

---

# RECORD OF PROCEEDINGS

---

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT February 22, 2023

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 A.M. on February 22, 2023 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### **Attendance**

In Attendance were Directors:

- Dave Eickholt
- Ray Shei
- Mike Towler
- Mac Slingerlend
- Kevin Hillgren

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Russell Newton, Seter & Vander Wall
- Ken Marchetti, Esq, Marchetti & Weaver
- Mark Miscio, Beaver Creek Metro District
- Hugh Fairfield-Smith, Eagle Valley Wildland
- Jerry Hensel, Beaver Creek Base Operations
- Erin Jarvis, Beaver Creek Resort Company
- Clint Huber, Beaver Creek Resort Company
- Jeff Luker, Beaver Creek Homeowner
- Tim Maher, Beaver Creek Homeowner
- Bruce Kiely, Beaver Creek Property Owners Association
- Phil Palmeri, American Tower
- Jay Hanenkratt, American Tower
- Xiao He, American Tower
- Kristin Stathis, American Tower
- Krishna Dasari, American Tower
- Jim Livingston, American Tower
- Lisa P. Green, Visual Terrain

### **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 Director of the EVTA; 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 an Alternate Director of the EVTA; 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 January 25, 2023 Regular Meeting. Upon a motion duly made and seconded, it was unanimously

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District February 22, 2023 Meeting Minutes

---

---

**RESOLVED** to approve the minutes from the January 25, 2023 meeting.

**Future Meeting** The next Board meeting will be held at the District offices at 40847 Highway 6 on Wednesday, March 22, 2023 at 8:30 A.M.

**Public Input Appreciation** Mr. Luker expressed appreciation of behalf of homeowners on the effective snow removal by the District this winter.

**Lighting** Mr. Huber & Ms. Green discussed the lighting project. Robers is the manufacturer chosen for fixtures in the village and the resort. Robers products are built for generational use, ease of maintenance and quality with solid warranties. The three phases will be replacing from Offerson through the Village, crosswalks, pathways and bollards and finally Offerson to the Beaver Creek entry points. The Board is interested in expediting the order for an accelerated completion.

**American Tower** Mr. Palmeri, Regional Manager, requested usage of Metro District conduit in the resort. American Tower is a neutral host working to improve the wireless infrastructure using a fiber based network. AT&T has indicated a need for capacity of speed and bandwidth. AT&T, T-MOBILE and Verizon are the three (3) major carriers who will look to use the network. The request includes adding five (5) pole locations throughout the resort and using .6 miles of conduit. The Board would like to Mr. Palmeri to requested details from AT&T regarding the nature and size of the problem and if this infrastructure will solve the situation.

**Fire Mitigation** Mr. Fairfield-Smith reported almost all grants issued from the Colorado State Forest Service are for the north side of I-70 and western Eagle County. Conversations have begun with Congressman Neguse regarding the withholding of funds for large groups interested in mitigation. In October, Mr. Fairfield-Smith hopes to reapply for Beaver Creek, Bachelor Gulch, Arrowhead and Lake Creek. The budgeted funds will continue to work on phases 1 and 2 and portions of phase 3. All plans including the helicopter have been dropped. Crews will focus on hand thinning areas.

**RTA** The RFP's to specialist firms are being reviewed and offered in the next couple of weeks. Job descriptions and protocol for senior staffing positions will be at the next meeting. Search times are expected to be between six (6) - eight (8) months.

**Water Authority** The longer term forecast will be presented tomorrow including sources and usage. Conservation efforts include a reduction of turf across the valley by four (4) acres and expanding subsidies.

### **Action Items**

#### **General Manager Update**

The 18h fairway pond project is complete. The sand hauled totals will be provided to the District in the near future. The overlay bid packets are out. There were three (3) companies in attendance. Bids will be included in the March Board packet. McDowell completed survey work over Presidents' Weekend. An updated study will be discussed at the March meeting. A discussion regarding the possibility of a shelter at the Centennial drop off. Mr. Simmons noted that permanent structures close to the creek will be challenging, if at all feasible.

---

# RECORD OF PROCEEDINGS

---

---

## Beaver Creek Metropolitan District February 22, 2023 Meeting Minutes

---

**Legal** Mr. Newton reported receiving the interest and final payment on Peregrine Villas, the transportation lawsuit has been dismissed and the revised IGA was completed and will be sent to the ERFPD.

**Financial Statement**

The Financial Statement wrapping up January 31 shows not much received to date. Operating costs for municipal services are slightly over budget. The EdgeCreek payment was not received until February. All funds, including the interest payments have been deposited into ColoTrust. Mr. Marchetti will provide a proposal next month to determine opportunities for investment of funds relative to cash outflow.

**Account Payable** A motion was made and seconded to approve the February 22, 2023 Accounts Payable list. It was unanimously

**RESOLVED** to approve the February 2023 Accounts Payable.

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

**RESOLVED** to enter into Executive Session citing §24-6-402(4)(b) C.R.S. for the purpose of Conference with the District's Counsel regarding BC Lighting project and American Tower. The Board entered into Executive Session at 10:30 A.M. and adjourned at 11:14 A.M.

**Public Session**

Upon return from Executive Session, the Board authorized Director Shei to work towards procurement of materials on the lighting project. A motion was both made and seconded, it was unanimously

**RESOLVED** to form a service contract with Visual Terrain for up to \$50,000 and execute the purchase order for the lighting project up to \$350,000 for phases 1 & 3.

**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, February 22, 2023.

Respectfully submitted,

*Angela Kamby*

Angela Kamby