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## RECORD OF PROCEEDINGS

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### Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District June 27, 2014

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on June 27, 2014 at 8:30 a.m., at the Copper Mountain Metro District Building, 0477 Copper Road, Copper Mountain, Summit County, Colorado, in accordance with the applicable statutes of the State of Colorado.

**Attendance** The following Directors were present and acting:

- Karl Anuta
- Ben Broughton
- Ted Kravec
- Tom Malmgren
- Dave Steele

Staff in attendance was:

- Dave Erickson, District Manager
- Mike Koenig, Public Works Director
- Dave Arnesen, Director of Cable Services
- Dan Moroz, Fire Marshal
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Chris Colman, Copper Mountain Director of Planning & Development
- Peter Siegel, Copper Mountain Resort Association Executive Director

#### **Call To Order**

The Regular Meeting of the Board of Directors of Copper Mountain Consolidated Metropolitan District was called to order by Director Malmgren, on June 27, 2014, at 8:30 a.m. noting a quorum was present.

#### **Old Business Minutes**

The Board reviewed the minutes of the May 30, 2014 Regular Board Meeting. Upon motion duly made by Director Anuta and seconded by Director Broughton it was unanimously

**AGREED** to approve the minutes of the May 30, 2014 Regular Board Meeting.

#### **Financial Report**

A Preliminary Financial Report for May 31, 2014 was prepared by Robertson & Marchetti, P.C. and provided to the Board for review prior to the meeting.

Upon motion duly made by Director Anuta and seconded by Director Broughton it was unanimously

**AGREED** to accept the May 31, 2014 Financial Statement and cash disbursement report.

#### **Community Updates**

Mr. Siegel distributed the Copper Mountain Summer 2014 Schedule of Events and the final draft of the Copper Mountain Sign Program. The final draft was distributed to the Summit County Board of County Commissioners (BOCC) in preparation for a meeting with the BOCC on July 2, 2014. After the July 2 meeting, the program proposal will be presented to the Ten Mile Planning Commission, then go back to the BOCC before an August or September anticipated acceptance date. Once the new sign program is accepted, a community controlled Copper Design Review Committee will be established to govern the program under the Resort Association.

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Mr. Siegel announced that the Copper Mountain Resort Association, The Village at Copper, and POLA annual member meetings historically held in December will now all be held during the Labor Day weekend.

Mr. Siegel attended a meeting with US Post Office officials and has requested incremental costs associated with maintaining post office boxes at Copper Mountain. Mr. Siegel is prepared to request help from the BOCC and seek congressional assistance to preserve mail delivery service at Copper Mountain.

Mr. Erickson requested Mr. Siegel investigate a pedestrian walkway from the south side of Copper Road to the Metro District Building creating access to the public facility during the winter season. Mr. Anuta requested "Watch for Pedestrians" signs be placed at the resort entrance and throughout the community.

### **Public Comments**

**and Concerns** No public comments or concerns were received.

### **New Business**

#### **County EMS**

#### **Planning**

Mr. Erickson reported that the BOCC is looking at a potential ballot question in November of this year to increase the mill levy to support Summit County EMS service. The BOCC would like to meet with the CMCMD Board of Directors to discuss EMS partnership opportunities and a potential ballot question. The CMCMD Board of Directors indicated that they are in favor of a November ballot question to support EMS services in Summit County and can meet during the second or third week of July.

### **CHUBB**

#### **Agreement**

An updated Wildfire Defense Services Policy (WDS Policy) was distributed to CMCMD Board Members, CMCMD staff, Sheriff John Minor, Deputy County Attorney Franck Celico, County Manager Gary Martinez, Deputy County Manager Scott Vargo, Lake Dillon Fire Chief David Parmley, and Red, White and Blue Fire Chief Jim Keating with inquiry as to the County's and the Fire District's interest in working together to create a uniform county-wide policy. No comments have yet been received.

Mr. Erickson established contact with a CHUBB representative and provided him with a copy of the WDS Policy. The policy has been well received by CHUBB and is currently being reviewed by CHUBB legal counsel before proceeding.

### **Water/Sanitation**

#### **Equitable Rate**

**Implementation** Mr. Erickson continues to work on updating the water use database from 2011 to current usage data and is making progress.

The Board requested that letters regarding the new rate structure be sent to customers with June statements. The Board expressed concern that the approved rate formula is not being applied as requested and that it appears that rates are being arbitrarily assigned. Mr. Erickson explained that updating the database from 2011 to 2014 data effected increases in some customers' projected water/sewer costs – there were no changes in the adopted rate structure; the changes that were made to customer billing costs were all made in conformance with the adopted resolution; and the equitability of the adopted rate structure was not materially degraded.

