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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 October 25, 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 October 25, 2023 in the Conference Room of the District Administrative and Operations Facility, Eagle-Vail, Eagle County, Colorado.

### **Attendance**

In Attendance were Directors:

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

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
- Jerry Hensel, Beaver Creek Base Operations
- Hugh Fairfield-Smith, Eagle Valley Wildland
- Bruce Kiely, Beaver Creek Property Owners Association
- Justin Brown, VPAC
- Lou Kreig, Beaver Creek Homeowner
- Siri Roman, ERWSD
- David Norris, ERWSD
- Kevin Sharkey, Eagle Valley Trails
- Robin Thompson, Eagle Valley Trails
- Bobby Warner, Community Member
- Ken Hauer, Community Member

### **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 September 27th Regular Meeting. A motion was duly made and seconded, it was unanimously

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**RESOLVED** to approve the minutes from the September 27, 2023 Board meeting.

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

**Public Input**

Mr. Hensel introduced Justin Deluca, the Base Area Manager. Mr. Deluca has been with Vail Resorts for approximately five years and in the current position for the last year.

**ERWSD** Ms. Roman and Mr. Norris reviewed the 2024 water rate structure. Customers for both water and wastewater will typically see a 10.9% increase. This increase is due to increasing cost of water, an aging infrastructure and regulatory drivers.

**Eagle Valley Trail** Mr. Sharkey and Ms. Thompson returned to provide an update on the Eagle Valley Trail. There are currently three active projects: Wolcott to Edwards, Eagle-Vail to Dowd Junction and the Minturn Connection. The EV Trail project has raised just over \$27,700,000 with an anticipated project completion of \$38M. The Board was thanked for the letter of support last year. The Trail Committee requested a monetary donation from the District. The Board will discuss a possible donation during the Budget review.

**Wildfire Mitigation**

Mr. Fairfield-Smith reported the last contracted area, unit 13, was completed yesterday. There are approximately \$15K in savings to date. Mr. Fairfield-Smith would like to utilize the funds and available staff to mitigate the area behind the fire station. There was a total of 173.2 acres mitigated to date. The greater Beaver Creek area has had 480.6 acres for a total of \$1,120,543.08. Grant funding will be used next year in remaining areas. The request was submitted to continue participation in the Firewise community program.

**Village Connect** The department has 46 year-round and seasonal employees. There were five employees that started this week, 20 committed to the season and there are 51 candidates that are in the pipeline. There were 73 Village Connect trips that used Beaver Creek Drive for a two month period.

**Water Authority** The revised budget will be discussed at the meeting tomorrow, including an increase to the Bolts Lake project.

**EVTA** The second 2024 budget work session discussions include replacing equipment and increasing staffing. The Authority will collect data on the fare-free zones to measure the impact on ridership.

**Action Items**

**General Manager Update**

The signage has been received and installed on roadways and on the recreation path. Mr. Simmons has been fielding comments on the 19 MPH signs. The installation of electronic crosswalk signage is around \$10K. Mr. Simmons will meet with McDowell Engineering to determine the safety of installation of a lighted crosswalk at this intersection. Mr. Simmons and Director Shei met with Mr. Huber of the BCRC

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to discuss the bollard project. The second shipment of lights were installed without challenges. The safety light on the corner of Offerson has the base and conduit installed. The light will be functioning by the end of the month. The recommendation to extend the east side of the sidewalk down from Offerson has been included in the capital projects for 2024.

**Legal** Mr. Newton noted there is no formal request for funding on Elk Track Court. A resolution will be presented by Mr. Newton to the Board for future requests at the December meeting. The owners of Lot 2A Red Spruce Lane will request Vail Resorts to accept the ownership of the road.

### **2024 Budget Public Hearing**

The Public Hearing was continued from the September 2024 Board meeting. A quote for bus financing has been received from Wells Fargo. We expect to receive a response from USBank. Updates to the Capital Improvements and Special Projects will include the Offerson sidewalk project and the lighting project. The Public Hearing was closed. A motion was made to adopt the 2024 Budget, set Mill Levies and Appropriate Sums of Money. The motion was seconded. It was unanimously

**RESOLVED** to approve the 2024 Budget, set of Mill Levies and Appropriate Sums of Money.

The Board discussed a possible donation to the Eagle Valley Trail. A motion was made to contribute \$10,000 to the Eagle Valley Trail Committee. The motion was seconded. It was unanimously

**RESOLVED** to donate \$10,000 to the Eagle Valley Trail Committee.

### **Reimbursement Resolution**

The Reimbursement Resolution was discussed for the purchase of transportation equipment. A motion was made and seconded to approve the Resolution. It was unanimously

**RESOLVED** to approve the Reimbursement Resolution for \$2,000,000 to arrange lease purchase financing for transportation equipment.

### **Financial Statement**

The were no significant changes to the financial statement for the month.

**Account Payable** Additions to the Accounts Payable for the month includes the second payment of \$425,000 to ERFPD and up to \$1,120,000 for the purchase of buses. A motion was made and seconded to approve the October 2023 Accounts Payable list with the two additions. It was unanimously

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

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

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**RESOLVED** to enter into Executive Session citing §24-6-402(4)(f)C.R.S. for the purpose of discussing Personnel Matters. The Board entered into Executive Session at 10:45 A.M. and adjourned at 11:10 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, September 25, 2023.

Respectfully submitted,

*Angela Kamby*  
Angela Kamby