
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
October 28, 2020**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, October 28, 2020 at 2:00 pm. MST, via Zoom video.

Attendance: The following Directors were present and acting:

- Paul Jardis (via video)
- Dale (Dutch) Stortz (via video)
- Blair Hayes (via video)
- Russ Coburn (via video)

The following Director was absent and excused:

- Constance Irons Malernee

Also in attendance were:

- Casey Brunner, Property Owner (via video)
- Maureen Crofton, Public Safety (via video)
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager (via video)
- Dave Berg, Bachelor Gulch Metro, Manager (via video)
- Ken Marchetti, Marchetti & Weaver, LLC (via video)
- Debbie Braucht, Marchetti & Weaver, LLC Secretary for the Meeting (via video)

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

Consideration of Agenda After discussion Firewise and consideration of a Lot 30 Encroachment Agreement was added to the Agenda.

Minutes Prior to the meeting Director Hayes provided the Secretary for the Meeting changes to the minutes based on his notes of the budget discussion. There was discussion of the statement Director Hayes made about the replacement reserves for roads and equipment and operations. Director Jardis stated the Board has never approved restricting the fund balance by designating it for reserves. There is a small restriction for the 2012 bonds and TABOR but that is all. The District is a governmental entity so it does not need to setup reserve

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funds. Director Hayes stated he thought this came from the Auditors and is on the Statement of Net Assets. Mr. Marchetti stated this was not a designation by the Auditors but just a way of breaking out the fund balance. He will remove it since the Board has not approved it. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the September 23, 2020 meeting minutes with changes.

Public Safety Report

There was discussion of a recent speeding problem, the owner has been contacted regarding the issue.

Director Jardis stated occasionally certain members of Board are contacted by Public Safety when a construction company asks for a waiver of the Road Use Regulations and in particular the construction hours restrictions. Typically, this in the case of an emergency or life safety issue. Recently that was the case because there was an open ditch for repair of a water line and the danger of the line freezing overnight. Director Coburn was added to Public Safety's list of emergency contacts.

Tennis Center Update

After last month's meeting the list of repair and maintenance items was forwarded to Mr. Trueblood. Mr. Trueblood responded that there was money in the budget for those items and he will work with Mr. Hensel and report back to Mr. Berg or Mr. Sprague on their progress.

Public Restroom Lease

Mr. Trueblood has asked for a 30-day extension to review the draft agreement because of delays in the Vail Resorts legal department due to COVID. The extended deadline now is November 28th.

Operations Report

Mr. Berg reviewed the report included in the meeting packet with the Board and added they are winterizing and trimming the bushes along Prater because of the hazard they create when snowplowing.

Lot 30 Encroachment Agreement

Prior to the meeting, representatives of Lot 30 contacted Mr. Berg asking for approval of planting some trees in the easement between Lot 30 and Lot 31. Lot 31 came to the Board for an Encroachment

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Agreement in June with the same request. Because the Design Review Board had already approved of the trees they were ready to plant when they became aware they needed the District's permission to plant trees in the District's easement. This is why this item is not on the Agenda. Mr. Berg stated he has no issue with the trees. After discussion and by motion duly made and seconded it was unanimously

RESOLVED to approve the Lot 30 Landscaping Encroachment Agreement.

Firewise

Some years ago the District participated in the program to become a certified Firewise Community. Because the District does this there is a discount on the home-owners insurance policy which saves the constituents money with this discount. Director Jardis wanted to point this out and this information is also on the District's website.

Public Hearing for the 2021 Budget

Today's meeting is the continuation of the public hearing on the 2021 Budget which was opened for public comment at the September 23rd meeting. Director Jardis stated the Prater Road project was taken out of the 2021 budget, the sales tax revenue has been estimated at 83% pre-COVID which is a sound methodology. For 2021 they have cut back on revenues and expenses so he is of the opinion it leaves room for the unexpected yet adequately covers operations, administration and debt service. After review and by motion duly made and seconded it was unanimously

RESOLVED to approve the resolution to adopt the 2021 budget, subject to minor adjustments which may result from the final certification of assessed values;

FURTHER RESOLVED to approve the resolution to certify the mill levy at 12 mills for operations with a temporary mill levy credit of 6 mills and 6 mills for debt service;

FURTHER RESOLVED to approve the resolution to appropriate funds for spending in 2021;

Copies of the formal resolution adopting the budget, certifying the mill levy and appropriating funds are

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incorporated herein by reference and shall be retained in the District's permanent records.

2020 Budget Amendment

A 2020 Budget Amendment will not to be needed this year.

Accounts Payable

After discussion and by motion duly made and seconded it was unanimously

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

Tunnel

Director Coburn asked who really owns the tunnel. Director Jardis stated the tunnel was constructed to access the village from the proposed gondola. The gondola was not built but since it was constructed with public funds the District owns it but not the land above or below. The District has tried several times to lease or sell the tunnel. This last time the Snowcloud Association objected so the deal fell through. It has value but at this time there is no interest from anyone to lease or buy it.

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 October 28, 2020

Respectfully Submitted,



Secretary to the Meeting