
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District February 28, 2020

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on February 28, 2020 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:

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

Staff in attendance was:

- Bryan Webinger, District Manager
- Eric Hookanson, Director of Cable Services
- Ed Pankevicius, Public Works

Also in attendance was:

- Peter Siegel, Copper Mountain Resort Association Executive Director
- Jeff Berino, Summit Fire Chief
- Dustin Lyman, President/General Manager Copper Mountain
- John Monday, HR Green Consulting Engineer
- Eric Weaver, Marchetti & Weaver
- Cheri Curtis, Secretary to the Meeting

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 February 28, 2020, at 8:30 a.m. noting a quorum was present.

Old Business

Minutes

The Board reviewed the minutes of the January 31, 2020 Regular Board Meeting. Upon motion duly made by Director Broughton and seconded by Director Reis it was unanimously

AGREED to approve the minutes of the January 31, 2020 Regular Board Meeting as presented.

Community Updates

Copper Mountain Projects – Peter Siegel, Copper Mountain Resort Association (CMRA) Executive Director, reported 2019/2020 has seen record snowfall for the second year in a row. CMRA is dealing with the challenges to move snow with the equipment and storage available. CMRA is looking at the weaknesses in snow removal and are planning to make improvements during the 2020/2021 season. Infrastructure and Asset Management Plan discussions will include snow removal

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District February 28, 2020 Meeting Minutes

equipment available, sharing equipment with the District, purchasing additional equipment, and establishing new agreements. CMRA is looking at improvements for Copper Mountain amenities. CMRA is discussing re-installing the nine holes of the mini golf course possibly through the Village. If successful, this could help drive people to the Village during the summer season.

Hotel Study – Mr. Siegel has been reviewing the projected revenue streams from the new hotels. The projected revenue streams for both the CMRA and VAC look like they would be generating approximately \$225,000 or more annually. Initial analysis shows that the revenue stream may not cover all the associated the costs. He will study it further to see if the projects will cover the costs of an additional Copper Coach, snow removal, and trash and landscaping services. Mr. Siegel is also planning to work with the county on snow storage options as the county requirements for snow storage on new construction does not accurately match what is needed. This is not directly connected to the hotel.

Summit Fire & Emergency Authority – Chief Berino reported he is working with Centura Health on Flight for Life helicopter services. The current agreement is not feasible. When flights are cancelled, ground ambulances are used, which is when road conditions are at their worst and there is an increased need for ambulance services at that time. The current contract with Centura Health will be cancelled on April 1, 2020. Summit Fire has contracted with Stadium for ambulance service. Terms of the contract amount with Stadium are being negotiated.

A homeowner at Bridge End questioned the “twenty-minute response time” for the building fire. Chief Berino stated it was determined the response time was within six minutes. The ATF has completed their investigation and it was determined there were no issues with the response time.

Summit Fire received accreditation again in 2020. A-Basin held a fire hose race as a charity for Children’s Burn Center. Summit Fire took second place.

Masks and additional equipment have been secured in case there is a flu outbreak in the area. Summit Fire is working on plans for family issues in the case there is an outbreak. Chief Berino reported this is being handled by the CDPHE, who is working to secure masks, if necessary.

Travis Davis will replace Chief Berino on July 3, 2020 and will be in attendance at the next CMCMD meeting. The Lake Dillon Board has approved the agreement and the conceptual plan as presented.

Copper Mountain – Skier visits are up this season for a second year in a row. The IKON pass is believed to be the reason for increased visits. Copper Mountain is the favored mountain for the IKON pass. Skier traffic volume has also increased, especially on the weekends. The success of the IKON pass has also created public relations issues. Copper Mountain is addressing the parking and busing issues and plans to purchase two more buses for next season.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District February 28, 2020 Meeting Minutes

Copper Mountain is working with CDOT on road and signage improvements for the Far East and Alpine lots along with looking at the capital improvement plans for next season. Copper Mountain has tried to obtain control of the stop light on Highway 91, but has been unsuccessful. CDOT is aware of the issues, but there is no resolution to date. Moving the employee parking to the 13th Fairway has been beneficial to open up parking, which has been greatly appreciated by Copper Corp. The Far East lot will be expanded next season with 500 additional spots, restrooms, and additional pick-up locations. The possibility of parking in garages was discussed. Dustin stated the cost is approximately \$40,000 per space, so garage parking is not in the plans due to feasibility. Mr. Siegel stated this garage parking should be a community project. Director Broughton questioned the effects on the Mountain and parking with the recent Dew Tour. During the Dew Tour weekend there was avalanche mitigation work that closed the highways, however, the resort still hit their targeted number of visitors. There is one more year on the Dew Tour contract.

