
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
April 27, 2022**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Wednesday, April 27, 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
- Linda Flanders

Also in attendance were:

- Linda & Michael Mossman, Property Owners
- Jasen Brown, Director of Engineering, Ritz Carlton
- Dan Dickhart, General Manger, Ritz Carlton
- Michael DeMane, Property Owner
- Lee Hoover, Village Operations
- Maureen Crofton, Bachelor Gulch Public Safety
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- Dave Berg, Bachelor Gulch Metro, Manager
- Ken Fellman & Colleen McCroskey, 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 March 23, 2022 meeting minutes with a spelling correction.

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Road Closure-Ritz Carlton

Just before the meeting, Mr. Berg sent out a memo regarding the Ritz Carlton's intention to close Daybreak Ridge while making outside repairs. The Ritz proposes closing the uphill lane every day between 9 AM and 5:30 PM through June 10th. A large crane is needed to make the log repairs so there was discussion of the timing of the crane entering and exiting the District every day. Ms. Crofton expressed her concerns with ninety to one-hundred (90-100) vehicles lining up every morning before the 8am entry. Director Jardis suggested staging at the Tennis Center to avoid an even bigger traffic jam every morning. There was also discussion regarding concerns with the training and knowledge of the subcontractor's flaggers. Mrs. and Mr. Mossman voiced their concerns about the length of the closures and not being notified until now. They have scheduled major renovations on their house and property during this time in anticipation of an upcoming summer event. The Board agreed to the Daybreak Ridge uphill lane closure with the following stipulations and a follow up report at the May 25th meeting.

- The crane will be stored at the Tennis Center on weekdays and offsite on the weekends.
- The crane will not start up the hill until 8:45 am and leave promptly at 5pm weekdays, no work on weekends or holidays.
- There will only be a single-lane closure for as short a time as is possible.
- Work will need to be completed no later than June 10, 2022.
- Top Notch's flaggers must be trained by Bachelor Gulch Metro District Operations (BGMD Ops) and if at anytime they do not meet BGMD Ops expectations they will be replaced with BGMD Certified flaggers at Top Notch's sole expense until competent flaggers are provided.
- A notice will be sent to all Bachelor Gulch property owners with contact information for Top Notch construction managers and Public Safety to report any safety concerns or excessively long delays.

The Board asked the above information to be memorialized in a letter agreement signed by the Ritz Carlton, Top Notch and the BGMD Manager.

Public Safety Report

A report was included in the meeting packet.

Operations Report

Work has begun on the yard expansion and they have removed snow at the west end of the Wolf Lot to help dry out the soils. While this work is being

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done, they are going to replace a couple of worn-out concrete pads in front of the shop.

Two new full-time employees have started work and the two summer seasonal employees will be returning.

They have a meeting the first week of May with Old Growth Tree Service to review the wildfire mitigation areas and costs. Cost estimates have come in within the approved 2022 Budget for mitigation so no additional approvals or funds are needed. Additional funds are appreciated but if the contractor can't commit because of other obligations there is no need for them. There was discussion of additional seasonal employees but there are lots of factors that would affect that including a commitment from other partners, the scope of the work and Eagle Valley Wildland is looking at creating their own mitigation crew. This year sixty to seventy-five acres total will receive mitigation. Director Jardis reminded everyone time is of the essence since wildfire season is here.

Comcast Agreements

Mr. Fellman stated he has no update.

November Sales Tax Election

At the last meeting the Board asked Mr. Fellman to contact KC Veio about representing the District as special legal counsel for a November sale tax election. There was discussion of cost estimates and the Board tentatively approved engaging Mr. Veio based on his cost estimate and authorized Mr. Fellman to proceed.

Bachelor Gulch Village Association

Mr. Hoover stated at the July Bachelor Gulch Village Association (BGVA) meeting they would like a document/presentation on what a one-million-dollar (\$1,000,000) donation to the District would mean and what the timing would be. They would like the District to consider wildfire mitigation and improving cell phone service for that donation. Director Jardis stated one-million dollars used to pay down debt equated to 1.000 mill of property taxes. The cell service question is not clear because Mr. Berg, Mr. Sprague and he met with Verizon a couple years ago and it would take forty cell towers forty feet tall to get 5G which doesn't improve cell coverage. Just to increase 4G and what that would look like someone from the District would have to undertake that task. Director Leeds did talk to Mr. Marchetti regarding the cell phone issue because Arrowhead is also looking into it.

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Arrowhead at Vail Association

Director Jardis said he was approached by the Arrowhead at Vail Association regarding a proposal to cover the Bachelor Gulch tennis courts for winter use by Arrowhead residents. Their proposal was turned down in their community so they are asking Bachelor Gulch Metro District (BGMD), as the owner of the tennis center. Director Jardis stated BGMD is the owner but leases the tennis center to Bachelor Gulch Village Association so they should be involved in the discussion. Director Leeds asked how would the residents of Bachelor Gulch feel if it was not important enough to the Arrowhead residents to approve. Director Jardis agreed why would Bachelor Gulch want something Arrowhead doesn't even want.

Financial Statements

Mr. Marchetti stated the financials look good and everything is on track.

Accounts Payable

Confirmation on delivery of the Rivian electric truck was received after the updated accounts payable list was sent out so a check to Rivian in an amount not to exceed \$75,000 is being added for approval. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to approve and ratify the Accounts Payable List to include a check to Rivian in an amount not to exceed seventy-five thousand dollars (\$75,000).

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 April 27, 2022.

Respectfully Submitted,



Secretary to the Meeting