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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 August 23, 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 August 23, 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
- Mac Slingerlend
- Kevin Hillgren
- Mike Towler

Also in Attendance were:

- Bill Simmons, Beaver Creek Metropolitan District
- Russell Newton, Esq, Seter & Vander Wall
- Ken Marchetti, CPA, Marchetti & Weaver
- Mark Miscio, Beaver Creek Metro District
- Jim Clancy, Beaver Creek Resort Company
- Erin Jarvis, Beaver Creek Resort Company
- Lee Hoover, Beaver Creek Resort Operations
- Koby Kenny, Beaver Creek Public Safety
- Hugh Fairfield-Smith, Eagle Valley Wildland
- Bruce Kiely, Beaver Creek Property Owners Association
- Justin Brown, VPAC
- Jeff Luker, Beaver Creek Homeowner
- Bill Ray, EVTA
- Tanya Allen, EVTA
- Laura Boldt, Beaver Creek Homeowner
- Tom Boldt, Beaver Creek Homeowner

### **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.

### **Minutes**

The Board reviewed minutes of the July 26 Regular Meeting. Following updates, a motion was duly made and seconded, it was unanimously

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

**Future Meeting** There will be a budget meeting held on Wednesday, August 30. The next Board meeting will be held on Wednesday, September 27, 2023 at 8:30 A.M. at the District offices: 40847 Highway 6.

**Public Input**

**Meadows Parking** Mr. Luker brought to the attention of the Board that parking in and around the BC Tennis Center has overflowed into private Meadows homeowner locations and in No Parking areas. Mr. Luker suggested homeowners contact Public Safety. The Board requests Mr. Kenny post a Public Safety employee in the area to reduce violations.

**BC Drive** Mrs. Boldt returned to the Board to discuss trash and traffic relative to the gate on Beaver Creek Drive. While speeding by BC buses and golf course vehicles has decreased, frequency of usage to Mirabelle by buses has continued and possibly increased. Mr. and Mrs. Boldt request the buses turn around in the Mirabelle parking lot and return into the resort via Village Road. Mr. Hoover will provide details on total vehicles, frequency and speed of buses from the Village Connect app. The Board requests new 19 MPH speed limit signs be posted on the road. Mr. Simmons will send a letter to Vail Resorts regarding clean up of the area between the gate and Mirabelle.

**EVTA** Mr. Ray and Ms. Allen provided a mid-year update on the Eagle Valley Transportation Authority. Accomplishments to date include: seating a Board of Directors and Executive Director, strategic planning of the next two years, collecting the tax (0.5) and setting a budget, and starting the transition of ECO Transit into EVTA. Ongoing tasks for the next year include: ECO Transit transition, bus and equipment acquisitions, Fare-free zone planning and implementation and housing strategies and investments. The Board stated dissatisfaction to date of identified timelines and would like to see the scope narrowed for completion of projects.

**Public Safety** Mr. Kenny noted the increase in tow orders at the BC Tennis Center. The increase in Resort Violations are mostly due to garbage containers. The recently added Construction Violations were two this month due to late roof work at one property and early landscaping at a residence.

**Wildfire Mitigation**

Mr. Fairfield-Smith reported the hand crews have been successful this month. The reallocation of units 5 & 6, between the main entrances, have been completed along with 30, 31, 26, 9E which equal approximately 45 acres and 2,000 piles. The next units set for mitigation are 20, 19 and 16. The crews are knowledgeable and the products are good this year. A new U.S. Forest Fuel Chief has been proactive in placing all the surrounding areas outside the ski boundaries in National Environment Protection Act (NEPA) to allow EVW to treat these areas. This program covers salaries of employees while working in the areas. In 2023, the contracted mitigation efforts for Beaver Creek was \$781,100. Per the IGA, EVW is requesting 11% or \$68,900 for indirect operational costs including salaries, fuel and ignition devices being used within Beaver Creek. A motion was made and seconded per the IGA

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between BCMD and EVW for Eagle Valley Wildland to use up to \$70,000 for indirect costs in Beaver Creek. It was unanimously

**RESOLVED** to approve up to \$70,000 for Eagle Valley Wildland fire indirect costs.

**Village Connect** The memo from the August 8 meeting was included in the packet. The month of July shows that 98% of rides were completed in less than 20 minutes. Service hours were down compared to budget by 522 hours and exceeded prior year by 118 hours. The fixed costs will not increase this year. Positions were posted earlier this year than in year's past. The department is seeing strong success with hiring and retaining drivers. This is due to both an increase in sign-on bonus and end of season bonuses.

**Water Authority** The Authority is moving away from five (5) tier system and adjusting water rates. Once this is finalized, there will be a presentation for the Beaver Creek Property Owners Association. The Bolts Lake discussion has been moved to the top of the agenda with a possible 6-7 year project timeline. There will be a combined meeting with the District tomorrow.

### Action Items

#### **General Manager Update**

Mark and staff removed some branches and dead trees from the recreation path and intersections. Crack sealing will begin next week. A speed platform for Holden Road and additional signage for the recreation path are on order. The overlay project for 2023 is complete and final request for payment is included in the payables. The only challenge was the contractor had a difficult timelines for subcontractors. We are waiting on the first container of lights.

**Bollards** Director Shei shared knowledge to date on the bollard phase of the lighting project. Ownership of currently placed bollards in the resort are mostly 60/40 between BCMD and BCRC as reflected in the Easement Agreement of 2003.

**Legal** Mr. Newton reviewed the legal memo with the Board. There will be a community meeting with the taxing entities scheduled for September 13 at the Eagle County building. The Board requested Mr. Simmons discuss the safety of plows and other vehicles speeds on the recreation path with Mr. Hensel.

#### **Financial Statement**

The July 31 financial report included an overage of \$25,000 in the Skiway and Snowmelt expense that should be moved to the Overlay project. Mr. Marchetti will research the Account Receivable listing of EdgeCreek in the amount of \$200,000 for the Budget Work Session next week.

**Account Payable** Changes to the AP list include the addition of the \$100,000 donation for the 25th anniversary year of VPAC. A motion was made and seconded to approve the August 2023 Accounts Payable list. It was unanimously

**RESOLVED** to approve the August 2023 Accounts Payable with the additional \$100,000 donation to VPAC.

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**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 23, 2023.

Respectfully submitted,

*Angela Kamby*

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