### **Nassar Development**

#### **Tap Fee**

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**Adjustment** Mr. Erickson postponed meetings regarding tap fee adjustments until the new rate structure is finalized.

**Fire Truck Update** Mr. Erickson stated that the District does not have titles for the ladder truck and two pumper engines. He is investigating ways to obtain titles with the engine manufacturer and the Colorado Department of Motor Vehicles.

The 4WD pumper engine that was damaged while on call in Officer's Gulch in May is temporarily back in the station. It will return to Diversified Body and Paint in Denver when all the parts have been received for final repairs. Subrogation procedures will begin when all costs are calculated.

**Verizon Cell Tower Lease** Mr. Erickson announced that Verizon Wireless has approached CMCMD to propose the installation of a 35 – 60 foot cell tower on Wastewater Treatment Plant (WWTP) property pursuant to a \$550,000 25-year land lease. The WWTP site was selected due to good reception through the Ten Mile Canyon and up to Vail Pass. District staff met with Verizon consultants to view the potential site and determined it would work. If negotiations are finalized, a temporary tower will be erected this year (under a temporary \$18,000 one-year lease) to address current communication issues.

Mr. Koenig stated that the potential site does not impact wastewater treatment operations or pose any security issues. Mr. Arnesen expressed support for the project because of new fiber optic access that cable and internet may be able to utilize in the future. Mr. Colman advised CMCMD to be cognizant of security and access issues.

The Board expressed their support of the project pending review by District legal counsel and assurance that the District is not obligated to maintain access to the selected site.

### Staff Reports

- **Water and Wastewater Director:**  
Mr. Koenig reported that the Water-Sanitation Department is looking for groundwater infiltration problems in the sewer collection system: ten manholes need to be re-grouted and a couple of customer sewer service lines need to be repaired due to associated infiltration problems. Ground water is illegally infiltrating the wastewater collection system due to the failure of groundwater pumps serving Copper Springs Lodge. The Department is working with Copper Springs Lodge to resolve their groundwater problems.  
  
Repairs to the first clarifier have been paid in full by insurance claims minus the \$1,000 deductible. Claims for repairs to the second clarifier are in process.
- **Cable TV/HSIS:**  
Mr. Arnesen reported that channel five is currently down due to equipment failure and that the equipment has been sent in for repairs. Planned cable TV outages scheduled for June 23 had to be rescheduled and will now take place on July 2.
- **CMFD:**  
Fire Marshal Moroz reported that the Fire Department responded to a fire caused by a nylon cutting board left on top of a hot stove and to thick smoke caused by corroded fire sprinkler system pipes leaking on mechanical equipment.

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The Salto key card door lock system installation for all Copper Mountain owned properties is nearing completion and is expected to be completed by July 1, 2014. The CMFD will be provided with master key cards for access to those properties.

CMFD is waiting for pricing on a new Quint engine and hopes to present the findings at the July 25 Board Meeting. A Quint is a combination ladder and pumper engine.

- **District Clerk-Treasurer:**

Ms. Stabile reported that District financial and utility billing data was successfully transferred to Caselle and that the data is being reviewed for conversion to the new Clarity software. All terminated utility and cable accounts, obsolete account numbers, and unused reports and forms will be removed from the database. The utility rates will be applied in the current system so that they are updated for use in the new system. The new software will be installed on the District server next week. After the software is installed and the data has been reviewed and converted, the converted data will be loaded on to the server for testing and training. The final conversion will take two to three days and could be completed by the end of August.

Kris Ann Knish has been hired part-time to focus on District records. She has made a lot of progress toward consolidating the records in preparation for a records inventory.

Ms. Stabile will attend the Colorado Institute for Municipal Clerks at the University of Colorado, Boulder July 6 – 11, 2014 as a second year student. She received a scholarship from the Colorado Municipal Clerk's Association to cover a portion of the costs associated with attending the institute.

**Other  
Business**

Director Steele inquired about the status of the Fall Line Property Management lawsuit. Mr. Erickson reported that there is no new information to report.

The Board would like Snowbridge Unit 212 placed on the market again after it is vacated by the current occupant.

**Adjournment**

There being no further business to come before the Board, by motion duly made by Director Broughton and seconded by Director Anuta, it was unanimously

**AGREED** to adjourn the Regular Meeting of the Copper Mountain Consolidated Metropolitan District Board of Directors.

Director Malmgren adjourned the Regular Meeting of the Copper Mountain Consolidated Metropolitan District Board of Directors the 27<sup>th</sup> day of June, 2014, at 10:20 a.m.

Respectfully Submitted,

BY: Thomas J. Malmgren  
Thomas J. Malmgren  
President of the District

ATTEST: Karl Anuta  
Karl Anuta  
Vice President of the District