
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District June 28, 2023

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held June 28, 2023 at 1:00 pm. MST, via Zoom video conference.

Attendance: The following Directors were present and acting:

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

Absent and Excused:

- Linda Flanders

Also in attendance were:

- Sean Sprague, Bachelor Gulch Metro, Ops Asst Manager
- Dave Berg, Bachelor Gulch Metro, Manager
- Ken Marchetti, Marchetti & Weaver, LLC
- Kenji Nakata, Marchetti & Weaver, LLC Secretary for the Meeting
- Ken Fellman, 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

Review of the 2022 Audit was moved tabled to the next meeting.

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

RESOLVED to approve May 25, 2023 meeting minutes with edits.

Legal Matters

Update on Vail Resorts Site Use Agreement for Wildfire Mitigation:

Mr. Fellman stated the Vail Resorts Site Use Agreement for Wildfire Mitigation came back with additional language protecting their employees from damages but did not include the District's employees. Mr. Fellman asked Vail Resorts to either add language that protected the District's employees or to remove the added language. Mr. Hoover was able to get the added language removed. The agreement was approved by the Board at last month's meeting and is now ready for a signature.

Eagle County Proposed Draft Short Term Rental Ordinance

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Mr. Fellman was not sure whether or not this ordinance would affect the District. There was some discussion regarding relevance and possible registration of each rental. Mr. Marchetti explained that the concern regarding the potential new ordinance had to do with the requirement for registration may have a negative impact on sales taxes collected by the District. No action was taken.

Public Safety

A written report was included in the meeting packet.

Operations Report

A written report was included in the meeting packet.

Summer Work Load

Mr. Berg wants to evaluate the efficiency of utilization of District personnel through projects performed throughout the summer. Depending on the results there may not be a need to hire seasonal summer workers. Director Leeds suggested possibly Old Growth Tree Service could use the District's summer seasonal workers. Mr. Marchetti mentioned possibly performing fire mitigation maintenance services in house in the future, utilizing the seasonal employees. There was some discussion regarding the cost of performing these tasks in house.

Review & Consideration of requesting updated engagement letters

Marchetti & Weaver, LLC

Mr. Marchetti reviewed the updated Marchetti & Weaver, LLC engagement letter. Director Leeds stated he would like to add a provision for an annual of the services in the engagement letter. An updated letter will be submitted for the Board's review.

KISSINGER & FELLMAN

The Board tabled review of the letter Mr. Fellman provided outlining his services and costs until a future meeting.

Review and Approve 2022 Audited Financial Statements

The Draft 2022 Audited Financial Statements were referred to the Audit Committee for review with the auditor. The Audit Committee will report to the Board at next month's meeting. By motion duly made it was unanimously

RESOLVED to table the review and approval the 2022 Audited Financial Statements until the Audit Committee has completed their review.

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Financial Report

The financial report was tabled to the next meeting.

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 June 28, 2023.

Respectfully Submitted,

Secretary to the Meeting