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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 November 21, 2014

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on November 21, 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:

- Mike Koenig, Public Works Director
- Ricky Clover, Utility Plant Operator
- Dave Arnesen, Director of Cable Services
- Gary Curmode, Fire Chief
- Dan Moroz, Fire Marshal
- Missy Stabile, Clerk-Treasurer
- Tim Schlough, A-Shift Lieutenant
- Charlie Johnson, A-Shift Engineer
- Chris Romano, A-Shift Paramedic
- Jim Farquhar, A-Shift Firefighter

Also in attendance was:

- Peter Siegel, Copper Mountain Resort Association Executive Director
- Chris Colman, Copper Mountain Director of Planning & Development
- David Glissmann, Copper Mountain Manager of Finance
- Eric Weaver, Marchetti & Weaver
- Steve Tamburini, Tetra Tech
- Ed Byrne
- Jim Reis, POLA President
- Kevin Flewell, CNL Copper/Resort Ventures West
- Stan Sprinkle
- Lynn Jeffries

### **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 November 21, 2014, at 8:30 a.m. noting a quorum was present.

### **Old Business Minutes**

The Board reviewed the minutes of the October 30, 2014 Special Board Meeting. Corrections were made to lines 63 and 166. Upon motion duly made by Director Broughton and seconded by Director Anuta it was unanimously

**AGREED** to approve the minutes of the October 30, 2014 Special Board Meeting with revisions.

### **Community Updates**

Mr. Siegel distributed Copper/Frisco Magazines and Copper/Frisco Community Maps and explained each publication is the result of a joint effort between the Copper Resort Association and the Town of Frisco.

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The Resort Association managed Post Office costs were priced based on 400 boxes in use. With approximately 200 boxes in use, staff will be cut and costs reevaluated. The Resort Association is looking into removing extraneous advertising boxes located throughout the community. Fines are being enforced on people tampering with or destroying road signs.

### **Public Comment and Concerns**

No public comments or concerns.

### **New Business Water Rate Structure**

Mr. Weaver stated Resolution 2014-3, "A Resolution to Adopt a New Equitable Water and Sanitation Rate Structure for Services within the Copper Mountain Consolidated Metropolitan District (CMCMD) Water and Sanitation Department's Service Area," was previously adopted by the Board, but the calculation for new single family residential tap fees remained as open items. The District came to the conclusion that new single family residential construction needs its own section as smaller size buildings can conform to standard meter sizes, Using standard engineering calculations based on submitted building plans, the Water Department can determine the necessary meter size, which will be used to determine the corresponding tap fee and CEU rating. CEU calculations for non-single family construction will be based on owner/builder supplied engineering calculations accepted by the District. The District's definition of a single family residence is based on the definition of single family residence found in the Summit County Building Codes.

The Board received a letter from a community member regarding the new rate structure. The letter was forwarded to Tetra Tech for review and response. The Board also received comments and questions from several members of the audience.

The Board reiterated that people who have historically and/or currently use more water will see higher water bills to pay for water consumed.

In response to Mr. Glissmann's concerns about available tap sizes for smaller single family properties, the Board requested that a 5/8" tap size be added as an option in Table 2 of the resolution.

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

**AGREED** to adopt Resolution 2014-6, An Amended and Restated Resolution to Adopt a New Equitable Water and Sanitation Rate Structure for Services within the Copper Mountain Consolidated Metropolitan District (CMCMD) Water and Sanitation Department's Service Area with the addition of a 5/8" meter size in Table 2.

### **Fire Mitigation Annex J**

The Board requested that the Annex J document be revised and redistributed for review at the December Board Meeting.

### **Cafeteria Plan Amendment**

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

**AGREED** to amend the District's Rocky Mountain Reserve Cafeteria Plan to increase the employee funded Health FSA limit from \$2,500 to \$2,550 for plan year beginning January 1, 2015; to include in that amendment a provision that the Health FSA limit will automatically increase for future IRS COLA adjustments; to amend the plan to change eligibility for the Health FSA to those who are eligible for the Group Health Insurance Plan as required by the IRS rules for the 2014 Affordable Care Act; and to amend the plan to add the provision allowing employees to drop health insurance for a change of hours or to enroll through a Health Insurance Marketplace.

### **CORA Policy**

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

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**AGREED** to adopt Policy 2014-2, Policy on Responding to Open Records Requests (CORA Policy) with revision.

### **Verizon**

**Cell Tower** The temporary Verizon cell tower site located adjacent to the Water and Wastewater Facility is under construction.

