

---

# RECORD OF PROCEEDINGS

---

## Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District October 28, 2022

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on October 28, 2022 at 8:30 a.m.

**Attendance** The following Directors were present and acting:

- Ben Broughton
- Tom Malmgren
- Jim Reis
- Stan Sprinkle
- David Steele

Staff in attendance was:

- Rob Martin, District Manager
- Ed Pankevicius, Chief Plant Operator
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Graeme Bilenduke, Copper Mountain Director of Development
- Mike Anderson, Continuum Partners
- Eric Weaver, Marchetti & Weaver (by phone)
- Bryon Wentzlaff, ResortInternet (by phone)

### **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 October 28, 2022 at 8:30 a.m. noting a quorum was present.

**Old Business** The Board reviewed the minutes of the August 26, 2022 Regular Board Meeting.

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

**AGREED** to approve the minutes of the August 26, 2022 Regular Board Meeting with corrections on lines 32 and 76.

### **Community Updates**

Graeme Bilenduke, Copper Mountain Director of Development, reported that the mountain is open for racing, snow making has been great, and opening day will be Monday, November 14, 2022. Solitude Station has been renamed to The Aerie. There are 50 plus people working hard to get The Aerie dried in as soon as possible and will continue to work through the winter. Windows arrive on November 3, elevator work will be done by November 11, access road closed on November 13, and opening day on November 14. Solitude Station will be demolished next summer and replaced with a nice lawn area. The Aerie will open for the 2023-2024 ski season and the first weddings will be scheduled in summer 2024. A-Lift will be online and open in December just like past years. Hiring is

---

# RECORD OF PROCEEDINGS

---

---

## Copper Mountain Consolidated Metropolitan District October 28, 2022 Meeting Minutes

---

going well. Copper was voted the number one employer in Summit County. 23% of all beds at the resort are dedicated to employees.

The Board requested the District staff be warned about tools, bikes, and cars being stolen at Copper and throughout the county. Please lock doors and belongings.

Mike Anderson, Continuum Partners, reported that A-Lift Neighborhood infrastructure started in May 2021 and roads are complete. Several foundations are in and buildings under construction with others coming soon. Final touches on infrastructure, landscaping, and the golf course will be completed next summer.

Rob Martin, District Manager, reported that he has had multiple meetings with Summit County Commissioners and attorneys. He believes that the county will continue to plow the roads and remove snow this winter. But they do not want to provide services after this winter, and we need to figure it out using sales tax, RITA, and property taxes. More meetings are scheduled through the winter with milestones to come up with a plan by April 2023. The county maintains that they never accepted Copper Road and are therefore not responsible for maintenance.

### **Public Comments**

#### **and**

### **Concerns**

No public comments and concerns.

### **Financial**

A draft September 30, 2022 financial report was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting.

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

**AGREED** to receive the September 2022 Financial Statement and cash disbursement reports as presented.

### **Amended 2022 and Proposed 2023 Budget**

Mr. Weaver explained that the 2022 budget is being amended due to increased personnel and legal expenses related to the District Manager position, the unexpected conservation trust fund reimbursement, Resort Internet fees coming in much higher than budgeted by the previous District Manager, and the 5% Cable and Internet annual prepayment discount not accounted for. These situations will require amendments to the 2022 general fund, Colorado Conservation Trust fund, and the Cable and Internet fund.

Copper voters have approved multiple mil levies over the years. The mandatory reduction of 9.0055 mils plus the temporary voluntary reduction of 4 mils plus 3.2 5 mils not collected totals a mil levy of 15 for 2023. If the District temporarily

---

---

## RECORD OF PROCEEDINGS

---

---

---

### Copper Mountain Consolidated Metropolitan District October 28, 2022 Meeting Minutes

---

reduces the mil again by 7.25 mils, the District will still collect adequate revenue. However, the District needs to look at fees vs. taxes for the 2024 budget and sales tax for road maintenance.

#### **Public Hearing Amended 2022 and Proposed**

**2023 Budget** Director Malmgren formally opened the continued public hearing regarding the amended 2022 budget and proposed 2023 budget at 10:18 a.m.

Hearing no public comment, the budget hearing was closed at 10:18 a.m.

