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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 March 29, 2019

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on March 29, 2019 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:

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

Staff in attendance was:

- Bryan Webinger, District Manager
- Rob Martin, Public Works Director
- Ed Pankevicius, Chief Plant Operator
- Eric Hookanson, Cable & Internet System Manager
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Eric Weaver, Marchetti & Weaver
- Tim Flynn, Collins, Cockrel & Cole
- Dustin Lyman, Copper Mountain President and General Manager
- Graeme Bilenduke, Copper Mountain Director of Development
- Jeff Berino, Summit Fire & EMS Fire Chief
- Travis Davis, Summit Fire & EMS Battalion Chief
- Peter Siegel, Copper Mountain Resort Association Executive Director
- Bryon Wentzlaff, Resort Internet
- Mike Saxton, Tetra Tech Project Manager

### **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 29, 2019 at 8:30 a.m. noting a quorum was present.

### **Old Business Minutes**

The Board reviewed the minutes of the February 22, 2019 Regular Board Meeting. Upon motion duly made by Director Broughton and seconded by Director Reis it was unanimously

**AGREED** to approve the minutes of the February 22, 2019 Regular Board Meeting with correction on line 94.

### **Community Updates**

Tim Flynn, Collins, Cockrel & Cole, introduced himself to the Board. He has been working for the District since October 2018 transferring and getting acquainted with District files. He is currently working with the District Manager on Volunteer Pension Funds, fire department consolidation, Copper Mountain property transfers and other projects.

Rob Martin, Public Works Director, introduced Mike Saxton from Tetra Tech. He is a Tetra Tech Project Manager who will be working with Water and Sanitation.

Peter Siegel, Copper Mountain Resort Association Executive Director, is working on an Asset Infrastructure Management Plan. It is a study and public works plan to define who is responsible for what, who pays for what, and who covers funding for maintenance and capital improvements. It does not cover CMCMD maintenance. There will be meetings this summer with the Resort

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Association, Copper Mountain Resort and CMCMD to go grid by grid to make sure nothing is missing prior to a work session with the county. The process will provide an opportunity to look at and have conversations about revenues needed to cover needs. This organic document will be reviewed and updated annually. The Board stated this is a great opportunity to work together and move forward with a community-wide plan for ongoing maintenance and improvements. Mr. Siegel thanked Bryan Webinger, District Manager and Mr. Martin for leading the community and doing outstanding jobs during the week of avalanches. Mr. Martin also recognized Ed Pankevicius, Chief Plant Operator, and District staff for their hard work and dedication during the same time.

Graeme Bilenduke, Copper Mountain Director of Development, reported that the resort's recreation plan is complete. He commented on how the avalanches surrounding Copper Mountain involved the whole community and the resort would like to continue that community feeling. He noted that the Asset Infrastructure Management Plan will address a gap of who takes care of improvements once they are completed. There are 24 days left in the season and construction begins in 25 days. There are several big events coming up and the resort is experiencing great snow conditions and visitation. Summer projects include Tucker Mountain lift, Solitude Station, snowmaking improvements and the Chapel Lot hotel.

Jeff Berino, Summit Fire & EMS Fire Chief, reported that Summit Fire & EMS (SFE) is now one of 270 accredited agencies in the world. This is an amazing accomplishment considering SFE is only one year old. The Board recognized the incredible amount of preparation and work that went into the accreditation process and thanked Chief Gary Curmode for his involvement on Copper's behalf. Chief Berino noted that Battalion Chief Travis Davis is filling in as Operations Chief during Chief Curmode's absence. SFE is hoping to move into their new building on July 1. SFE is anticipating a very busy construction season and Fire Prevention will be very busy keeping up. SFE has agreed to absorb Summit County Ambulance Service and is working on financial viability with County Measure 1A expiring in 2023. There will be a high-water meeting to make sure the area is prepared especially with all the avalanche debris in Ten Mile Creek.

Eric Weaver, Marchetti & Weaver, announced that metro districts can generate a sales tax for transportation, streets, public safety and fire protection. The Board expressed interest. Mr. Bilenduke stated that we need to maximize opportunities collectively. Mr. Siegel warned that we need to be cognizant of the existing resort surcharge. Director Reis noted that a sales tax can be collected from guests rather than just property owners to generate revenue for other entities like CMCMD.

### **Public Comment and Concerns**

No public comments or concerns.

### **Financial**

The February 28, 2019 financial report was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting.

Mr. Weaver reported that District investments are doing well and that there is still not a lot of revenue since it is the beginning of the year. Personnel is favorable, Water and Sanitation expenses are on track and starting the year \$200,000 ahead of projected is helpful. The auditor's on-site field work went well.

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

**AGREED** to receive the February 28, 2019 Financial Statement and cash disbursement reports as presented.

### **New Business**

There was no new business to come before the Board.

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**Staff Updates** Mr. Webinger reported Xcel Energy instructed the District to get whatever is necessary to keep facilities running after the gas line was damaged and they will cover costs. The District will also submit an insurance claim for damage caused by the avalanche behind the wastewater facilities. Mr. Webinger is working on obtaining salamander cards for District staff so that essential staff can get to Copper Mountain during emergencies that close access roads. Notable legislative updates include local government minimum wage bill and a new Family and Medical Leave Insurance Program (FAMLI) bill. The wage bill will not affect the District but may affect the community. The FAMLI bill aims to require employees pay into an insurance program. Mr. Webinger is working through firefighter pension fund legalities with Mr. Flynn. The Firefighter Pension Board may need to be resurrected to move forward.

Mr. Weaver requested that all avalanche related expenses be recorded through the balance sheet as a receivables rather than expenses. Mr. Martin noted that an avalanche study was completed prior to the expansion of the wastewater facilities. As a result, the east wall of the facility was reinforced with extra steel and all cells were grouted. The Board requested that avalanche mitigation be looked at prior to big storms in the future.

Mr. Martin reported that repairs have been made to Well House 2 after it was hit by a delivery truck and is back on line. The District is moving forward with the blower project with actual installation in August. Xcel Energy will help with blower project grants. The state has increased water sampling requirements and a flyer will be sent with 1<sup>st</sup> quarter water bills. The District had a good meeting with the Chapel Lot hotel contractor, Copper Resort and SFE. The contractor announced that they hope to break ground on April 25 but no one has seen any drawings yet. Water meter replacements are ongoing with concentration on condominiums buildings at the end of the season and back to single family homes this summer.

Eric Hookanson, Cable & Internet System Manager, reported Showtime is still replacing HBO and there is no resolution yet. The Board requested that an updated channel lineup be posted on the District website and made available to property management companies.

Bryon Wentzlaff, Resort Internet, reported that he is working with Mr. Hookanson on a customer survey to ask what customers would like to see in an upgrade. The survey will be distributed prior to Homeowner's Weekend. Bandwidth usage doubled in February 2019 compared to February 2018. There were also 500 more devices in use in February 2019 compared to February 2018. The maximum usage in February 2019 reached 2.15 gigs. The system can go up to 10 gigs but is currently provisioned for 4 gigs. Bypass tickets are increasing which means there is an increase in streaming and smart devices like televisions, gaming systems and thermostats.

### **Other**

**Business** There was no other business to come before the Board.

**Adjournment** There being no further business to come before the Board, by motion duly made by Director Reis and seconded by Director Broughton, 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 29<sup>th</sup> day of March 2019, at 9:53 a.m.

Respectfully Submitted,

BY: \_\_\_\_\_

Thomas J. Malmgren  
President of the District

ATTEST: \_\_\_\_\_

David Steele  
Secretary of the District