
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District March 25, 2022

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on March 25, 2022 at 8:30 a.m. in person and by phone in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Ben Broughton
- Tom Malmgren
- Jim Reis (by phone)
- Stan Sprinkle
- David Steele

Staff in attendance was:

- Rob Martin, Public Works Director
- Ed Pankevicius, Chief Plant Operator
- Eric Hookanson, Cable & Internet Services
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Eric Weaver, Marchetti & Weaver
- Graeme Bilenduke, Copper Mountain Director of Development (by phone)
- Peter Siegel, Copper Mountain Resort Association Executive Director
- Tim Flynn, Collins Cole Flynn Winn & Ulmer (by phone)

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 March 25, 2022 at 8:30 a.m. noting a quorum was present.

Old Business

Minutes

The Board reviewed the minutes of the February 25, 2022 Regular Board Meeting. Upon motion duly made by Director Broughton and seconded by Director Steele it was unanimously

AGREED to approve the minutes of the February 25, 2022 Regular Board Meeting with Board Candidates named.

Community Updates

Peter Siegel, Copper Mountain Resort Association Executive Director, reported that the Resort Association is purchasing an eleven-yard trash truck to reduce dependency on Waste Management. The Board suggested that Mr. Siegel look at the new "Pay As You Throw" initiative adopted by Frisco as it may affect the Copper Community. The Parks & Recreation Committee is continuing to work with a consultant. The Copper Chapel likes having a play structure adjacent to their building. Changeover of lights in the East Village has been delayed to this summer

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District March 25, 2022 Meeting Minutes

due to supply chain issues. Big V is purchasing Imperium Blue properties at Copper mid-April.

Graeme Bilenduke, Copper Mountain Director of Development, reported that the mountain will close on April 24. Race training will take place May 24 through June 16. Woodward Camps will operate June 6 through August 12. The Summer season will be June 6 through September 25. Race training will resume in October. A Lift development and Solitude construction will begin in May.

Public Comment

and

Concerns

No public comments and concerns.

Financial

The February 28, 2022 financial report was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Eric Weaver reported that everything is on track except the TV Fund. Bulk customers have been manually billed and revenue is starting to come in. The leases on fire department apparatus have been paid off and we need to transfer those assets to Summit Fire & EMS. Mr. Weaver suggested contacting local title companies to include Cable & Internet payoff information on all closings since it is a new utility at Copper.

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

AGREED to receive the February 28, 2022 Financial Statement and cash disbursement reports as presented.

New Business

District

Personnel

Bryan Webinger, District Manager, resigned on March 16, 2022.

Grant

Applications

No news regarding the CDOT grant. The Cable & Internet grant has been postponed to synchronize with federal funding.

Payment by

Credit Card

Missy Stabile, Clerk-Treasurer, presented two options that would allow the District to accept credit card payments; the state sponsored PayPort or XpressBillPay. Since XpressBillPay is already synchronized with our utility management software and is a platform we have been happy with, it was decided to use this option to process credit card payments. There will be no cost to the District to offer this service. Customers will be charged 3.5% per credit card transactions which will be retained by XpressBillPay to maintain their merchant account on our behalf. With this change, electronic check customers will be billed \$1.00 per transaction to cover processing fees and the District will no longer be charged \$0.49 per electronic check transaction.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District March 25, 2022 Meeting Minutes

Resolution

2022-03

Resolution 2022-03 was revised to include passthrough charges of special services. The Board requested that the phone extension be corrected throughout the document and that the email cableservices@cmcmdi.com be activated.

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

AGREED to adopt resolution 2022-03, a resolution to adopt the 2022 Cable Television and High-Speed Internet Services Department Fee and Penalty Schedules as amended.

Election

Update

Ms. Stabile reported that two UOCAVA ballots were sent by the deadline. An election notice will be sent to the County Clerk and published in the Summit County Journal in April.

Lewis Ranch

Easement

It has been determined that the District is not responsible for utilities located under the privately owned bridge accessing Lewis Ranch lots 24 and 25. The property owners have already been notified and certified letters will also be sent.

Executive

Session

Director Steele moved that “the Board of Directors for the Copper Mountain Consolidated Metropolitan District go into executive session for discussions regarding personnel matters as authorized by C.R.S. § 24-6-402(4)(b) of the Colorado Open Meetings Law. The discussions are for the purpose of receiving legal advice on finalizing the District Manager’s agreement and the future District Manager plan. Those present at the outset of the executive session shall be members of the Board of Directors as present at this meeting and Tim Flynn.” Seconded by Director Broughton. Upon the Motion duly made and seconded, Director Malmgren declared, “The Motion passes on a vote of 5 in favor and 0 opposed. The time is now 9:46 a.m., and the Board will go into executive session.”

Return to

Open Session

Director Malmgren stated, “The time is now 10:54 a.m., and the executive session has been concluded. The participants in the executive session were Thomas Malmgren, Ben Broughton, David Steele, Stan Sprinkle, Jim Reis, and Tim Flynn.

“For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I ask that you state your concerns for the record at this time. Seeing none, we will proceed with the agenda for the open meeting.”

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District March 25, 2022 Meeting Minutes

**Executive
Session**

Action

Eric Weaver will act as Interim District Manager until a new District Manager is hired.

**Other
Business**

No other business to come before the Board.

**Meeting
Schedule**

The next Regular Board Meeting is scheduled for April 29, 2022 at 8:30 a.m.

Adjournment There being no further business to come before the Board, by motion duly made by Director Broughton and seconded by Director Steele, 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 25th day of March 2022, at 11:10 a.m.

Respectfully Submitted,

BY: *Thomas J. Malmgren*

Thomas J. Malmgren
President of the District

ATTEST: *David Steele*

David Steele
Secretary of the District