
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT December 08, 2021

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 A.M. on December 8, 2021 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

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
- Jim Collins, Collins, Cockrel & Cole (by phone)
- Mark Miscio, Beaver Creek Metro District
- Jen Brown, Beaver Creek Resort Company
- Jerry Hensel, Beaver Creek Village Operations
- Jeff Luker, Beaver Creek Homeowner
- Larry Graveel, 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 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; Mr. Ray Shei is a Board Member of the Beaver Creek Property Owners' Association: the Board noted for the record that

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District December 8, 2021 Meeting Minutes

these disclosures are restated at this time with the intent of fully complying with laws pertaining to potential conflicts.

Minutes

The Board reviewed minutes of the October 27, 2021 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the October 27, 2021 meeting.

The Board reviewed the minutes of the November 29, 2021 Special Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the November 29, 2021 Special Meeting.

2022 Meetings

The Board reviewed and discussed the 2022 Board Meeting calendar. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the 2022 meeting calendar.

Public Input **Public Safety & Fire Mitigation**

Chief Bauer discussed the Eagle Valley Wildland group being members of the ERFPD and Greater Eagle FPD. The goals of this group include reducing overall risk, reduction of fuel, community education and response to wildfires. This group will hold a meeting to discuss concepts, programs and funding. At this time, there is approximately \$150-170K gap in funds. Chief Bauer will report to Mr. Simmons on the meeting. Mr. Zechman will set a meeting to discuss impacted areas and set simulation table exercises to determine the high priority areas with members of the Resort Company, Metro District, Public Safety and Base Area Operations. BCPOA will continue to include details in the newsletter on how to contact Mr. Zechman to schedule an individual mitigation appointment. The Board has requested follow up from both Chief Bauer and Mr. Zechman to discuss future plans.

The Board asked Mr. Kenny to follow up with Mr. Maher at BCRC regarding areas around the Meadows.

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District December 8, 2021 Meeting Minutes

Board Mailer Chairman Eickholt will update the mailer for the May election. Self nomination forms will be available January 17, 2022.

Village Connect Mr. Simmons reported staffing with Village Connect is expected to be in the high 90's. There were three drivers hired from the temporary company that provided staffing for the BoP Races.

Action Items

General Manager Update

Mark and his team has been busy assisting vehicles up and down Dally post races. The Transportation Authority survey has been sent out to local employees. Details on responses should be available early next year. Alpine Engineering has been working on the 2022 overlays. The bid packet will go out mid to late January, with bids being available at the March meeting to select the contractor. Mr. Simmons has requested anticipated closing dates of Peregrine Villa units for the January meeting.

Engagement Letter The Board discussed the Letter of Engagement from Mr. Collins firm. If accepted, Mr. Collins will remain General Counsel for the Metropolitan District for items other than water matters. A motion was made and seconded to approve the Engagement Letter with Collins|Cole|Flynn|Winn|Ulmer. It was unanimously

RESOLVED to approve to engage Collins|Cole|Flynn|Winn|Ulmer as General Counsel for the District.

Financial Statement The October 31 details were included in the packet as the meeting is early this month. The District finances are consistent with budget expectations.

Account Payable The Board reviewed the Accounts Payable for November 18. A motion was made and seconded to ratify the Payable for November. It was unanimously

RESOLVED to ratify the November 18 Accounts Payable.

A motion was made to approve the December Accounts Payable. The motion was seconded to approve the Accounts Payable. It was unanimously

RESOLVED to approve the December Accounts Payable.

RECORD OF PROCEEDINGS

Beaver Creek Metropolitan District December 8, 2021 Meeting Minutes

Town of Avon Maintenance

Agreement 2022 This is a similar Agreement to years pervious that expires December 31, 2021 with no hourly increase. This will mainly for the routine and preventative maintenance of the Gillig buses. The Board reviewed and made a motion to approve. The motion was seconded. It was unanimously

RESOLVED to approve the 2022 Town of Avon Maintenance Agreement.

Public Input

Director Shei requested a meeting with Mr. Marchetti and Ms. Lewensten to discuss security details of the District files.

The Board noted that this will be Ms. Brown's last meeting as she has resigned from the Resort Company. The Board appreciates the great partnership she has facilitated with the District and wishes her continued successes.

Executive Session

Upon motion duly made and seconded, it was unanimously

RESOLVED to enter into Executive Session citing §24-6-402(4)(e) C.R.S. for the purpose of determining positions relative to negotiations, developing strategy for negotiations, and instructing negotiators and §24-6-402(4)(f)C.R.S for the purpose of discussing Personnel Matters. The Board entered into Executive Session at 9:48 A.M. and adjourned at 11:56 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, December 8, 2021.

Respectfully submitted,

Angela Kamby
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Secretary for the meeting