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# RECORD OF PROCEEDINGS

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**Minutes of the Regular Meeting  
of the Board of Directors of  
Bachelor Gulch Metropolitan District  
February 22, 2023**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Tuesday, February 22, 2023 at 1:00 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:**

- Colleen McCroskey, Kissinger & Fellman, PC
- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- Dave Berg, Bachelor Gulch Metro, Manager
- Ken Marchetti & Kenji Nakata, 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**

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 24, 2023 meeting minutes with changes.

**Eagle River Fire Protection and Eagle Valley Wildland Intergovernmental Agreement**

After last month's meeting the attorney for Eagle River Fire Protection District (ERFPD) changed the agreement to take out the section where they will indemnify Bachelor Gulch Metropolitan District. This section was in direct conflict with the Colorado Constitution as Mr. Fellman states in his memo. Mr. Fellman agrees with the change and recommends the Board

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approve the revised Intergovernmental Agreement. Upon motion duly made and seconded it was unanimously

**RESOLVED** to approve the revised Intergovernmental Agreement with the Eagle River Fire Protection District.

**By-Laws** At last month's meeting the Board made changes that were incorporated into the draft included in the meeting packet. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the District By-Laws.

### **Administrative Matters Resolution**

Ms. McCroskey stated the Administrative Matters Resolution outlines items such as publications, required filings and deadlines. Then it states who will be performing those tasks to keep the District in good standing. Director Leeds stated paragraph 20 of the Resolution discusses conflict disclosures and asked about the procedure. Ms. McCroskey stated they will provide a memo on the subject. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to adopt the Administrative Matters Resolution.

### **Routine Accounts Payable List**

Director Hayes asked if routine items that are not included on the list will be paid? Mr. Marchetti stated they will not and will be included in next month's list for review and approval. Upon review and by motion duly made it was unanimously

**RESOLVED** to approve the Routine Accounts Payable List.

### **Public Safety Report**

Director Leeds said he did see another dog bite incident in the report but he still doesn't understand their process. He will contact Bachelor Gulch Village Association because it seems to be coming up more and more.

### **Operations Report**

Mr. Berg stated he had nothing more to add except they have been doing more snow plowing and removal.

There was discussion of the Polaris groomer, replacement of the tracks and how much it has been used.

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A memo was included in the meeting packet regarding several capital expense items. The items were budgeted based on the best information at the time. Now they have actual estimates which are different than what was budgeted so Mr. Berg reviewed the cost estimates with the Board. Mr. Sprague added the original estimate on the welding table did not include additional safety features they believe are the better option. There was discussion of the boiler and the reserve study which should be available for next month's meeting. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the purchase of the welding table for an additional amount over the budget of ten thousand dollars (\$10,000) for an estimated total of twelve thousand four-hundred dollars (\$12,400).

**Financials** Mr. Marchetti reported on the investments of one to five years in certificates of deposit. He added most of the District's funds are in Colotrust which is currently earning 4.75%. Upon motion duly made and seconded it was unanimously

**RESOLVED** to accept the January financial statements.

### **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** The complete 2022 sales tax report was included in the meeting packet. There was discussion once again of sales tax collections related to the Ritz Carlton remodel. The Board would like to discuss next steps at a future meeting.

### **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 22, 2023.

Respectfully Submitted,



Secretary to the Meeting