
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District December 11, 2019

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, December 11, 2019 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 (via telephone)
- Michael Mossman (via telephone)
- Constance Irons-Malernee (via telephone)

Also in attendance were:

- Blair Hayes, Property Owner
- Maureen Crofton, Public Safety
- Michael Trueblood, Beaver Creek Village Operations
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- 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

Upon review, no changes were made to the agenda.

Minutes

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

RESOLVED to approve the November 13, 2019 meeting minutes with changes.

Public Safety Report

There was discussion of the property manager for a residence that is under construction. He has shown blatant disregard for the Rules and Regulations by personally shuttling workers to the jobsite outside of the construction work times and in violation of the Rules and Regulations. Ms. Crofton stated he has been advised of the violation and they have pulled his Manager Pass until the next sticker season. He still has access via a daily pass.

RECORD OF PROCEEDINGS

Bachelor Gulch Metropolitan District December 11, 2019 Meeting Minutes

There were brief discussions of a bear tearing up private property; a manhole-cover off at the Ritz Carlton turnaround at 7:30 pm on the night of the tree lighting creating a dangerous situation; and a more detailed description with a timeline of the lady who threw trash out on Elkhorn so Public Safety can go back and review video footage.

Ms. Crofton stated they are considering issuing different colored stickers for landscapers instead of using the same color as construction. They are also considering issuing stickers to the frequent UBER and LIFT drivers.

There was discussion of issues Bachelor Gulch Village Association (BGVA) is having with the company who picks up the trash in the Village. Mr. Trueblood is trying to work through the inconsistencies with them but the old manager left and they do not have a new manager. An alternative may be considered if they can't work this out.

Director Irons-Malernee joined the meeting.

Operations Report

Director Jardis asked what the status was on the Roughlock Skier Tunnel and requested it be completed as soon as possible.

There was discussion of Mr. Dodge's expected return to work. Best case scenario is early January but it could be February. They are continuing to work on hiring another full-time year-round employee.

Down Payment Assistance Program

Director Jardis stated he continues to have questions of who funds the loans and is it the employer's own funds or someone else? A company in Broomfield administers the loans he has looked for the Town of Vail and Eagle County but he believes this not be necessary for the District. He reviewed the details with the Board and said they have enough for an outline at the January meeting.

Board Member Resignation

Because Ms. Holzworth sold her house and moved out of the District's boundaries she is no longer qualified to be on the Board. Director Jardis stated he tried to work on qualifying her through an obligation to pay taxes but the Metro District does not pay property taxes. A vacancy now exists on the Board.

Tennis Center License Agreement

RECORD OF PROCEEDINGS

Bachelor Gulch Metropolitan District December 11, 2019 Meeting Minutes

There are two agreements related to the tennis center license; one is for the use of the tennis center parking lot and the other is a settlement agreement. The ball remains in Mr. Trueblood's/Vail Associates court.

Tennis Center and Gatehouse Lease Agreements

The BGVA attorney has accepted the changes and comments sent by the District's attorney. The agreement will be presented for consideration at the BGVA Board meeting on December 18th.

Upper Eagle Regional Water Authority Agreement

The attorney for Upper Eagle Regional Water Authority rejected the agreement stating it was not necessary but would consider a Memorandum of Understanding.

Ski School and Public Restroom Lease

The Ski School Locker Lease has expired and the Public Restroom Lease will expire in June 2020. Director Jardis forwarded a new lease agreement to Mr. Trueblood and Vail Associates legal counsel is reviewing it.

Solar Array

There was discussion of potential savings by partnering with a private entity or individual to build a solar array. Director Jardis will update the Board at the next meeting.

Annual Administrative Matters Resolution

The Resolution included in the packet, outlines the tasks and deadlines for statutory filings and authorizes either Marchetti & Weaver or Alan Pogue's office to administer them. Mr. Marchetti stated he would like further clarification on a new paragraph regarding review, by the Board, of all minutes for the past year. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the Annual Administrative Matters Resolution pending clarification on paragraph 23.

May 2020 Directors Election Resolution

Mr. Marchetti stated the Resolution was prepared by legal counsel and it authorizes his office to conduct the election and cancel the election, on the Board's behalf, if there are no more nominees than there are seats available. Upon review and by motion duly made and seconded it was unanimously

RECORD OF PROCEEDINGS

Bachelor Gulch Metropolitan District December 11, 2019 Meeting Minutes

RESOLVED to adopt the May 2020 Directors Election Resolution.

Investment Policy

Mr. Pogue's office prepared the policy which outlines an investment policy consistent with State guidelines. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to adopt the Resolution Establishing a District Investment Policy.

Employee Incentives

The Personnel Committee met with Mr. Berg and reviewed his recommendations for employee incentives and pay increases for 2020. Director Irons stated she has concerns with employees out on extended leave and still receiving a full bonus just like the employees that have been there all year. She would like the policy changed to reflect a proration for approval at the next meeting retroactive to 12-31-2019. Upon the recommendation of the Personnel Committee and by motion duly made and seconded it was unanimously

RESOLVED to approve the 2019 Employee Incentives and 2020 pay increases.

Financial Statements

Mr. Marchetti stated the financials are on track and sales tax is greater than last year so it may make forecast.

Accounts Payable

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

RESOLVED to approve and ratify the updated accounts payable list as presented.

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 December 11, 2019.

RECORD OF PROCEEDINGS

Bachelor Gulch Metropolitan District December 11, 2019 Meeting Minutes

Respectfully Submitted,

Debi Brauch

Secretary to the Meeting