
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
February 28, 2018**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, February 28, 2018 at 2:00 pm., in the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Eagle County, Colorado.

Attendance The following Directors were present and acting:

- Paul Jardis
- Dale (Dutch) Stortz
- Jennifer Holzworth
- Michael Mossman (via telephone)
- Constance Irons-Malernee

Also in attendance were:

- Kathy Alto, Ceres + Landscape Architecture
- Debbie Hoffman, Eagle River Water and Sanitation Dist
- Ron Hickman, CenturyLink
- Jason Sharpe, CenturyLink
- Maureen Crofton, Bachelor Gulch Public Safety
- Jim Clancy, Director of Resort Services & Public Safety
- Sean Sprague, Bachelor Gulch Metro District, Supervisor
- Dave Berg, Bachelor Gulch Metro District, Manager
- Ken Marchetti, Marchetti & Weaver, LLC
- Debbie Braucht, Marchetti & Weaver, LLC, Secretary for the Meeting

Call to Order The Meeting of the Board of Directors of Bachelor Gulch Metropolitan District was called to order by Chairman Jardis, noting a quorum was present.

Consideration of Agenda
No changes were made to the agenda.

Minutes
Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the January Meeting minutes with changes.

Director Irons joined the meeting.

Ms. Hoffman joined the meeting.

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Eagle River Water and Sanitation District Update

Ms. Hoffman reported the replacement of water pumps at the tennis center, which had been delayed last fall, will begin again in April and continue into May. While they are replacing the pumps they will be using a pump truck to pump potable water and she warned the pump truck is loud. They expect to be pumping water from 8:00 am to 6:00 pm depending on demand. There was discussion of construction times and when they expect the project to be done. The Board agreed to extend the construction hours for the project from 7:00 am to 7:00 pm so that it will be complete by Memorial Day. Director Jardis asked Ms. Hoffman to keep the Board updated and the priority is to get in and out in the most efficient way possible.

Ms. Hoffman left the meeting.

Ms. Alto joined the meeting.

Lot 57 Encroachment Agreement

Ms. Alto reviewed plans for a retaining wall, boulders, aspen trees and perennials with associated irrigation within the District's easement on Lot 57. Everything is below grade and below the road so it will not affect snowplowing. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the Encroachment Agreement for Lot 57.

Ms. Alto left the meeting.

Mr. Sharpe and Mr. Hickman joined the meeting.

CenturyLink Representatives

The discussion was in regards to CenturyLink separating a bundle and using additional conduit from Elkhorn up Daybreak. The Board would like CenturyLink to consolidate their lines so the District can get back space in the conduit. Mr. Sharpe stated in a memo from Kelly, in CenturyLink engineering, that it is possible for CenturyLink to do that but the District will have to pay for it. Director Jardis summarized the conversation by saying CenturyLink used the District's conduit without the District's approval and now that the District wants it back the District will have to pay for it? Why is the District not enthused about this? Mr. Sharpe stated CenturyLink made a one-hundred and eighty eight thousand dollar (\$188,000) payment to use the conduit, but they

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can't find the agreement, plus they've been using it for 20 years. Director Jardis stated the point is that they want the space back in the conduit. There was a lengthy discussion about copper and fiber lines, conduit and space in the conduits. Director Jardis stated the District is going to great lengths towards a goal of providing 1 gigabyte of service to the community. They want someone to provide that level of service plus improve cell service in the community but they need space in their conduit to do it. There was discussion of the ability of fiber optic line to deliver up to 1 gigabyte but that has typically been just for businesses. CenturyLink has not typically installed that level of service to residences unless they were also used as a business. Director Jardis states there is a 2 inch conduit to every home in Bachelor Gulch so the conduit is in place to run new lines to every home. Comcast also says they can deliver 1 gigabyte of service over a coaxial cable. Mr. Sharpe will try to locate the agreement and send a copy to the Board.

Mr. Sharpe and Mr. Hickman left the meeting.

Public Safety & Report

Mr. Berg stated after concerns were raised by the owner of Lot 1; they have begun documenting when they plow and cinder the Daybreak to Strawberry Park Gate roads in the Public Safety Report.

Mr. Clancy stated they are working on fire regulations with Bachelor Gulch Village Association (BGVA) and Eagle River Fire Protection District with review by legal counsels. Director Jardis stated that the concern for timeliness and the Board would like to see regulations in place by May which is the beginning of wildfire season. Mr. Clancy stated they have it on the March BGVA agenda and it's ready for that Board to take action. There was discussion of how to communicate the new fire regulation with property owners and guests.

Mr. Clancy and Ms. Crofton discussed a few ideas for enhanced security measures. There was discussion of UBER because it seems they do not understand where they are going to be picking people up or they are staging waiting for a call to come in. Mr. Clancy stated if they don't have an exact address they should not be let in.

Operations Report

The report was included in the Board packet.

Accounts Payable

An updated list was distributed to the Board. Upon review and by motion duly made and seconded it was unanimously

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RESOLVED to approve and ratify the updated accounts payable list.

Consulting Agreement

There was discussion of engaging a consultant to provide technical advice, evaluate the District's current infrastructure, offer technical alternatives and coordinate with partners to deliver solutions for the District's communications network and capabilities. Upon motion duly made and seconded it was unanimously

RESOLVED to approve and Agreement with HR Green subject to review and approval by Director Jardis and legal counsel.

Adjournment

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

RESOLVED to adjourn the meeting of the Bachelor Gulch Metropolitan District Board of Directors held February 28, 2018.

Respectfully Submitted,



Secretary to the Meeting