
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
May 24, 2023**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held Tuesday, May 24, 2023 at 1:00 pm. MST, via Zoom video.

Attendance: The following Directors were present and acting:

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

Absent and Excused:

- Blair Hayes

Also in attendance were:

- 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
- Coleen McCroskey, Kissinger & Fellman, P.C.

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.

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

RESOLVED to approve April 26, 2023 meeting minutes with edits.

Election Matters

The Oaths of Office for Blaire Hayes & Linda Flanders have been administered and filed with the appropriate agencies.

Due to a paperwork error Director DeMane withdrew his Self-Nomination form but because it was an error he would like to be considered to fill the vacancy on the Board for his seat. Upon motion duly made and seconded it was unanimously

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RESOLVED to appoint Michael DeMane to fill the vacancy on the Board to serve until the next regular election.

Oaths of Office

Mr. DeMane was administered his Oath of office. Immediately upon administration Director DeMane's Oath of Office was filed with the Eagle County Clerk and Recorder.

Election of Officers and Committee Appointments

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

RESOLVED to maintain the current officers and committees.

Review and Ratify Letter of Support for Local Government Grant Proposal

Approval of this letter came up quite suddenly because it was needed by Eagle Valley Wildland for a grant application. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to Ratify the Letter of Support for Local Government Grant Proposal May 24, 2023.

Review and Approve-Vail Resorts Site Use Agreement for Wildfire Mitigation

There was discussion regarding the fact that fire mitigation has been ongoing for a couple of years and now an agreement comes up. Ms. McCroskey expressed her concern with the 3rd party liability language in paragraph #7. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to Approve the Vail Resorts Site Use Agreement for Wildfire Mitigation May 24, 2023, with the 3rd party liability language in paragraph #7 removed. Mr. Fellman's office will work with Mr. Berg on revised language if Vail Resorts wants to replace the wording.

Ms. McCroskey left the meeting.

Public Safety

A written report was included in the meeting packet.

Operations Report

Mr. Berg reported the guard rails are being prepped for power washing and staining, they received the storage container, and it was getting ready for paint and electrical, and finally they were in good shape to keep all their equipment active.

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Mr. Berg reported management performed midseason reviews that were documented by HR.

Old Growth Tree Service will be getting to fire mitigation soon, especially in the difficult to reach areas. Mr. Sprague mentioned four staff members would be going to an overnight firefighting training to learn proper firefighting techniques. Director DeMane asked District employees would be assisting with fighting fires. Mr. Berg assured the Board they would not be assisting with fire-fighting but the training will help with cutting trees.

Mr. Sprague announced that the season was completed accident free. Director Coburn asked about procedures regarding Elk calving. Mr. Sprague responded that they are to stop mitigation efforts immediately if they spot any Elk.

Director Leeds mentioned he talked at the Bachelor Gulch Residents Association (BGRA) regarding Eagle Valley Wildland and how they should disseminate information about the mitigation to the residents and that an evacuation process and procedures should be implemented. Mr. Berg explained that several local communities have been combining efforts for a Community Wildfire Protection Plan which will include communicating information. Director DeMane asked about the evacuation routes particularly the areas with limited ingress and egress what is that plan because it is very relevant to Bachelor Gulch.

Job Descriptions

Mr. Berg went over the job descriptions that were evaluated over a year ago. He informed the Board the new descriptions were kept much the same with some changes in oversight and supervisory duties. Director Coburn stated the updated Job Descriptions were not related to the Cost of Living pay increases. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the updated Job Descriptions.

Consideration of requesting updated engagement letters

Director Leeds stated the discussion of the Job Descriptions led to a discussion of accounting, administration and legal tasks. Mr. Marchetti explained the role of Marchetti & Weaver has evolved over time with the long-term Board members and needs of the Board changing over time. He will draft a new engagement letter for review by the Board at the June meeting. Rates are approved during the budget approval process but increase with inflation and any engagement includes a 30 day cancellation.

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Financial Report

Mr. Marchetti discussed the financials and mentioned they are tracking very closely to forecast. He also reviewed his property tax analysis, predictions regarding new legislation and a proposed ballot question in November.

Routine Accounts Payable List

Upon review and by motion duly made it was unanimously

RESOLVED to approve the Routine Accounts Payable List as presented.

Non-Routine AP List

Upon motion duly made and seconded it was unanimously

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

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 May 24, 2023.

Respectfully Submitted,



Secretary to the Meeting