
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT October 27, 2021

Attendance

In Attendance were Directors:

- Dave Eickholt
- Mac Slingerlend
- Pam Elsner
- Kevin Hillgren

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Ken Marchetti, Marchetti & Weaver
- Jen Brown Beaver Creek Resort Company
- Mark Miscio, Beaver Creek Metropolitan District
- Tom Allen, Beaver Creek Resort Company
- Jerry Hensel, Beaver Creek Resort
- Ray Shei, Beaver Creek Homeowner
- Tim Kelley, Beaver Creek Homeowner
- Sandy Labaugh, Beaver Creek Homeowner
- Owen Hutchinson, VPAC
- Peggy Wolfe, Vail Valley Foundation
- Dave Kueter, Holsinger Law (by phone)
- Kent Holsinger, Holsinger Law (by phone)
- Kim Seter, Seter Vander Wall, LLC (by phone)
- Russell Newton, Seter Vander Wall, LLC (by phone)

Call to Order

The Regular Meeting of the Board of Directors of Beaver Creek Metropolitan District was called to order by Dave Eickholt, 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.

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. Dave Eickholt is a Board Member of the Beaver Creek Property Owners' Association; Ms. Pamela Elsner is a Secretary for Vilar Guild and Board Member/Assistant Secretary/Treasurer of the Upper Eagle Regional Water Authority; Mr. Kevin Hillgren is a Board Member of the Beaver Creek Club and a Board Member of the Beaver Creek Meadows Homeowners Association: the Board noted for the record that these

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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 22, 2021 Regular Meeting. A revision was made. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the September 22, 2021 meeting.

The Board reviewed the minutes of the September 28, 2021 Special Meeting. A revision was made. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the September 28, 2021 meeting.

The Board reviewed the minutes of the October 15, 2021 Special Meeting. A revision was made. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the October 15, 2021 Special Meeting.

Future Meeting

The next regular Beaver Creek Metropolitan District meeting will be held on Wednesday, December 8, 2021 at 8:30 A.M. at the District offices in Eagle-Vail.

Public Input Appointment

The Board discussed the open position which will run through May 2022. A motion was made to nominate Harold “Ray” Shei to the available position. The motion was seconded. It was unanimously

RESOLVED to appoint Harold Ray Shei to fill the vacancy on the Beaver Creek Metropolitan District Board of Directors.

Board Officer Oath

Director Shei completed the Oath of Office before the Board. Upon a motion duly made and seconded, it was unanimously

RESOLVED to appoint Ray Shei as Vice-President, Treasurer.

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Future Positions The Board discussed a flyer to be mailed to constituents in January for the upcoming Board seat in May.

Birds of Prey Ms. Wolfe addressed the Board regarding the Birds of Prey Races to be held in Beaver Creek December 3-5, 2021. Ms. Wolfe requested support from the District to assist with laying road base and with maintaining Dally for travel. A motion was both made and seconded. It was unanimously,

RESOLVED to support the Vail Valley Foundation with road maintenance and projects for the 2021 Birds of Prey Races.

Village Connect The department is on track for 80 full and part time employees. This is a 30% conversion rate. The staffing goal remains at 140. The current Village Connect contract expires on October 31. There has been no communication regarding an increase in wages as suggested by the District and Resort Company. The Board requested Mr. Simmons to follow up on the wage adjustment and contract.

Public Safety The report was included in the packet. The boot and tow orders and trash violations both showed an increase. The Board requested a fire mitigation update at the December 8th meeting.

Action & Discussion

General Manager There is a back order on delineators. Once the shipment arrives, the staff will expedite placement. Mr. Niemi reported some issues with supply chains for special orders. The Transportation Authority held a meeting this month. An employee survey will be released to research current service versus expanded service. The Traffic Committee met to review the report. There have been some updates to the signage at Prater Road. The estimate for a winter survey during peak and non peak times is \$5,700. Mr Simmons would like to also include Spring Break in the survey, increasing the cost to \$7,500. This total will be split with the Resort Company. A motion was made and seconded to approve a survey to be conducted with McDowell Engineering for the skier drop off area. It was unanimously

RESOLVED to approve the skier drop off survey with McDowell Engineering at \$7,500 to be shared with the Resort Company.

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Ms. Brown would like to test concepts offered by McDowell Engineering if possible this season. The Board also suggested a Public Safety person patrolling the area.

Public Relations The Board has elected to engage independent counsel for representation for the water issues. The Board discussed also engaging a Public Relations firm to prepare the District's opposition document.

Financial Statement Mr. Marchetti noted expenses are tracking as to be expected this month. For this year, it is expected to show a favorable closing.

2022 Budget The Public Hearing was continued from the September meeting for the 2022 budget. No public comments were received. The Public Hearing was closed. A motion was made to approve the 2022 Budget as presented. The motion was seconded. It was unanimously

RESOLVED to approve the 2022 budget, appropriate the funds and set the mill levy as presented.

Audit Engagement The McMahan and Associates Audit Engagement letter was included the packet. This is a local firm that has audited the District finances since the inception. There is a \$300 increase in fees, with the estimate not to exceed \$11,200. A motion was both made and seconded

RESOLVED to engage McMahan and Associates for the 2021 BCMD Audit.

Vehicle Leases The Board discussed the vehicle lease proposal from US Bank for three 2021 Ford vehicles for \$337,956 and two 2021 Gillig buses for \$986,048. A motion was made and seconded to approve two the leases. It was unanimously

RESOLVED to approve a lease/purchase agreement with US Bank for the amount of \$337,956 for (3) 2021 Ford vehicles; and

FURTHER RESOLVED to approve a lease/purchase agreement with US Bank for the amount of \$986,048 for (2) 2021 Gillig buses; and

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FURTHER RESOLVED to authorize Mr. Simmons to execute loan/lease documents as necessary.

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

RESOLVED to approve the October Accounts Payable.

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

RESOLVED to enter into Executive Session citing §24-6-402(4)(e) C.R.S. for the purpose of Negotiations regarding Transportation and Water Rights. The Board entered into Executive Session at 9:35 A.M. and adjourned the Executive Session at 10:42 A.M.

Public Session The Board gave Chairman Eickholt direction to interview and engage a Public Relations firm.

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 27, 2021.

Respectfully submitted,

Angela Kamby
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Secretary for the meeting