### **Volunteer**

**Pension Board** The Volunteer Pension Board meeting is postponed. The Volunteer Pension Board consists of five Board Members and two volunteer firefighters and has not met since 2012. The Volunteer Pension Board bylaws need to be updated.

### **Staff Reports**

- **Public Works:**  
Mr. Clover reported that 18 water meters have been replaced as a result of anomalies discovered during the transition to new billing software and the new rate structure.
- **Cable TV/HSIS:**  
Mr. Arnesen reported that District costs associated with fiber optic upgrades is to be determined and will depend on the District's level of participation. Dish Network is still in contract disputes with Turner Networks. Channels such as CBS, TBS and TNT may be affected before the end of the year.
- **CMFD:**  
Chief Curmode announced that the Fire Department Strategic Plan will be distributed to the Board via email for review and asked that comments be returned to him by December 15, 2014. Summit County Ballot Measure 1A passed and goals have been set to create a strong product before the eight year sunset arrives.  
  
Fire Marshal Moroz reported that the grant funded countywide wood scrap removal project was very successful.
- **District Clerk-Treasurer:**  
Ms. Stabile reported that the conversion to the new accounting software is complete and that she and Cheri Curtis of Marchetti & Weaver have completed introductory training. Ms. Stabile attended the Colorado Municipal Clerks Association Annual Conference November 18-20, 2014.

### **Recess**

Director Malmgren recessed the regular meeting at 10:11 a.m. The meeting was reconvened at 10:22 a.m.

### **Financial Report**

The Financial Report for October 31, 2014 and a Proposed 2015 Budget was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. A long-range financial plan is being developed and should be available in early 2015. Mr. Weaver answered several questions from Mr. Sprinkle. The Board expressed desire to include at least COLA raises into the proposed 2015 budget.

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

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

### **Public Hearing on Proposed 2014 Amended Budget**

Director Malmgren formally opened the public hearing regarding the Proposed 2014 Amended Budget at 11:04 a.m.

No comments.

Director Malmgren closed the Public Hearing at 11:05 a.m.

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Upon motion duly made by Director Steele and seconded by Director Anuta it was unanimously **AGREED** to adopt Resolution 2014-10, To Amend the 2014 Budget.

#### **Public Hearing on Proposed 2015 Budget**

Director Malmgren formally opened the public hearing regarding the Proposed 2015 Budget at 11:06 a.m.

Mr. Sprinkle asked several questions which were answered by Mr. Weaver.

Director Malmgren closed the Public Hearing at 11:09 a.m.

Upon motion duly made by Director Anuta and seconded by Director Broughton it was unanimously **AGREED** to adopt Resolution 2014-7, A Resolution Adopting the 2015 Budget and Setting Forth the Expenditures and Revenues for Each of the Various Funds of the Copper Mountain Consolidated Metropolitan District for the Fiscal Year Beginning January 1, 2015 and Ending December 31, 2015.

Upon motion duly made by Director Anuta and seconded by Director Broughton it was unanimously **AGREED** to adopt Resolution 2014-8, A Resolution Appropriating Sums of Money to the Several Offices, Departments, Boards, and Other Spending Agencies of the Copper Mountain Consolidated Metropolitan District in the Amounts and for the Purposes Set Forth Herein for Fiscal year 2015.

Upon motion duly made by Director Anuta and seconded by Director Broughton it was unanimously **AGREED** to adopt Resolution 2014-9, A Resolution to Certify and Levy the 2014 Mill Levies for the General Fund and the Debt Service Fund of the Copper Mountain Consolidated Metropolitan District.

Upon motion duly made by Director Broughton and seconded by Director Steele it was unanimously **AGREED** to adopt Resolution 2014-4, A Resolution to Adopt the 2015 CMCMD Job Classification and Compensation Schedule.

#### **Other Business**

Director Malmgren acknowledged the retirement of Public Works Director Mike Koenig and thanked him for 38 years of service to the District.

Mr. Weaver distributed a District Manager Selection Timeline to the Board Members. The Board agreed to maintain the proposed schedule. The suggested timeline includes an Executive Session at the December Board Meeting to discuss a recommended list of finalists.

Upon motion duly made by Director Anuta and seconded by Director Broughton, it was unanimously **AGREED** to schedule a Board meeting on December 19, 2014 at 8:30 a.m.

#### **Adjournment**

There being no further business to come before the Board, by motion duly made by Director Anuta 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 21<sup>st</sup> day of November, 2014, at 11:31 a.m.

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**Copper Mountain Consolidated Metropolitan District November 21, 2014 Meeting Minutes**

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Respectfully Submitted,

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

ATTEST: Karl Anuta  
Karl Anuta  
Vice President of the District