
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
October 27, 2021**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, October 27, 2021 at 2:00 pm. MST, via Zoom video.

Attendance: The following Directors were present and acting:

- Paul Jardis
- Dale (Dutch) Stortz
- Blair Hayes
- Russ Coburn
- Mike Leeds

Also in attendance were:

- Michael & Linda Mossman, Owners Lot 48
- Maureen Crofton, Bachelor Gulch Public Safety
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- Dave Berg, Bachelor Gulch Metro, 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 the 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.

Public Comment There was no public comment.

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

RESOLVED to approve the September 22, 2021 meeting minutes as presented.

Lot 48 Encroachment Agreement

Mr. & Mrs. Mossman discussed the purpose and design of the landscaping encroachment in the road right-of-way. Mr. Sprague stated they have no issues with the landscaping but do not want any of the landscape material to touch the wood and that the irrigation does

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not spray directly on the lot marker or lamp post. These things will rot the wood very quickly. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the Encroachment Agreement for Lot 48 landscaping in the road right-of-way.

Mr. & Mrs. Mossman left the meeting.

Public Safety Report

Ms. Crofton reported on an incident they worked on with Loss Prevention and some mountain lion activity.

Director Jardis reported that it came to their attention recently that a car club closed down Daybreak Ridge for a photo op. This has happened before and when the Ritz Carlton was notified they stated they knew nothing of the car club's intentions. Now it's happened again so he would like an email sent to the Ritz reminding them they do not have the authority to close roads and they need to be respectful of the District's roads.

Operations Report

Mr. Berg reported they are moving into winter operations and have plowed twice already. The crew will move to 7-day a week operations on November 14th until spring.

Mr. Sprague reported on the Daybreak guardrail extension project and a parts supply shortage that has taken their 2016 International Snowplow out of operation. The Environmental Protection Agency is working on a bypass for the sensor because of the supply shortage.

Director Coburn asked how the transition and meeting with One America was going and Mr. Berg stated the meeting was very helpful and informative.

Wildfire Mitigation

Several months ago the Board assigned Mr. Berg the task of proposing an enhanced wildfire mitigation program and revising our evacuation planning. A proposal was received from SWCA to update our District Community Wildfire Protection Plan (CWPP). After further review of this proposal, Mr. Berg does not recommend engaging SWCA as a revised CWPP plan would not meet the task of enhancing our wildfire

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mitigation efforts. In addition, Mr. Berg's conversations with Eagle River Fire Protection District (ERFPD) yielded that a new Eagle County CWPP may be forthcoming. Mr. Berg will continue his efforts to present a recommendation to achieve enhanced wildfire mitigation. Mr. Berg's interaction with ERFPD will result in revising our Evacuation plan. Directors Jardis and Hayes added the CWPP proposal didn't provide what was asked for which was shovel ready projects to enhance wildfire protection. The Board thanked Mr. Berg and he will keep them updated.

Public Access Area Lease Agreement

After last month's meeting Director Jardis, Mr. Berg and Mr. Sprague met with Mr. Shimanowitz to discuss expanded storage areas for Operations at the Cinder Barn and/or Wolf Lot. Based on their discussion, the District would like to move forward with a proposal to add thirty-two (32) additional parking spaces at the Wolf Lot in exchange for leasing six-thousand four hundred (6,400) square feet of paved parking area at the Wolf Lot adjacent to the Operations Facility. The District would extend the fence around this newly leased area and then be able to enclose all the District's equipment inside. In exchange the District would, at its own expense, expand the Wolf Lot on the northwest corner to add an additional 32 parking spaces plus enter into an amended Snow Cloud Locker and Restroom Lease. Vail Resorts had previously rejected the Snow Cloud Locker and Restroom Lease which revised the previous agreement to include rent at fair market value. The amended agreement would be the same as the current agreement but an added contingency for the 6,400 sq ft lease at the Wolf Lot. There was discussion of the need to hire HP Geotech to do soils testing on the northwest corner of the Wolf Lot because they were made aware of unstable soils in that area when they were considering the location of the Operations Facility. There was discussion of the costs of extending a storage area at the Cinder Barn versus the Wolf Lot. Mr. Berg was of the opinion the Wolf Lot was the least cost alternative. Director Leeds asked what approval or direction was needed from the Board at this time. Upon motion duly made and seconded it was unanimously

RESOLVED to hire HP Geotech to do soils testing on the northwest corner of the Wolf Lot and approve the Snow Cloud Locker and Restroom Lease concept as outlined above.

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Director Hayes stated Chadwick Steinkirchner Davis do a great job and he is comfortable recommending approval of the 2021 Audit Engagement Letter. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the 2022 Audit Engagement Letter with Chadwick Steinkirchner Davis LLP.

Public Hearings for the 2021 Amended and 2022 Budgets

Today has been published as the public hearings on the 2021 Amended and 2022 Budgets. Mr. Marchetti opened the Public Hearings to public comment. There being no comment the public hearings were closed. There was discussion of the 2022 Preliminary Budget and the processes and people it goes through. The only change on the 2021 Amended Budget was the additional debt service payments. Director Leeds stated he would like to be included in the budget process next year. Director Hayes stated because of changes in the Board a re-alignment based on the strengths of the Board members would need to be considered. Director Leeds will serve on the Personnel Committee effective immediately.

RESOLVED to approve the resolution to adopt the 2022 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 9 mills and 6 mills for debt service;

FURTHER RESOLVED to approve the resolution to appropriate funds for spending in 2022;

FURTHER RESOLVED to approve the resolution to Amend the 2021 Budget.

Copies of the formal resolution adopting the budget, certifying the mill levy and appropriating funds are incorporated herein by reference and shall be retained in the District's permanent records.

Accounts Payable

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

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

Director Stortz Resignation

Director Stortz is scheduled to close on the sale of his house November 5th so will no longer be qualified to serve on the Board of Directors. Individuals thanked Director Storz for his contributions over the years. Director Jardis stated he has requested a list of registered voters within Bachelor Gulch but will not receive it until after the general election.

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 27, 2021

Respectfully Submitted,



Secretary to the Meeting