
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District May 25, 2018

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on May 25, 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:

- Ben Broughton
- Tom Malmgren
- Jim Reis
- Stan Sprinkle
- 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:

- Bill Musser, Tetra Tech Vice President
- Darwin Dyke, Tetra Tech Chief Engineer

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 May 25, 2018 at 8:30 a.m. noting a quorum was present.

Old Business

Oath of Office

The Regular Election for the District Board of Directors to be held on May 8, 2018 was canceled because there were not more candidates for Director than Offices to be filled and candidates Ben Broughton, Jim Reis and Stan Sprinkle were declared elected by acclamation. Ben Broughton and Stan Sprinkle will serve until May, 2022 and Jim Reis will serve until May 2020. The Oath of Office was administered to the elected officials.

Election of Board Officers

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

AGREED to assign the District Officer positions as follows:

President – Tom Malmgren
Vice President – Ben Broughton
Secretary – David Steele
Treasurer – Stan Sprinkle
Director – Jim Reis

Minutes

The Board reviewed the minutes of the April 27, 2018 Regular Board Meetings. Upon motion duly made by Director Broughton and seconded by Director Steele it was unanimously

AGREED to approve the minutes of the April 27, 2018 Regular Board Meetings with corrections on lines 45 and 93.

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Financial

Bryan Webinger District Manager, announced that the presentation of the final 2017 audit was delayed due to new firefighter pension laws and it will be presented for approval at the June Board Meeting.

The Board requested that Mr. Webinger review the variance column in the April 30, 2018 Financial Statement with Eric Weaver and delayed approving the Financial Statement until the next Board Meeting.

Tetra Tech

Bill Musser, Tetra Tech Vice President and Darwin Dyke, Tetra Tech Chief Engineer, expressed Tetra Tech's commitment to serving the District and maintaining the District as clients. The Board expressed caution due to unacceptable service received during the new well project. Rob Martin, Public Works Director, stated that Tetra Tech will need to provide better project and construction management and onsite field representation on future projects. Mr. Musser, the new Tetra Tech Vice President, acknowledged below average service on the last project and assured the Board that it will not happen under his management. Mr. Musser was responsible for pooling resources and equipment at no cost to the District to correct the situation. Mr. Webinger thanked Mr. Musser and Mr. Dyke for making amends with the District, addressing the Board and a renewed relationship moving forward.

Community Updates

Mr. Webinger met with Graeme Bilenduke, Copper Mountain Director of Development, and Peter Siegel, Copper Mountain Resort Association Executive Director, regarding the Copper Mountain recreation field. The Board stated that with criticism from the resort, it is imperative that the District move forward quickly. The District appreciates the Resort Association's help but wants to make sure decisions are made by the District and the resort as the agreement is between the District and the resort. Mr. Webinger stated that the resort has had access to the raw data from the community survey the Resort Association conducted but the District has not.

Director Reis commented that he would like to see the resort fulfill the existing commitment and there should not be any additional commitments made by the District or District financial responsibility. Director Broughton noted that the dog park scored high on the survey because Copper Point residents are currently using the recreation field to exercise their dogs. Director Steele stated that Chapel Lot development influences what is done elsewhere and that the District needs to know what facilities are being planned by the resort. He volunteered to attend any community planning meetings as a District representative. Mr. Martin reported that he received a letter regarding potential development of a hotel in the Chapel Lot but that there was no other information.

The Board has requested in past and continues to request that the resort communicate with the District so that the District is not holding up resort projects. Mr. Webinger stated he is not sure why the resort is reluctant to involve the District in project planning. The Board asked if District staff attends the weekly resort event meetings. Mr. Webinger replied that District staff was asked not to attend. The Board requested that Mr. Webinger attend these meetings.

Director Sprinkle asked if Summit Fire & EMS could provide updates at District Board Meetings. Director Steele suggested that a written report be provided quarterly. Director Broughton also requested an incident and activity report. Mr. Webinger will request these items and copy the Copper Mountain SFE Board representatives, Ben Broughton and Dave Steele, in the communication.

