plan

Director Eickholt presented detail into the Beaver Creek Wildfire Protection Plan. The attachment in the Board Packet provided information related to fire prevention, mitigation and response with contacts of responsible individuals.

Public Safety

Mr. Kenny noted he is awaiting the quote on the solar traffic signs from Traffic Logix. He will pass along the final costs to Mr. Simmons.

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Bear disturbances are up at this time of year. Education regarding garbage cans remains a top priority. Boot and tow orders have increased with the tennis center roofing project.

Mr. Kenny reported that he has left messages for Mr. & Mrs. Boldt regarding traffic on Beaver Creek Drive.

The Board requested that Fire Alarms be removed from the monthly report.

Village Connect

Mr. Gorbald included the Hours Efficiency Report in the packet. The department is continuing to adjust the service at the request of the BCRC. Year over year we are right in line with moving passengers. Through November 24, there will be one Village Connect bus from 8:00 AM - 10:00 PM and one parking lot bus to the Village from 7:00 AM - 11:30 PM. Public Health Orders state that the vehicles can only carry up to 50% of regular capacity.

Mr. Trueblood noted that he spoke with Mr. Simmons the night before the meeting in an attempt to proceed with a Transportation Agreement.

Ski School

Director Elsner requested information regarding 3-4 year old ski school. Mr. Trueblood suggested reaching out to Mr. Willis at Ski & Snowboard School.

General Manager

The report will be discussed in Executive Session.

Equipment Lease Purchase

There were two RFPs returned for the Parking Lot bus purchase. USBank continues to be the most competitive rates for 7 year financing. The Board requested to possibly change payment dates to avoid the \$1,000 interest payment. A motion was made and seconded to approve the Lease with USBank subject to the possibility of revising the payment schedule. It was

RESOLVED to enter into a reimbursement resolution whereby the District agrees to advance funds from its General Fund for the purchase of the two Gillig buses in an amount not to exceed \$1,000,000 with the intent that such advance will be reimbursed partially by funds to be received from Beaver Creek Resort Company and partially utilizing proceeds from a lease/purchase agreement to be entered into with US Bank; and to

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Authorize immediate payment for the two Gillig buses using dollars held by the District in its General Fund in the approximate amount of \$962,812; and to

Bill Beaver Creek Resort Company for the initial/down payment for the buses in the approximate amount of \$142,700; and to

Approve entering into a lease/purchase agreement with US Bank to borrow approximately \$821,082.25 at an interest rate of 1.21% for a six year financing term with annual payments of approximately \$142,700.59 beginning December 13, 2021, with the financing scheduled to be closed on December 13, 2020.

Financial Statement Mr. Marchetti reviewed the September 30 financial report. There is nothing of significant concern.

2021 Budget The Public Hearing was opened for the 2021 budget. A budget work session was held on September 2, 2020. The updated budget includes updated reports from Vail Resorts related to municipal services and grounds maintenance. One significant change is the inflation rate from Bureau of Labor Statistics noting the increase to 1.5% on the operating property taxes. The public hearing was closed. A motion was both made and seconded to approve the 2021 Budget. It was unanimously

RESOLVED to approve the 2021 Operating Budget.

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

RESOLVED to approve the September Accounts Payable.

Ballot Initiative 7A Director Elsner supports the 7A ballot initiative related to water quality on the Western Slope.

Executive Session A motion duly made and seconded to move into Executive Session. It was unanimously

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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, §24-6-402(4)(e) C.R.S., positions relative to negotiations and §24-6-402(4)(f) C.R.S. Personnel Matters. The Board entered into Executive Session at 10:26 AM. and adjourned the Executive Session at 11:27 AM.

Public Session

Upon return to Public Session, the Board granted the Transportation Committee the authority to set a meeting to further discuss the Agreements from Vail Resorts and authority to reach final approval of this agreement.

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, October 28, 2020.

Respectfully submitted,

Angela Kamby

Angela Kamby
Secretary for the meeting