
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District April 28, 2017

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on April 28, 2017 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
- David Steele

Staff in attendance was:

- Bryan Webinger, District Manager
- Robert Martin, Public Works Director
- Ed Pankevicius, Chief Plant Operator
- Dave Arnesen, Director of Cable Services
- Gary Curmode, Fire Chief
- Dan Moroz, Fire Marshal
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Graeme Bilenduke, Copper Mountain Director of Development
- Peter Siegel, Copper Mountain Resort Association Executive Director

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 28, 2017, at 8:30 a.m. noting a quorum was present.

Old Business **Minutes**

The Board reviewed the minutes of the March 31, 2017 Regular Board Meeting. Upon motion duly made by Director Broughton and seconded by Director Anuta it was unanimously

AGREED to approve the minutes of the March 31, 2017 Regular Board Meeting as presented.

Community Updates

Peter Siegel, Copper Mountain Resort Association Executive Director, distributed the 2017 summer schedule of events and showed the final lighting plan and plans for Center Village renovations to the Board Members. He also announced that Kim Caldwell is leaving the Resort Association and the position will be filled by JoAnn Pettus.

Graeme Bilenduke, Copper Mountain Director of Development, reported that summer capital projects are underway and that the Resort is working with a consultant to provide water consumption data to assist in the proposed Tap Fee calculation.

Public Comment and Concerns

No public comments and concerns.

Financial

A Financial Report for March 31, 2017 was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Bryan Webinger, District Manager, reported on behalf of Eric

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District April 28, 2017 Meeting Minutes

Weaver, Marchetti & Weaver, that positive variances are due to receipt of bond proceeds and the sale of the Fire Department HMMWV. Fire costs are doing well in most categories including overtime and part-time wages. Water and Sewer is doing well because several new employees are not yet eligible for the retirement match. Fire is over in operating expenses primarily due to timing differences in costs for Summit County Communications and Unforeseen Apparatus Repair line items. Water and Sewer Operations is seeing savings in Outside Lab Services, Chemicals, Legal, Engineering, and Collection System Maintenance resulting in a positive overall variance.

Upon motion duly made by Director Broughton and seconded by Director Anuta it was unanimously **AGREED** to receive the March 31, 2017 Financial Statement and cash disbursement report as presented.

New Business

Resolution 2017-04

Note for record that Resolution 2017-04 was unintentionally omitted from the order of 2017 resolutions and does not exist.

Resolution 2017-05

Mr. Webinger explained that the Board of County Commissioners required a letter of credit for wetland mitigation.

Upon motion duly made by Director Broughton and seconded by Director Anuta it was unanimously **AGREED** adopt Resolution 2017-05 ratifying the retention of a letter of credit of \$9,775.00 from Alpine Bank Copper Mountain for the benefit of the Board of County Commissioners of Summit County.

Resolution 2017-06

Mr. Webinger explained that District Counsel recommended a resolution to outline the District manager's authority to expend District funds with approved budgetary limits.

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

AGREED adopt Resolution 2017-06 authorizing expenditures by the District Manager within budgetary limits.

Staff Updates

Rob Martin, Public Works Director, reported that all permits for the well house project have been issued, the schedule has been updated and the project is now underway. After the state imposed GWUDI deadline date of August 1, 2017, water cannot be pumped out of well 3. The District has enough capacity with wells 1 and 2 plus storage and should not need to use well 3. It is assumed that well 4 is still testing favorably but additional tests will be performed prior to putting well 4 online.

Director Anuta requested that the Water Department revisit the high phosphorus results against last year's numbers.

Mr. Martin stated there is no rate structure for bulk water sales and that he will address the question and advise about corrections.

Mr. Webinger reported that the District spending freeze may be lifted in May. The Board would like to see spending controls continue year-round. Mr. Webinger received a scholarship from the Special District Association to attend the Colorado Water Fluency Course through July.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District April 28, 2017 Meeting Minutes

Dave Arnesen, Director of Cable Services, reported that Resort Internet's smart box is not functioning causing pixilation on televisions throughout the community. The Board requested that Mr. Webinger send another note to Resort Internet to address ongoing issues. Mr. Arnesen is moving forward with the purchase of backup equipment to have on hand and available when necessary.

Gary Curmode, Fire Chief, reported that costs associated with the Climax Mine sponsored Fire Inspector II class came in less than expected. Climax Mine generously allowed the Fire Department to keep unexpended funds which have been applied to the 2017 firefighter overtime budget. The Board requested that the amount invoiced for highway response be listed in future invoice reports.

Dan Moroz, Fire Marshal, reported that permit fees for the new alpine coaster will be \$900 and \$200 for the coaster terminal building.

**Other
Business**

There was no other business to come before the Board.

**Recess
Meeting**

The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 9:30 a.m.

**Reconvene
Meeting**

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren at 9:37 a.m.

**Executive
Session**

Director Anuta moved that "the Board of Directors for the Copper Mountain Consolidated Metropolitan District enter Executive Session pursuant to §24-6-402(4)(e), C.R.S. for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning the potential consolidation of Copper Mountain Fire Department, Lake Dillon Fire Rescue and Summit County Ambulance Service. Those present at the outset of the executive session shall be members of the Board of Directors as present at this meeting; Lake Dillon Fire Protection District Board Members Jim Cox, Rob Sollenberger, Jen Barchers, and Jim Lee; Mary Hartley, Lake Dillon Fire Protection District Board Secretary/Assistant Treasurer; and Bryan Webinger, District Manager."

The Motion was 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 9:38 a.m., and the Board will go into executive session."

**Return to
Open Session**

Director Malmgren stated, "The time is now 10:38 a.m., and the executive session has been concluded. The participants in the executive session were Thomas J. Malmgren, Karl Anuta, David Steele, Ben Broughton, Ted Kravec, Bryan Webinger, Jim Cox, Rob Sollenberger, Jen Barchers, Jim Lee and Mary Hartley.

"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."

**Other
Business**

The Board requested that the District Manager and Fire Chief continue working with Lake Dillon Fire Rescue on establishing a combined Summit County Emergency Service Authority and to begin illustrating how the authority could be developed.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District April 28, 2017 Meeting Minutes

Adjournment There being no further business to come before the Board, by motion duly made by Director Broughton and seconded by Director Anuta, 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 28th day of April, 2017, at 10:40 a.m.

Respectfully Submitted,

BY: _____ *Thomas J. Malmgren* _____

Thomas J. Malmgren
President of the District

ATTEST: _____ *David Steele* _____

David Steele
Secretary of the District