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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 25, 2016

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on March 25, 2016 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
- Ted Kravec
- Tom Malmgren

Staff in attendance was:

- Gary Curmode, Fire Chief
- Dan Moroz, Fire Marshall
- Missy Stabile, Clerk-Treasurer
- Charlie Johnson, Captain
- Cuyler Cameron, Paramedic
- Jim Farquhar, Firefighter

Also in attendance was:

- Graeme Bilenduke, Copper Mountain Director of Development
- Kevin Flewell, CNL Copper/Resort Ventures West
- Jim Reis, Copper Mountain Resort Association, POLA President
- Eric Weaver, Marchetti & Weaver

### **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, 2016, at 8:30 a.m. noting a quorum was present.

### **Old Business**

#### **Minutes**

The Board reviewed the minutes of the February 26, 2016 Regular Board Meeting. Errors were identified on lines 40, 53, 107, 116, 120, 122, 130, 143 and 155. Upon motion duly made by Director Broughton and seconded by Director Kravec it was unanimously

**AGREED** to approve the minutes of the February 26, 2016 Regular Board Meeting with revisions.

#### **Minutes**

The Board reviewed the minutes of the March 16, 2016 Special Board Meeting. Upon motion duly made by Director Broughton and seconded by Director Kravec it was unanimously

**AGREED** to approve the minutes of the March 16, 2016 Special Board Meeting.

### **Community Updates**

Graeme Bilenduke, Copper Mountain Resort, reported that the Copper Point Townhomes is on the Board of County Commissioners April 2 meeting agenda and the final plat will be recorded.

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

**AGREED** to authorize Board President Tom Malmgren to accept easement language for the Copper Point Townhomes on behalf of the Copper Mountain Consolidated Metropolitan District.

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Jim Reis, Copper Mountain Resort Association, POLA President, reported that the Ten Mile Planning Commission approved the Resort Association's new sign program. The Resort Association approved the first phase of the new lighting project on Copper Road.

Kevin Flewell, CNL Copper/Resort Ventures West, suggested that the District create a permit process checklist coordinated with the County to streamline the process for project managers. Fire Marshall Dan Moroz pointed out the adoption of a new District Fee Schedule might clear up some of the confusion. The Board asked if District staff can create a document that outlines the District procedures. Graeme Bilenduke suggested the document needs to address additional requirements beyond a building permit for example, fire suppression, hood systems and alarms. There was further discussion about a master checklist that includes all District permitting requirements beyond building permits and including life safety, water and sanitation, and cable/internet. The Board asked Eric Weaver, Interim Manager, to organize all departments to create a checklist.

### **Public Comment and Concerns**

No public comments and concerns.

### **New Business GWUDI**

Copper Mountain Resort approved two well locations in the East Village and surveys have been ordered. The connection between the wells and well houses will be determined after the District meets with representatives from Copper Mountain Resort.

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

**AGREED** to authorize Board President Tom Malmgren to sign a well drilling contract on behalf of the Copper Mountain Consolidated Metropolitan District in coordination with Ricky Clover, legal counsel and District engineers.

Eric Weaver, Interim Manager, has identified loan programs through the Colorado Power and Water Authority that will allow the District to begin projects and reimburse incurred expenses in addition to rolling in existing Wastewater Reclamation Facility bonds.

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

**AGREED** to adopt Resolution 2016-06, a resolution to request future reimbursements for costs associated with capital improvements.

### **Apparatus Update**

Chief Curmode is searching coast to coast for an apparatus to replace the one damaged in a collision on I-70 in January. The District is currently renting an older engine from Sutphen at \$400 per day. Chief Curmode is also in negotiations with Sutphen regarding an arrangement that will allow us to purchase a new demo engine and keep the rental unit for no additional cost until delivery of the demo engine. Sutphen is recommended by the Summit County Fleet Maintenance and the Fire Department because of past experience, quality and crew familiarity.

Eric Weaver noted that a resolution will need to be adopted by the Board to purchase a replacement apparatus before financing is approved. The adoption of the resolution will allow the District to keep options open and the ability to roll financing into additional loans at a later date.

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

**AGREED** to adopt Resolution 2016-07, a resolution to request future reimbursements for costs associated with capital equipment.

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### **FD Fee Schedule**

Fire Marshall Dan Moroz introduced an updated Copper Mountain Fire Department Fee Schedule that expands upon and replaces Resolution 2004-03. The new fee schedule uses information from Lake Dillon Fore Rescue and Red, White and Blue Fire District fee schedules to endorse similar fees across the county.

Director Malmgren asked to insert “as” in the paragraph related to Exhibit C.

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

**AGREED** to adopt with revision Resolution 2016-0, a resolution adopting a fee schedule for the administrative services, apparatus use, fire prevention inspections and permits, and excessive false alarm inspections as allowed by the statutes of the State of Colorado, §32 – 1-1001 (k) §24-72-205 and §32-1-1002 (1)(e)(II), as amended.

### **Election Update**

Melissa Stabile, Clerk-Treasurer, reported that Gary Rodgers expressed support of the ballot measure in the Copper Mountain Resort newsletter. The Copper Mountain Resort Association voted to support the measure at their last meeting. The Board suggested District staff to work with Tom Malmgren and Jim Reis to draft a message for inclusion in the next Resort Association homeowner’s newsletter.

### **Staff Updates**

- The Board realized that the fiber lease between Copper Mountain Resort, CMCMD and ResortInternet has not yet been executed and suggests that Dave Arnesen, Director of Cable Services contact Copper IT to proceed.
- Chief Curmode reported that he recently participated in a teleconference with Climax regarding response fees and that negotiations are ongoing. Chief Curmode also noted that a decision needs to be made about the fate of the damaged engine.
- Fire Marshall Moroz reported that he is working with Copper Resort Events and the Resort Association on implementing a safety plan for large events.
- Missy Stabile, Clerk-Treasurer, reported that a preliminary schedule for the District Manager Hiring Committee has been drafted and the first meeting will be held on March 29, 2016.

### **Financial Report**

A Financial Report for February 28, 2016 was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Eric Weaver reported that 2016 revenues are ahead but expenses are over due to unforeseen GWUDI and Fire Department expenditures. Verizon has not made lease payments since December 2015. Ms. Stabile contacted Verizon regarding the lease default and is awaiting response. The 2015 audit went well with recommendations for changes in the accounting of capital funds. Mr. Weaver will work on and present a budget amendment.

The February cash disbursement report was included in the electronic Board Packet but was not in the paper packet. February cash disbursements will be included in the April Board Packet.

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

**AGREED** to receive the February 28, 2016 Financial Statement as presented.

### **Other Business**

There was no other business to come before the Board.

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**Adjournment**    There being no further business to come before the Board, by motion duly made by Director Broughton and seconded by Director Kravec, 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, 2016, at 10:28 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