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

**AGREED** to adopt Resolution 2022-05, a resolution to amend the Copper Mountain Consolidated Metropolitan District 2022 budget.

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

**AGREED** to adopt Resolution 2022-06, a resolution summarizing expenditures and revenues for each fund and adopting a budget for the Copper Mountain Consolidated Metropolitan District, Colorado, for the calendar year beginning on the first day of January 2023 and ending on the last day of December 2023.

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

**AGREED** to adopt Resolution 2022-07, a resolution levying property taxes for the year 2022, to help defray the costs of government for the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado, for the 2023 budget year.

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

**AGREED** to adopt Resolution 2022-08, a resolution appropriating sums of money to the various funds and spending agencies in the amount and for the purpose as set forth in the resolution, for the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado, for the 2023 budget year.

#### **New Business Rate and Fee**

**Increases** At the September 30, 2022 Board Meeting, District staff recommend a 2% increase in Water and Sanitation fees in 2023. The Board supports this increase with the revision of the Water and Sanitation rate structure by the end of 2023.

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

---

---

## RECORD OF PROCEEDINGS

---

---

---

### Copper Mountain Consolidated Metropolitan District October 28, 2022 Meeting Minutes

---

**AGREED** to adopt resolution 2022-09 and 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.

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

**AGREED** to adopt resolution 2022-10 a resolution to adopt the 2023 Water and Sanitation Department Fee and Penalty Schedules with meter costs confirmed.

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

**AGREED** to adopt resolution 2022-11 a resolution to adopt the 2023 Cable Television and High-Speed Internet Services Department Fee and Penalty Schedules with the removal of the 5% annual prepaid discount and an 8% increase in fees.

### **Staff Updates**

Mr. Martin reported that a District Housing Policy is an important priority, but he has been unable to devote time to its completion due to other projects taking precedence, employee illnesses, contract negotiations, and a variety of other items requiring attention. The District is working on a long-term contract with ResortInternet. Fourth quarter Cable and Internet billing has been delayed due to staff illness and database issues. Climax will present new research regarding Molybdenum early next year and will most likely propose changes to current rules. Two fire hydrants continue to be an issue. They are operational but pressure hammers continue. The Water and Sanitation Department is updating in house and fire department protocols to address the hammers. The situation will be monitored. It may be necessary to install water hammer regulators in the system. The District has offered the position of Utility Plant Operator-in-Training to one of three candidates.

Eric Hookanson, Cable & Internet Services, reported that he continues to work on getting property easements agreements in place so that the District has access to the system for installations and maintenance.

### **Recess Meeting**

The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 11:17 a.m.

### **Reconvene Meeting**

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren at 11:30 a.m.

---

## RECORD OF PROCEEDINGS

---

---

### Copper Mountain Consolidated Metropolitan District October 28, 2022 Meeting Minutes

---

#### 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)(b) of the Colorado Open Meetings Law. The discussions are for the purpose of determining positions relative to cable and internet matters that may be subject to negotiations, developing strategy for negotiation, and instructing negotiators. Those present at the outset of the executive session shall be members of the Board of Directors as present at this meeting, Rob Martin, District Manager, Eric Hookanson, Cable & Internet Services, and Eric Weaver, Marchetti and Weaver.” Seconded by Director Sprinkle. 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 11:30 a.m., and the Board will go into executive session.”

#### Return to Open Session

Director Malmgren stated, “The time is now 12:45 p.m., and the executive session has been concluded. The participants in the executive session were Thomas Malmgren, Ben Broughton, David Steele, Jim Reis, Rob Martin, Eric Hookanson, and Eric Weaver.

“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

No other business to come before the Board.

#### Meeting Schedule

The next Regular Board Meeting is scheduled for December 2, 2022 at 8:30 a.m.

#### 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 28<sup>th</sup> day of October, 2022, at 12:47 p.m.

---

**RECORD OF PROCEEDINGS**

---

---

**Copper Mountain Consolidated Metropolitan District October 28, 2022 Meeting Minutes**

---

Respectfully Submitted,

BY: Thomas J. Malmgren

Thomas J. Malmgren  
President of the District

ATTEST: David Steele

David Steele  
Secretary of the District