Public Comment and Concerns

Ben Broughton recused himself from the Board to request a review of the water bills for Elk Run Unit 2 on behalf of the property owners. The unit has increased use due to mechanical malfunctions and is being addressed by the property owners. The Board requested that the property owners submit a letter to the District rather than ask a Board Member to request a refund on their behalf and to table further discussion until more information is provided. The Board noted that it is not the District's policy to refund or discount water consumed by any unit. Mechanical malfunctions and failures as well as maintenance inside a property is the responsibility of the property owner. Ben Broughton returned to his position on the Board.

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New Business There was no new business to come before the Board.

Staff Updates Mr. Webinger reported that the county requested financial guarantees for landscape work to be done at the new well house. After Mr. Webinger reminded the county that we are a special district with a responsibility to the community, the county waived the request.

Dave Arnesen, Director of Cable Services, reported that conduit will be installed to address A-Lift and Alpine Lot development. The cable supply outside of the transportation center will need to be relocated to the new well house. The Board asked about the status of analog channels. Mr. Webinger stated that staff will need to meet with ResortInternet to discuss this. Mr. Arneson announced this would be his last Board meeting and reviewed the many accomplishments and improvements made to the District's cable, internet and fiber optic system during his 20-year tenure with the District. The Board thanked Mr. Arnesen for his years of commitment to the District and wished him a happy retirement.

Mr. Webinger revisited water rights mentioned at the last meeting stating the District gained 29 acre feet of water rights. This in addition to existing water rights gives the District a healthy water portfolio. Mr. Webinger is looking into a GIS system to locate curbstops, handholds, pedestals, hydrants and other District infrastructure. The initial investment will be approximately \$5,000 plus annual support and maintenance costs.

The Board requested that legislation regarding out of state voter eligibility be revisited at the beginning of the 2020 election cycle. There are no current legislative changes to real estate transactions, but the Board would like staff to keep an eye on this. The Board would also like to keep an eye on what the state does regarding the Gallagher Amendment and suggested contacting the state with comments.

The Board congratulated Mr. Webinger for completing the Summit Leadership program. Mr. Webinger stated that he feels Summit Leadership is a very beneficial program and would like additional staff to attend in the future.

Mr. Martin announced that Utility Plant Operator Allison Fulton earned her Wastewater A license. Utility Plant Operator Corey Williams has accepted a Public Works Director position in Wisconsin and will be relocating in June. The District welcomes Robert Saunders who accepted the position of Utility Plant Operator-In-Training and will begin on June 4, 2018.

Mr. Martin also reported that the High Country Conservation Center Water Efficiency Plan will tentatively be presented at the June Board Meeting, a dumpster has been removed from the Wastewater Facility reducing monthly fees by half, and the antiquated water distribution communication system will be upgraded this year.

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 10:46 a.m.

Reconvene Meeting

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren at 10:52 a.m.

Executive Session

Director Broughton moved that "the Board of Directors for the Copper Mountain Consolidated Metropolitan District go into executive session for discussions regarding personnel matters as authorized by C.R.S. § 24-6-402(4)(f) of the Colorado Open Meetings Law. Those present at the outset of the executive session shall be members of the Board of Directors as present at this meeting, Bryan Webinger, District Manager and Missy Stabile, Clerk-Treasurer." Seconded by Director Steele. 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 10:53 a.m., and the Board will go into executive session."

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Return to

Open Session

Director Malmgren stated, “The time is now 11:04 p.m., and the executive session has been concluded. The participants in the executive session were Thomas J. Malmgren, Ben Broughton, David Steele, Stan Sprinkle, Jim Reis, Bryan Webinger, and Missy Stabile.

“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.”

Adjournment

There being no further business to come before the Board, by motion duly made by Director Broughton and seconded by Director Steele, 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 May, 2018, at 11:05 a.m.

Respectfully Submitted,

BY: *Thomas J. Malmgren*

Thomas J. Malmgren
President of the District

ATTEST: *David Steele*

David Steele
Secretary of the District