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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 June 22, 2022

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 A.M. on June 22, 2022 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
- Ray Shei
- Mike Towler

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Kim Seter, Seter & Vander Wall
- Ken Marchetti, Marchetti & Weaver
- Lee Hoover, Beaver Creek Village Operations
- Jerry Hensel, Beaver Creek Village Operations
- Elizabeth Jones, Beaver Creek Resort Company
- Bruce Kiely, BCPOA
- Chief Karl Bauer, ERFDP
- Hugh Fairfield-Smith, Eagle Valley Wildland
- John Niemi, EdgeCreek, LLC
- Tim Kelley, Beaver Creek Homeowner
- Jeff Luker, Beaver Creek Homeowner
- Owen Hutchinson, VPAC
- Dean Davis, VPAC

### 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. Kevin Hillgren is a Director of the Beaver Creek Club, President of the Beaver Creek Meadows Homeowners Association and a Director of the Upper Eagle River Water Authority; Mr. Ray Shei is a Board Member of the Beaver Creek Property Owners' Association; Mr. Mike Towler is a Director Alternate of the

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Upper Eagle River Water Authority: 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 minutes of the May 25, 2022 Regular Meeting. The minutes reference a possible MVR tax as a form of funding for the Transit Authority that will no longer be under consideration. Upon a motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes from the May 25, 2022 meeting.

### **Future Meeting**

The next Board meeting will be held at the District offices at 40847 Highway 6 on Wednesday, July 27, 2022 at 8:30 A.M.

### **Public Input**

Mr. Luker announced to the Board that Jim Clancy has accepted the Executive Director position at the Beaver Creek Resort Company. Mr. Clancy will begin his position on July 16th.

### **VPAC**

Mr. Hutchinson shared his appreciation for the generous annual support from the Metro District. Completed projects for the year include: LED stage lights, power units for elevators, video conferencing software, Chihuly light fixture, and sound system. The 2023 funding will be budgeted towards an upgraded HVAC. A motion was made and seconded to approve a Resolution in support of the 2022 projects. It was unanimously

**RESOLVED** to approve the Resolution in support of the Vilar Performing Arts Center Capital Project expenses for 2022.

### **Fire Mitigation**

Mr. Fairfield-Smith reviewed the two year Wildfire Resiliency Plan with the Board. The target date for completion will be November 2023. Elkhorn and Townsend ditch (unit 1) will begin July 1 following elk calving season. There have been ten (10) home assessments completed in Beaver Creek since the last Board meeting. A motion was made and seconded to increase the fire mitigation budget from \$75,000 to \$425,000. It was unanimously

**RESOLVED** to increase the 2022 fire mitigation budget to \$425,000.

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**Public Safety** Bear activity was increased around the service center and fire house this month. Public Safety will investigate to see if there is a reason for the increase.

**Village Connect** The month of May saw 100% of rides completed in under 20 minutes. The initial pay increase for drivers went in place at the end of season. The resort will be provided details mid-July for the next wage increase, sign on bonus and incentive bonus. The goal and intention is to have the department at the top of the market. SP+ contracted drivers are assisting with trips for special events.

**RTA** The Technical Committee met last week to work on a transition plan from ECO to Transportation Authority. The committee is looking to CDOT for plans. The cost of services are estimated to be released June 30. The Formation Committee noted the drafted IGA has been approved by each of the municipal entities. Preliminary polling shows with a proposed sale and lodging tax that the majority of the community approves.

### Action Items

**Manager Update** The overlay project is substantially complete minus a couple of punch list items. The contractor used a standard asphalt mix versus the higher grade mix that has been used in the resort. A credit will be received for the cost difference. A meeting was held with Ewing Trucking to discuss removal of the silt from pond on the 18th green. A bid in the amount of \$152,000 was received to remove approximately 2,500 CY, with the golf course using 1,000 CY and to haul the remaining 1,500 CY. The project will begin as soon as the course closes. The current budget is for project \$150,000. There are three of the water fountains on the recreation path are broken. Parts have been on order for upwards of nine (9) months. Each replacement water station is approximately \$3,500. A motion was made to replace and purchase three (3) new water stations. The motion was seconded. It was unanimously

**RESOLVED** to order three (3) water stations in the amount up to \$20,000.

The recent traffic study locations were near BC Drive, Village Road uphill and above Offerson. The information shows the data is fairly consistent and generally traveling within the speed limit.

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A lighting tour of the Village showed inconsistent lighting. The study discussed three areas: repair & replace, safety & security, and aesthetics. The Metro is responsible for 104 lamps and bollards. This replacement program will be a multi-year project.

**Financial Statement** Mr. Marchetti noted the budget is tracking well to date.

**Account Payable** The Board reviewed the Accounts Payable list for June. A motion was made and seconded to approve the June Payable list. It was unanimously

**RESOLVED** to approve the Accounts Payable for June 22, 2022.

**Additions** Mr. Simmons would like to add Negotiations regarding Promissory Note and Wildland fire to the Executive Session.

**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 regarding Agreements with Vail Resorts. The Board entered into Executive Session at 9:49 A.M. and recessed at 10:23 A.M.

**Public Input** Mr. Niemi reported challenges with labor as materials are on site. To date, the four (4) units are under contact: 1 unit is closed & occupied, 1 unit is scheduled to close July 15, the last two should close in August and September.

**Executive Session** Upon motion duly made and seconded, it was unanimously

**RESOLVED** to re-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 regarding Agreements with Promissory Note and Wildland Fire. The Board entered into Executive Session at 10:40 A.M. and adjourned at 10:46 A.M.

**Public Session** A motion was made and seconded to extend the EdgeCreek LLC. Promissory Note to September 30, 2022. It was unanimously

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**RESOLVED** to extend the EdgeCreek LLC. Promissory Note to September 30, 2022.

**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, June 22, 2022.

Respectfully submitted,

*Angela Kamby*

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