
RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS BEAVER CREEK METROPOLITAN DISTRICT June 26, 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 June 26, 2024 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
- Ray Shei
- Mac Slingerlend
- Mike Towler

Also in Attendance were:

- Bill Simmons, Beaver Creek Metropolitan District
- Kim Seter, Esq., Seter, Vander Wall & Mielke, P.C.
- Richard Peterson-Cremer, Esq., Karp, Neu, Hanlon, P.C.
- Ken Marchetti, CPA, Marchetti & Weaver
- Matt Farley, Marchetti & Weaver
- Jim Clancy, Beaver Creek Resort Company
- Erin Jarvis, Beaver Creek Resort Company
- Lee Hoover, Beaver Creek Resort Operations
- Jerry Hensel, Beaver Creek Base Operations
- Koby Kenny, Beaver Creek Public Safety
- Justin Brown, VPAC
- Cameron Morgan, VPAC
- Dean Davis, VPAC
- Bruce Kiely, BCPOA
- Jeff Luker, BC Homeowner
- Hugh Fairfield-Smith, ERFPD
- Joanna Hopkins, Arcadian on Beaver Creek
- Dominic Mauriello, Mauriello Planning Group
- John Niemi, Aidan Group
- Chris Larson, Aidan Group

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; Mr. Mac Slingerlend is in an opposition effort with homeowners on Beaver Creek Drive regarding the Arcadian Project: the Board noted for the record that these

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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 May 29 Regular Meeting. A motion was duly made and seconded. It was unanimously

RESOLVED to approve the minutes from the May 29, 2024 Board meeting.

Future Meeting The next Board meeting will be held on Wednesday, July 24, 2024 at 8:30 A.M. at the District offices located at 40847 Highway 6 Avon, Colorado.

Public Input
Arcadian

Mr. Kiely, President of the BCPOA shared that the POA has engaged legal counsel and consultants regarding the Arcadian development.

Mr. Niemi addressed the Board to discuss the availability of the Arcadian development to respond to any questions the District might have regarding the project. The Board and counsels will organize a joint meeting the week of July 8.

Fire Mitigation Mr. Fairfield-Smith updated the Board that work will begin in unit 7 on July 1. There will be additional fire staff available for the first week of July, if necessary. All contracts with the Fire District have come in just under budget for the year.

VPAC Mr. Morgan expressed appreciation to the Board on behalf of the VPAC for the continued financial support. The VPAC team would like to organize a lighting tour for the Board. The five-year capital project plan will invest approximately \$5.5M in the venue. Projects for the next year include exterior lighting in the porte-cochere, sconces in the lobby and green rooms.

Public Safety Mr. Kenny noted the boot & tow order increase year over year from 10 in 2023 to 26 in 2024. The traffic control and safety team member is continuing to patrol the resort. The Board appreciates the well-designed parking for summer at the tennis courts.

Village Connect This month is rather quiet for Village Transportation. There were 100% of rides in less than 20 minutes. The department will increase staffing on July 3 for the holiday weekend. Mr. Hoover is expecting to have information on decreasing time on rides and cancellations by the August meeting. Positions are posted for the coming winter. Mr. Hoover will meet with Mr. Simmons regarding the service hours and rates for the 2024-25 season. The Board requested details on coverage and service for July 3-7 at the July meeting.

Water Authority The Eagle River Water & Sanitation District finalized the participation at 62% and the Authority at 38% for the Shoshone water rights. Director Hillgren is requesting the ERWSD hold the presentations with all the approving entities regarding the Bolts Lake project at the introduction.

EVTA Ridership for 2024 through the month of May was up 13%. A transportation director has been hired and will begin the position on July 8. Staffing efforts are underway to obtain appropriate levels for the ECO transfer to EVTA in August. The ten-year strategic plan of the Authority includes a housing component.

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Action Items

General Manager Update

The spring projects will have wrapped up in time for the July 4 holiday. The department is down three employees due mostly to relocation. Positions are posted to backfill staff. The replacement bollards for Avondale and the creekside walk have been ordered. Installation will begin in October. The covered bridge bollard discussion continues. Mr. Clancy will bring the discussion of completely removing the old bollards to the BCRC Board. The Board requests a solution prior to the start of the winter season. A new leak detection company has been brought in for the snowmelt system. The mainline has been drained to assist with the determination of the leaks. The overlay projects are completed for the year. The invoice was received this week and came in at or under budget. The crosswalk signage and lighting is scheduled to arrive the end of July. The Arcadian Referral was received after the Board packet was prepared this month. The document was distributed to the Board and will be discussed in Executive Session today. Mr. Hensel gave kudos to Mr. McConnell's team for the vegetation stabilization along the sidewalk at Offerson.

Legal

Mr. Seter discussed the Website Accessibility Resolution included in the packet. The District has set up the compliance coordinator communication avenues as directed in the Resolution. A motion was both made and seconded to approve the Website Accessibility Resolution. It was unanimously

RESOLVED to approve the Website Accessibility Resolution.

Financial Statement

The release of the May payables was late due to the District meeting date. The funds have been released for payment.

Account Payable A motion was made and seconded to approve the May 2024 Accounts Payable list, including the recently received invoice to Frontier Paving in the amount of \$758,000. It was unanimously

RESOLVED to approve the May 2024 Accounts Payable list.

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 consultation with counsel to obtain legal advice regarding the Arcadian on Beaver Creek Referral. The Board entered into Executive Session at 10:07 A.M. and adjourned at 11:23 A.M.

Public Session Upon returning to public session, Mr. Seter announced that the Board confined the executive session discussions to those authorized in the motion and no official action was taken on any matter during the executive session.

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, June 26, 2024.

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Respectfully submitted,

Angela Kamby
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