
RECORD OF PROCEEDINGS

Minutes of the Special Meeting of the Board of Directors of Bachelor Gulch Metropolitan District November 17, 2022

A Special Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Thursday, November 17, 2022 at 2:00 pm. MST, via Zoom video.

Attendance: The following Directors were present and acting:

- Russ Coburn
- Michael DeMane
- Linda Flanders
- Blair Hayes
- Mike Leeds

Also in attendance were:

- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- Dave Berg, Bachelor Gulch Metro, Manager
- Maureen Crofton, Bachelor Gulch Public Safety
- 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 Leeds, noting a quorum was present.

Consideration of Agenda

Director Leeds stated several Board members had time constraints today so he would like to move the order of the agenda so that items requiring Board action are considered first.

Public Comment

There was no public comment.

Minutes

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

RESOLVED to approve the October 25, 2022 meeting minutes as presented.

Legal Matters

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Director Leeds stated there was no legal business today but at next month's meeting Mr. Fellman will present the revised By-Laws and communication between Board members, Director DeMane agreed.

Routine Accounts Payable List

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

RESOLVED to approve the Routine Accounts Payable List.

Public Safety Report

Ms. Crofton thanked the Board for their understanding; Public Safety is short staffed and there was no written report this month. She has been interviewing and believes she will be fully staffed this winter.

Bachelor Gulch Village Association Memorandum of Understanding-Debt Reduction

Per the Memorandum of Understanding (MOU) The Bachelor Gulch Village Association (BGVA) would like to advance the District one-million dollars (\$1,000,000) for an additional principal payment on the 2012 US Bank loan. In exchange for the funds they are requesting a reduction in the debt service mill levy of one mill. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the Memorandum of Understanding with the Bachelor Gulch Village Association for debt reduction.

Payoff of the 2012 US Bank Loan

Thanks in part, to the support of BGVA, the District will be able to prepay principal and payoff the District's 2012 US Bank Loan. Director Leeds stated it took twenty years but after paying off this loan the District will have paid off over forty-eight million dollars (\$48,000,000) in debt. Upon motion duly made and seconded it was unanimously

RESOLVED to approve paying off the 2012 US Bank Loan.

Operations Report

Mr. Berg stated a report was included in the meeting packet.

There was time after the Board took action on all pending Resolutions so Mr. Berg updated the Board on the new speed sign and the affect of the cold weather on the equipment, winter season 7 day per week schedules and staffing. No summer seasonal staff is expected to return next year.

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Mr. Berg stated they will be replacing the dump truck in 2023 and the new chassis has been ordered. There was discussion of the process for the Board to approve the purchase even though it was included in the 2023 budget. Director DeMane asked if the Board was already obligated to purchase the truck since the chassis was ordered? Mr. Berg said they were not obligated to purchase it because the dealer could sell the chassis at any time with no problem. The Board would like to see a detailed cost proposal at the December meeting. Director Leeds stated a standardized form for purchase and disposal would be good so the Board could get used to seeing these types of proposals in a detailed format. There was discussion of selling or trading in the old dump truck.

Capital Reserve Study Proposal

The proposal will be tabled to the next meeting which will give the Board more time to review and understand it.

Revised AP Procedures

After last month's discussion Mr. Marchetti revised the AP Processing Procedures to include clarification of Paragraph 3. so that capital equipment and projects in excess of fifteen thousand dollars (\$15,000) and any non-routine budgeted items require specific full Board approval. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the revised AP Processing Procedures.

Continuation of Public Hearing for the 2023 Budget and 2022 Amended Budget

Today is the continuation of the public hearing for the 2023 Budget and the 2022 Amended Budget. Director Leeds asked if there was any public comment, there being no public comment he closed the public hearings. Director Leeds stated he worked with Director Hayes on the final questions and concerns regarding the mill levy and sales tax rates. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the resolution to adopt the 2023 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 0 mills for debt service;

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FURTHER RESOLVED to approve the resolution to appropriate funds for spending in 2023;

FURTHER RESOLVED to approve the resolution to set the sales tax rate at 4% for 2023;

FURTHER RESOLVED to approve the resolution to Amend the 2022 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.

Non-Routine AP List

Upon motion duly made and seconded it was unanimously

RESOLVED to approve the Non-Routine Accounts Payable Lists as presented.

Sales Tax Report

The Board reviewed the report included in the meeting packet and asked generally of the Ritz Carlton remodel collections versus what may have been anticipated.

Interest Rates and Certificates of Deposit

Mr. Marchetti stated certificates of deposit (CD) rates have increased significantly and even Colostrust's rate is over 3 %. He would like the Board's permission to obtain rates for up to 5-years and review those with the Board at the December meeting. The Board authorized Mr. Marchetti to proceed.

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 November 17, 2022.

Respectfully Submitted,



Secretary to the Meeting