
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT February 28, 2024

The Regular Meeting of the Board of Directors of the Beaver Creek Metropolitan District (the "District") was held at 8:30 A.M. on January 28, 2024 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
- Mike Towler
- Kevin Hillgren
- Ray Shei

Also in Attendance were:

- Bill Simmons, General Manager, BCMD
- Russell Newton, Seter & Vander Wall
- Ken Marchetti, CPA, Marchetti & Weaver
- Lee Hoover, Beaver Creek Resort Operations
- Mark Miscio, Beaver Creek Metro District
- Erin Jarvis, Beaver Creek Resort Company
- Karen Braden-Butz, Beaver Creek Resort Company
- Jerry Hensel, Beaver Creek Base Operations
- Justin Deluca, Beaver Creek Base Operations
- Hugh Fairfield-Smith, Eagle Valley Wild Land Fire
- Justin Brown, VPAC
- Jeff Luker, 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 the minutes of the January 27th Regular Meeting. Upon discussion, a motion was duly made and seconded. It was unanimously

RESOLVED to approve the minutes from the January 27, 2024 Board meeting.

The Board reviewed the minutes of the January 31st Special Meeting. A motion was both made and seconded to approve the minutes. It was unanimously

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RESOLVED to approve the minutes from the January 31, 2024 Special Meeting.

Future Meeting The next Board meeting will be held on Wednesday, March 27, 2024 at 8:30 A.M. at the District offices located at 40847 Highway 6 Avon, Colorado.

Public Input
Public Safety

Mr. Hoover notified the Board of a Public Safety situation that had occurred over the weekend. The Board provided feedback on the lengthy time to access the Ford garage. Mr. Hoover shared the card reader for entrance will be moved for better access during the off season. The Board also suggested an adjustment to the reader at exit gate for those with plate transponders, which Mr. Hoover agreed to look at.

Village Connect The month of January was a similar performance to December with 97% of rides completed in 20 minutes or less. The department was short 116 hours or close to the equivalent of one employee. Rides were down for the month and service hours were missed by 300 but ridership was up. Staffing continues to hover around 100 drivers. The month is known for attrition and there are candidates in the pipeline. The Board reported drivers have communicated a lack of available drivers in the morning. Mr. Hoover explained that there is typically more demand in the afternoon so more drivers are staffed for those hours. The Board would also like to suggest more direct routes, especially to the BC Club, as some riders experience multiple stops on the way to their destinations. Mr. Hoover said that the software updates to the Downtowner application will be addressed and updated in the off-season.

Crosswalk No updates. McDowell Engineering will return at the March meeting. The BCPOA supports the Metro District in crosswalk safety.

Wild Land Fire Mr. Fairfield-Smith noted the IGA is similar to 2023 with just a change to the overall expense. There is a remaining balance from 2023 of \$93,218.10 that was miscoded for grant funding. Mr. Fairfield-Smith would like to carry-over this amount to 2024 in addition to the \$524,000. A motion was both made and seconded to carry-over the \$93,218.10 for wild land fire management. A motion was both made and seconded to approve the IGA for 2024 and the retention and usage of remaining 2023 funds for 2024 costs. It was unanimously

RESOLVED to approve the 2024 IGA and usage of \$93,218.10 from 2023 for 2024 Wildfire Management.

The burn piles have not been addressed since December due to the smoke dispersal in the valley.

Water Authority The Bolts Ditch Act has been presented to Congress by Siri Roman. The Cross Creek ditch will be the diversion vehicle to fill Bolts Lake. This ditch is in a wilderness area by approximately 400 feet. This is a non-controversial Bill that should pass without issue. The District is in the process of finalizing the contract with the construction manager. Consultants have been hired for grant applications. The River District attended the combined meeting of the ERWSD and UERWA to request \$1.5M towards the purchase of the Shoshone power station of \$98.5M. The Board made a

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motion and seconded the support for the Bolts Ditch Act Resolution. It was unanimously

RESOLVED to support the Bolts Ditch Act Resolution.

EVTA

The Transit Authority has hired a Finance Director who should be starting in the next couple of weeks. Ridership is up 31% or 51K for the month of January. There were 38,000 riders on the V/BC free shuttle. The performance report for scheduled routes is 99.5%. The Authority is working on the summer schedule. There will be more hours on Highway 6, Minturn and the Valley route (I-70).

Action Items

General Manager Update

This is the last meeting for Mr. Miscio in an official capacity. Mr. Miscio has accepted a job with Traer Creek/Village at Avon. The Board would like to thank Mark for his incredible contribution to the District for the last 10 years. Mr. Hoover notified Mr. Simmons that the Senior Operations Manager position is posted and there are applicants in the pipeline. Mr. Hoover has allowed Mr. Simmons to be involved with the hiring process.

The overlays are out for bid. The acceptance for the summer projects will be available at the March meeting. The bollard project has continued to be updated during each site visit. The RFP will be publicly noticed next month.

29 Bachelor Gulch driveway accesses eight (8) units. Mr. Meeks requested the District to accept the drive as a District roadway. The Board requested Mr. Simmons communicate with Mr. Meeks the road guidelines, including the reasons this request does not meet the requirements.

Chief Bauer has requested an increase in CPI for the Fire District. Mr. Simmons suggested Chief provide a proposal and data for the March meeting.

Elk Track Road

The Directors discussed a recent email claiming that the Metro District denied the Elk Track homeowners a financial reimbursement for a private property beautification project that was already completed paid for by the Elk Track homeowners. The Board confirmed with management and legal counsel that no formal reimbursement request has been made by the homeowners, and no official action of the Board was ever taken. Mr. Newton confirmed that if a request was made, he would advise the Board to deny the request due to legal concerns.

Legal

The Conflict of Interest requirements and possible increase to cost of services under the 2020 Fire Protection and Emergency Services Agreement will be discussed in Executive Session.

Financial Statement

The January preliminary statement was reviewed by Mr. Marchetti. There are some changes in both the transportation financing and transportation system variances made to the statement. The 2023 budget is not impacted by these changes. The 2023 Audit is underway. The 2024 taxes are received partially in January and the remainder in July.

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Mr. Marchetti discussed the Secretary of State has passed an update for websites.

Account Payable A motion was made and seconded to approve the January 2024 Accounts Payable list. It was unanimously

RESOLVED to approve the January 2024 Accounts Payable list.

Public Input The Board requests a Resolution recognizing Mr. Miscio's contributions to the Beaver Creek Metropolitan District for the March meeting

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 discussing potential cost of services regarding the 2020 Fire Protection an Emergency Services Agreement and §24-6-402(4)(b)C.R.S. for the purpose of receiving legal advice concerning Conflict of Interest requirements. The Board entered into Executive Session at 10:04 A.M. and adjourned at 10:45 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, February 28, 2024.

Respectfully submitted,

Angela Kamby
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