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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 May 24, 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 May 24, 2023 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
- Russell Newton, Esq, Seter & Vander Wall
- Ken Marchetti, CPA, Marchetti & Weaver
- Mark Miscio, Beaver Creek Metro District
- Jim Clancy, Beaver Creek Resort Company
- Hugh Fairfield-Smith, Eagle Valley Wildland
- Lee Hoover, Beaver Creek Resort Operations
- Jerry Hensel, Beaver Creek Base Operations
- Jeff Luker, Beaver Creek Homeowner
- Jane Heller, Beaver Creek Homeowner
- Rich Gray, Beaver Creek Homeowner
- Corrie Crane, Ridgepoint Condominiums

### **Call to Order**

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

### **Election of Officers**

The Election of Officers was discussed. A motion was both made and seconded. It was unanimously

**RESOLVED** to appoint the following officers

Director Eickholt as Chairman and President of the Board

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Director Towler as Vice President, Treasurer  
Director Hillgren as Vice President, Secretary  
Director Slingerlend as Vice President, Assistant Secretary/Treasurer  
Director Shei as Vice President, Assistant Secretary/Treasurer

### Minutes

The Board reviewed minutes of the April 26, 2023 Regular Meeting. It was requested to specify the water budget was finalized under the discussion of Water Update. Upon a motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes as amended from the April 26, 2023 meeting.

### Future Meeting

The next Board meeting will be held at the District offices at 40847 Highway 6 on Wednesday, June 28, 2023 at 8:30 A.M.

### Public Input Ridgepoint

Ms. Crane is the Property Manager of the Ridgepoint Condominiums in Beaver Creek. Ms. Crane and the HOA requests a review of the circular driveway to determine if it is possible to re-zone the roadway into a Metro District road. The Board will discuss further in Executive Session.

### Fire Mitigation

Mr. Fairfield-Smith reported that the South-Central Avon Fuels Reduction Project received the Incentives for Local Government (ILG) Grant in the amount of \$1.3M. The summer projects on the south and west side of Beaver Creek will begin following calving season on July 15. A benefit to the mitigation area is a positive reset to the ecosystem. Colorado Parks & Wildlife will do a case study on the deer and elk system. Mr. Fairfield-Smith will begin work on the RFP for 2024 in the coming months.

### Public Safety

Mr. Hoover noted the increase in resort violations during the month of April. These include trash and construction violations.

### Village Connect

The department maintained a strong performance at the end of the ski season. There are eight (8) new drivers starting in early June.

### RTA Update

Tanya Allen accepted the EVTA Director position and will begin the new position July 6. Approximately half of the current ECO fleet are in working order. There are currently 32 full time employees with ECO. The May 10 meeting discussions included accelerating the pace for Fare Free Zones.

### Water Authority

The Water Authority District election was held last month. The Eagle River has run above acceptable temperatures during the last two (2) years. The Authority will identify and change necessary processes that create extra heat.

### Action Items

#### General Manager Update

The remaining cinder clean up will wrap up this week. The staff has a long list of spring projects to begin. West Thomas snowmelt and concrete project is complete. The curb and gutter pour will begin the week following Memorial weekend. The lighting meeting held last week assured the District that the manufacturer is on schedule for delivery. Mr. Hensel reported that two of the three water fountains are

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installed and in working order. The third is not functioning at this time and will require assistance. The Board asked Mr. Hoover & Mr. Clancy about the possibility of adding Guest Services staff to the skier drop off area. Conversations will begin when Bobby Murphy, the new COO of Beaver Creek begins this summer.

**Legal** Mr. Newton noted the American Tower discussion would be in Executive Session. The Lighting Replacement Agreement was included in the packet for review.

**Financial Statement** Mr. Marchetti reported there was not much of significance to report this month. All investments will have been allocated by May 31.

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

**RESOLVED** to approve the May 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) and (e) C.R.S. for the purpose of Conference with the District's Counsel and regarding American Tower and Ridgepoint and negotiation positions regarding American Tower. The Board entered into Executive Session at 10:30 A.M. and adjourned at 10:58 A.M.

**Public Session** Upon return from Executive Session, the Board gave Mr. Simmons direction to schedule Alpine Engineering to review the Ridgepoint driveway.

and

A motion was made to accept the conduit lease with American Tower. The motion was seconded. It was unanimously

**RESOLVED** to approve the conduit lease with American Tower subject to a five (5) year renewable lease for \$3,058 annually, \$35,000 one time payment, and approval of tower design by Beaver Creek Design Review Board.

and

A motion was made and seconded to approve the Lighting Replacement Agreement with Circle D Electric. It was unanimously

**RESOLVED** to approve the Lighting Replacement Agreement with Circle D Electric.

**Adjournment** There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

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**RESOLVED** to adjourn the Regular Meeting of the Beaver Creek Metropolitan District Board of Directors held Wednesday, May 24, 2023.

Respectfully submitted,

*Angela Kamby*

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