
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
February 23, 2022**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, February 23, 2022 at 2:00 pm. MST, via Zoom video.

Attendance: The following Directors were present and acting:

- Paul Jardis
- Russ Coburn
- Mike Leeds
- Blair Hayes

Also in attendance were:

- Ric Fields, Fieldscape & Lot 80
- Linda Flanders, Property Owner
- Michael Mossman, Property Owner
- Maureen Crofton, Bachelor Gulch Public Safety
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- Dave Berg, Bachelor Gulch Metro, Manager
- Ken Fellman, Kissinger & Fellman
- 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 January 26, 2022 meeting minutes with changes.

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Lot 80 Encroachment Agreement

Director Jardis asked if Mountain Operations has approved the plan for Lot 80? Mr. Berg stated they have and he has approved it too. Director Leeds stated he thought the Design Review Board(DRB) had to approve any tree removal. Mr. Fields replied he was looking for approval from the Metro District before he submitted the plans to DRB. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve the Lot 80 Encroachment Agreement for a boulder retaining wall into the drainage and skiway easement.

Mr. Fields left the meeting.

Public Safety Report

Director Jardis asked about a house fire, and Ms. Crofton stated it was due to an unattended fireplace.

Directors Jardis and Leeds after discussion asked Mr. Berg to contact Mountain Operation about improved signage at the Elkhorn and Willits Place skiways. Skiers are finding themselves on these skiways and don't know how to get out because they are dead ends.

Operations Report

Mr. Berg discussed the replacement of the speed signs and cameras at the Tennis Center. The system hasn't been working properly for over a year and is outdated. The new system cost the same as the original system approximately (\$10,000) which is ten years old. He reviewed the new technology and there was discussion of speeders, the steps that are taken when someone is caught speeding excessively and other agencies involvement. The Board asked Mr. Berg and Ms. Crofton to review the Regulations regarding speeding to see if they need to be updated and involve Mr. Fellman if warranted.

There were four bidders for the Wolf Lot contract and only one of them submitted a proposal for the shop yard. The contract was awarded to the lowest bidder who was the same contractor that submitted the proposal for the shop yard.

Compensation and Benefits Survey

Director Coburn and Mr. Berg stated a survey, provided by Marchetti & Weaver and prepared by Cordillera Metropolitan District a couple of years ago, provided valuable information on what other governmental entities are

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providing for benefits in the valley. The only thing that was missing was compensation. They would like to continue to build on that survey to include compensation so they can come up with a better plan for retention and attraction of employees. Director Jardis stated in the past two decades he has been on the Board he did not see a survey that he had confidence in. When the District considered bringing the Vail Resorts employees in-house, they knew they were underpaid and wanted upper tier wages and benefits therefore the best for their new employees. Director Coburn & Mr. Berg stated it will be a challenge in the current marketplace to get information but there are ways though advertisements and possibly engaging Employer's Council to conduct a survey.

Stay Survey

Director Jardis asked if they were surprised by any of the results? Mr. Berg said only one. There was discussion of supervisors and managers talking to the employees regularly but Mr. Berg stated they try to but one on one with human resources is different. Director Jardis stated he is of the opinion the District does not have a retention problem with four of the current eight employees working for the District for over ten years each. Two employees left in the past couple years, one wanted to work closer to home in Summit County and the other did the District a favor when he quit recently. Mr. Berg agreed there were issues with that employee.

Cash Incentives

Director Jardis stated he was unclear exactly what the request for twenty thousand dollars (\$20,000) was for and what it would be used for. Director Hayes agreed, he called Mr. Berg because the memo was unclear and he wanted more details. Director Coburn stated the additional funds would be used in multiple areas but their preliminary plan was for the following:

1. Performance recognition for employees that have gone above and beyond this year. This would be immediate and outside of the year-end incentive.
2. Create an incentive policy for current employees to recruit new employees and a sign on bonus for new hires.
3. Increase low wage earners pay to a rate that is needed to advertise for a new employee.

The Personnel Committee would like the Board to approve this short-term preliminary structure, they will work on more specific policies and continue to work on a more long-term plan. Director Jardis stated the Manager has always had this discretion so he does not think this is a whole Board function.

Director Hayes stated he doesn't have a problem with the concept but he has issues with the clarity and specifics. Approval of this request has the potential

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to create a twenty- thousand-dollar (\$20,000) cost overrun in the Operations Budget. Directors Jardis and Hayes both stated they were in support.

Board Member Vacancy

Ms. Flanders stated she has seen what the Board has accomplished and would find it very gratifying to serve as a Board member. The Board asked her to send a resume to Marchetti & Weaver for distribution and the appointment would be considered at the next meeting.

Maintaining Private Property

Mr. Fellman stated what the District does has to have a public purpose under Title 32. Additionally appropriate insurance coverage needs to be maintained. Currently these are the areas other than the public roads where the District plows.

- Wolf Lot is plowed because it is access to the operations facility and for employee parking and buses. It is reimbursed by Bachelor Gulch Village Association for the non-Metro portion.
- Hummingbird and Bear Paw roads both have traffic circles that are used to turn around the snowplows, they keep the plow blade down in the winter.
- The “9” Spur Road between Tall Timber and Skywatch where easements were granted to the District. Dedication of this road, on the plat, was believed to be an oversight because this looks and acts like a road and not a driveway.
- The Cinder Barn road is plowed to access it and a little further to snowmaking as part of the Wolf Lot expansion negotiation.

These roads have always been plowed because they are of public benefit.

Eligible Electors Memo

Director Jardis briefly reviewed the memo regarding eligible electors from Mr. Fellman. Any Eligible Elector List would be sorted and compiled by Marchetti & Weaver from the property owner list obtained from the Eagle County Assessor’s office then added to the Registered Voter List from the Eagle County Clerk and Recorder’s office. This list then would be a complete listing of voters and eligible electors. Director Leeds asked why a Limited Liability Company (LLC) would not be an eligible elector. Mr. Fellman stated an LLC is a separate legal entity separated from the owners so not a personal right to vote. After discussion the Board asked Mr. Fellman to simplify the memo for distribution to the public.

Comcast Agreements

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Mr. Henzler with Comcast contacted Director Jardis because Comcast is renewing all their contracts. Mr. Fellman will review the details and make his revisions and will report back to the Board next month. The Agreements being renewed are the Bulk Services and the Conduit License Agreements.

District Manager Oversight

This discussion was tabled.

Executive Session Memo

Director Hayes stated the memo provided by Mr. Fellman was very helpful and he appreciated his attendance at meetings to answer questions. Director Jardis stated the Board has always worked to be transparent and stay in public session and public records are provided upon a public records request for items that are not already included on the District's website. Mr. Fellman stated there are only a few occasions where Executive Session is needed.

Financial Statements

Mr. Marchetti stated he included a very preliminary 2023 Budget column in the financial statements. No action will need to be taken for a number of months but added it for future discussion. There was discussion of the request to Bachelor Gulch Village Association for RETA funds.

Accounts Payable

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

RESOLVED to approve and ratify the Accounts Payable List.

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 23, 2022.

Respectfully Submitted,



Secretary to the Meeting