
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT August 24, 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 August 24, 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
- Kevin Hillgren
- Mike Towler

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Kim Seter, Seter & Vander Wall (by phone)
- Ken Marchetti, Marchetti & Weaver
- Jim Clancy, Beaver Creek Resort Company
- Mark Miscio, Beaver Creek Metro District
- Koby Kenny, Beaver Creek Public Safety
- Hugh Fairfield-Smith, Eagle Valley Wildland
- Owen Hutchinson, VPAC
- Bruce Kiely, BCPOA
- Candy Arbour, BC Homeowner
- Jane Heller, BC Homeowner
- Kevin Sharkey, Eagle Valley Trail
- Robin Thompson, Eagle Valley Trail
- Jim Selby, Aspen Wireless

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

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Property Owners' Association; Mr. Mike Towler is a Director Alternate of the 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 July 27, 2022 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes from the July 27, 2022 meeting.

Future Meeting

The next Board meeting will be held at the District offices at 40847 Highway 6 on Wednesday, September 28, 2022 at 8:30 A.M. A Budget Work Session will be held on August 31, 2022.

Public Input

Telecom

Mr. Jim Selby with Aspen Wireless introduced himself as a new telecom network provider working in Eagle.

EV Trail

Mr. Sharkey and Ms. Thompson discussed the Eagle Valley Trail. The project has a goal of completing the four missing segments of 12 miles by 2024 for approximately \$3 million. Mr. Sharkey requested the Board sign a letter of support and a donation toward the project. The Board will discuss the possible contribution at the budget meeting next week.

VPAC

Mr. Hutchinson provided the Board with an update on the HVAC renovation. Designs have been submitted for permits and Phase 1 will begin construction October 7. The supply fan and controls will provide enhanced heating and zoning for winter programming.

41-E Bachelor Gulch Road Encroachment

This encroachment will go into the drainage and utility easement. Ms. Arbour confirmed there are no current utilities within the easement. Improvements to the property also include a circular drive. There is existing drainage under ground. A motion was made and seconded to approve the encroachment as presented. It was unanimously

RESOLVED to approve the 41-E Bachelor Gulch Road.

149 Holden Road Encroachment

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This encroachment request is for an address marker be set in the easement. A motion was made and seconded to approve the encroachment. It was unanimously

RESOLVED to approve the 149 Holden Road encroachment.

Fire Mitigation Mr. Fairfield-Smith notified the Board that the project is currently ahead of schedule and under budget. The mitigated areas approach 352 acres to date, almost the entire west side of Beaver Creek. Mr. Fairfield-Smith seeks approval to amend the contract with the supplemental 2022 units. This will bring the total expense this year to \$842K. The Board gave direction to continue with mitigation until seasonal completion within the budget. The Board commended Mr. Fairfield-Smith on the accomplishment to date.

Public Safety There were increases this month for bear activity, resort violations, criminal activity and boot/tow orders. The resort violations include 24 trash offenders. There was a decrease in noise complaints, medical and suspicious activity, including over the July 4 weekend. The Board has requested Public Safety have a presence around the pickle ball courts in the 7 P.M. hour. E-bike regulations are continuing with the Rules & Regulations committee meetings at the Resort Company.

Village Connect Mr. Kenny reviewed the transportation report with the Board. Budgeted hours were down from 2,000 to just over 1,700. Total rides were up by 1,300 with over 2,500 additional riders. The average wait time for the month is 6.6 minutes with average wait times completed in 97%. The Board noted that the lowest staff day was over a holiday weekend, July 2, which is unacceptable for the resort. The Board requests an update on staffing and recruitment for the September meeting.

Former Director Former Director Steve Friedman recently passed. The Board appreciates his knowledge and experience both while a Board Member and following his terms with the Metropolitan District. Mr. Friedman was instrumental in assisting the Board after his tenure with water issues. A celebration of his life will be held at the Beaver Creek Club on Friday, September 9 from 5-7 P.M.

UERWA Update Director Hillgren noted at the last meeting comments were made in strong support of Bolts Lake and future conservation efforts. The BCMD Resolution rejecting the proposed unification was presented in the meeting.

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RTA The Technical Committee has provided information in regards to the Resolution and IGA. The Resolution and IGA was included in the packet. A motion was made and seconded to approve the Resolution approving the EVT Authority. It was unanimously

RESOLVED to approve the Eagle Valley Transportation Authority Resolution and IGA.

The Board is in support of the Eagle Valley Transportation Authority.

Action Items

General Manager Update

Crack sealing should wrap up in the next week. The third Peregrine Villa unit is scheduled to close September 25. The traffic radar was moved slightly up the hill. The uphill measure was 27.6, only two miles over the posted limit. The Board requested Mr. Simmons speak to Nadia about the VR vehicles and busses speeding up and down the resort. The Board requested proposed pricing details on the lighting project from Mr. Clancy ahead of the Metro budget meeting next week.

Election Resolution

The Election Resolution to participate in the November 2022 election was discussed. A motion was made and seconded to approve the Resolution. It was unanimously

RESOLVED to approve the 2022 Election Resolution.

FAMLI Mr. Seter discussed the FAMLI memo. This will be reviewed at the September meeting.

Financial Statement

The new streamlined report was included in the board packet. The current month and year to date are continuing to track well with budget.

COPS Mr. Marchetti discussed the prepayment of the remaining principal for the Series 2015 Certificate of Participation (COPS) after the closing of the Peregrine Villa unit in September. He explained a conditional notice would need to be provided to UMB. A motion was made and seconded to approve the COPS 2015. It was unanimously

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RESOLVED to approve the COPS 2015 Conditional Notice.

Account Payable A motion was made and seconded to approve the August Accounts Payable list. It was unanimously

RESOLVED to approve the Accounts Payable for August 24, 2022.

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 negotiations regarding Agreements with Vail Resorts and §24-6-402(4)(b) for the purpose of conferences with the District's attorney. The Board entered into Executive Session at 11:10 A.M. and recessed 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, August 24, 2022.

Respectfully submitted,

Angela Kamby

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