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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 April 27, 2018

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on April 27, 2018 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
- Tom Malmgren
- David Steele

Staff in attendance was:

- Bryan Webinger, District Manager
- Rob Martin, Public Works Director
- Dave Arnesen, Director of Cable Services
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Eric Weaver, Marchetti & Weaver
- Gary Rodgers, Copper Mountain President and General Manager
- Dan Moroz, Summit Fire & EMS Authority Assistant Fire Marshal
- Jim Reis, Copper Mountain Resort Association, POLA President
- Stan Sprinkle

### **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 April 27, 2018 at 8:30 a.m. noting a quorum was present.

### **Old Business** **Minutes**

The Board reviewed the minutes of the March 30, 2018 Regular Board Meetings. Upon motion duly made by Director Anuta and seconded by Director Broughton it was unanimously

**AGREED** to approve the minutes of the March 30, 2018 Regular Board Meetings with corrections on lines 58, 68, 150 and 151.

### **Community Updates**

Gary Rodgers, Copper Mountain President and General Manager, announced the golf course is scheduled to open in mid-June. The new helipad will not be constructed until late fall and will not impact the golf course. Twenty-nine weddings scheduled at Solitude this summer have been relocated to either the East Village or Koko's Hut.

### **Public Comment and Concerns**

No public comments and concerns.

### **Financial**

Eric Weaver, Marchetti & Weaver, reported that cash in UMB Bank was reinvested into CDs and remaining funds in the ColoTrust Project Fund will be used to pay the final well project change order. The property tax revenue is ahead due to 2018 taxes paid in 2017 in reaction to new 2018 tax codes and Water and Sanitation revenues are ahead due to overage charges. Well five will most likely be delayed until 2019 but may completed in 2018. Bond refinancing came in under budget. Mr. Weaver is happy overall with how well accounts are running according to budget. The auditors on site work

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went well. They are waiting for the final well project change order to finalize the 2017 audit which could be presented at the May Board meeting

The Board requested that Rob Martin, Public Works Director, discuss fees charged by Climax Mine to remove sludge from Wastewater Treatment Facilities. Climax needs the sludge to mix with their waste and it is unclear as to why we pay for a product they need. Mr. Martin said we pay for transportation costs and will discuss it with Climax.

Upon motion duly made by Director Broughton and seconded by Director Anuta it was unanimously **AGREED** to receive the March 31, 2018 Financial Statement and cash disbursement reports as presented.

### New Business

#### **Well House Project Change Order #6**

Mr. Martin has been negotiating the final change order for the well project since January and the final amount is \$106,626. The total number of project change orders is \$224,008 which is 7.3% of the total contract. Tetra Tech may attend the next Board meeting to address concerns regarding change orders and additional costs to the District.

Upon motion duly made by Director Broughton and seconded by Director Anuta it was unanimously **AGREED** to approve Well House Project Change Order #6.

Mr. Rodgers inquired about unfinished landscaping as a result of the well 4 project. Mr. Martin replied that the District will try to complete the landscaping before the golf course opens but there is wetland mitigation that needs to be addressed first. If this cannot be completed before mid-June, the District will wait until fall to not interfere with the golf course. Mr. Martin will coordinate with the resort on test wells and aim to drill a new well next spring or spring of 2020.

#### **Recreation Survey**

Mr. Rodgers commented that the survey feedback is interesting and that there was a high level of participation. He requested a commitment from the District to support removing the existing recreation field this summer and to work cooperatively with the resort to plan additional amenities, including opportunities in the Chapel Park and the tenth fairway of the golf course. The Board requested that the District Manager draft a letter for Mr. Rodgers to redline expressing no objections to the removal of the recreation field and support of public housing development. The letter should be signed by both parties, recall the 1986 recreation field agreement and acknowledge that both parties agree to resolve in good faith.

Mr. Rodgers reported that the first phase of hotel development in the Chapel Lot will begin this fall. The resort would like to discuss river and chapel park improvements for next spring.

#### **Staff Updates**

The Board reported that several television channels are not available in analog and that an error message referencing a Dish Network tuner not being active appears on the screen. Dave Arnesen, Director of Cable Services, said he would look into the problem.

Stan Sprinkle reminded District staff that a detailed April report needs to be requested from ResortInternet as referenced in the March meeting minutes.

Bryan Webinger, District Manager recognized Dave Arnesen's twenty-year work anniversary and new Water and Sanitation employee Chelsey Lange. A new type 6 Wildland engine has been purchased for Summit Fire & EMS Authority. Options for the old Type 6 are being reviewed including irrigation use by the Resort Association. Mr. Webinger is working with SignTech to revisit the District logo and font consistency.

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The Board stated it would be prudent to meet with Tetra Tech at the next meeting to discuss the Water and Sanitation long range plan. The Board also inquired about high phosphorous content compared to last year. Mr. Martin responded that phosphorus levels are still below state requirements and that the filter replacement project will filter out some of the phosphorous.

Director Steele reported that the new Summit Fire & EMS Authority (SFE) administrative building is on the May 10 Ten Mile Planning Commission meeting agenda. The accreditation schedule will be delayed approximately six months so that SFE can continue evaluating all buildings in their response area. SFE adopted and updated fee schedule.

Dan Moroz, SFE Assistant Fire Marshal, reported that SFE has received 45% more permit applications this year than last year and they are extremely busy. SFE has begun work to adopt the Universal Building Code in spring 2019.

Mr. Weaver noted that the proposed bill allowing out-of-state property owners to vote in district elections has been modified. Changes to the bill include that each district can determine whether they will allow out-of-state property owners to vote and the onus will be on the out-of-state property owners to request a ballot. No legislation has been presented regarding the Gallagher Amendment which could hit the District hard next year. There is discussion about freezing property values so that at least there are no negative affects until a solution is found.

### Other Business

Director Malmgren reported that he attended a meeting about a potential countywide tax on short term rentals. He will keep the Board apprised of future developments.

Director Anuta noted that he became a Board Member 16 years ago. Since that time, there are new District offices, there have been four District Managers, Marchetti and Weaver were hired and District finances are much improved, a new fire chief, two new fire engines, Water and Sanitation improvements, a new CEU system, a new well and well house, ResortInternet, fiber optics, and a doghouse for Farley. The District still needs updated rules and regulations, a new personnel manual and more open transparency between the District and the resort. Director Anuta stated he has had a lot of fun and is thankful for the experience.

Director Malmgren presented a plaque to retiring Director Anuta and recognized that the District has benefited from his years of service.

Mr. Webinger stated that the scheduled executive session was not necessary at this time.

### 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 27<sup>th</sup> day of April, 2018, at 10:00 a.m.

Respectfully Submitted,

BY: Thomas J. Malmgren

Thomas J. Malmgren  
President of the District

ATTEST: David Steele

David Steele  
Secretary of the District