
RECORD OF PROCEEDINGS

**Minutes of the Regular Meeting
of the Board of Directors of
Bachelor Gulch Metropolitan District
July 26, 2023**

A Regular Meeting of the Board of Directors of Bachelor Gulch Metropolitan District, Eagle County, Colorado, was held July 26, 2023 at 1:00 pm. MST, via Zoom video conference.

Attendance: The following Directors were present and acting:

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

Absent and Excused:

- Mike Leeds

Also in attendance were:

- Ken Fellman, Kissinger & Fellman, P.C.
- Ric Fields, FieldScape, LLC
- 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

Call to Order

The Meeting of the Board of Directors of the Bachelor Gulch Metropolitan District was called to order by Chairman DeMane, noting a quorum was present.

Consideration of Agenda

There were no changes to the agenda

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

RESOLVED to approve June 28, 2023 meeting minutes as presented.

Legal Matters

Terminate Covid-19 Disaster Declaration:

Mr. Fellman went over the original Declaration released during the Pandemic, and recommended the Board make a motion to rescind it. Upon review and by motion duly made and seconded it was unanimously

RESOLVED to rescind the Covid-19 Disaster Declaration.

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Business

Lot 33 (2291 Daybreak) Encroachment Agreement:

Mr. Fields and Mr. Berg reviewed the Lot 33 encroachment agreement. and map included in the meeting packet. They explained the area was to be used as a screening using grasses along the ski way. The encroachment agreement would need to be notarized and approved by Vail resorts, as they groom and manage the ski way. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the Lot 33 Encroachment Agreement for grasses in the Type B Skiway for landscaping, subject to review and approval by Director Leeds and Vail Resorts from a skiway grooming and maintenance perspective.

Public Safety

A written report was included in the meeting packet.

Operations Report

A written report was included in the meeting packet.

Mr. Berg initiated a discussion of the repair of skier tunnels and bridges in the District. The discussion included a discussion of the extent of the District's responsibility for repair and maintenance, which isn't clearly defined. Repair estimates are being obtained which will help facilitate the discussion of responsibility for the costs.

Review & Consideration of requesting updated engagement letters Marchetti & Weaver, LLC

Mr. Marchetti presented the additional language the Board requested after last month's meeting in the engagement letter for Marchetti & Weaver LLC.

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

RESOLVED to approve the Marchetti & Weaver LLC engagement letter with the additional language.

Review and Approve 2022 Audited Financial Statements

The Board reviewed the 2022 Audited Financial Statements. Director Hayes commented the auditors are an additional resource, should the Board have any question or concerns about the practices of the District and their Administrators. The audit committee met with the audit firm Chadwick

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Steinkirchner Davis and Mr. Marchetti and based on a positive report from the auditors the Audit Committee recommends approval.

By motion duly made it was unanimously

RESOLVED to approve the 2022 Audited Financial Statements as presented.

Financial Report

Mr. Marchetti reviewed the June 30 financial statements. He explained most variances were looking favorable and there were a few items over budget but were offset by other under budget items.

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.

Other Business

Chief Bauer Support Letter

Mr. Berg indicated he would like the District to write a letter of support for Chief Karl Bauer for the George Mazzotti Fire Chief of the Year Award. Director DeMane asked Mr. Berg to draft a letter on behalf of the District to be signed by Director Leeds, if he supports it.

Adjournment

There being no further business to come before the Board, upon motion duly made and seconded it was unanimously

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RESOLVED to adjourn the meeting of the Bachelor Gulch Metropolitan District Board of Directors held July 26, 2023.

Respectfully Submitted,

Kenji Nakata
Secretary to the Meeting