Public Comment

and Concerns No public comments and concerns.

Financials

The January 31, 2020 financial statement was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Mr. Weaver, Marchetti & Weaver, updated the Board on the process of liquidating the pension fund. Mr. Weaver is working with representatives at Ginnie Mae and it was discovered trades made earlier in the month are beneficial to the District. As funds become available, they will be moved to ColoTrust until the annuities are purchased.

There was little activity in the January financials. Personnel is under budget due to the water and sewer employee not being hired immediately in 2020. Personnel was also favorable in 2019. Questions on the financials were clarified. Insurance costs have increased but have not been reallocated.

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

AGREED to approve the January 31, 2020 Financial Statement and cash disbursement reports as presented.

Staff Reports **Administration** – Bryan Webinger, District Manager, commented on the relationship between the Training Center and CMCMD. Representatives from CMCMD, SFE and LDFR are working on funding issues. If the proposed unification agreement is approved, 9.055 mills will be transferred to the new fire district, (proposed Summit Fire & Emergency Medical Services Fire Protection District) along with 15 mills for enhanced services. The new Fire District will then have three opportunities to hold elections to get voter approval on a mill levy increase. If a mill levy is approved, then CMCMD would no longer contribute 15 mills to the new Fire District.

Director Broughton questioned the Board's position on the Summit Fire Authority (SFA). The SFA was started with seven agencies and is now down to three agencies. Without CMCMD's participation, funding would be the responsibility of Red White

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District February 28, 2020 Meeting Minutes

& Blue and Lake Dillon Fire Districts. The Board discussed personnel issues with the two agencies. The ballot issue for the inclusion is time sensitive and needs to be included on the Summit County November ballot.

The District has received the thirteenth pension waiver. Notice will be provided for sixty days and an accrual study will be completed before the new annuities are purchased. After the process to transfer or contribute the funds is completed, the Pension Board can then be dissolved.

The IT transition from B-Comp to Seagrizzly is going well. Mr. Webinger will provide Seagrizzly's contact information to the Board.

The responsibility of fire hydrant snow removal was questioned. Mr. Webinger reported the District owns the hydrants and moves snow when possible, however, participation of all involved including the District, the Fire Department and property owners is crucial.

Water and Sewer – Allison Fulton will be leaving the District the first week of March. The District is looking to hire two people for the Water and Sanitation Department. The positions were recently advertised on the District and AWWA websites, Indeed, Craigslist, and in the Summit Daily. The District has received a multiple number of candidates and staff is proceeding through the interview process.

The impact of ninety-five inches of snow did not affect the water and sewer system. Flows have been more regular, which actually improves the operations of the system. Staff has worked the last several years to improve flows and reduce water loss during busy times. Operations are keeping up with the increased visitors. Staff is working on the centrifuge replacement. Negotiations continue with Colorado Special Districts Property and Liability Pool (CSDPLP) on the 2019 avalanche damages coverage.

CDOT intends to resurface the Eisenhower and Johnson tunnels in May, with an optional date in October, if necessary. CDOT plans to complete the resurfacing when vehicle numbers are lower.

The driveway at the Lewis Ranch pumphouse is experiencing erosion caused from the initial design that may require improvements. There is no risk with the District's tank. The District is planning to install a drain on the tank and have the driveway improvements completed at the same time while equipment is mobilized.

Water rights continue to be a work in process. Well #5 is not feasible this time, so plans to proceed have been tabled. Staff continues to work with Tolin Mechanical to get the carbon-monoxide issues addressed in Fire Bay #5. The District's Rules and Regulations update needs to be completed.

Cable – Mr. Hookanson reported the construction team at the Sky Chutes did exactly what the District requested. Mr. Hookanson has been working on bandwidth issues recently. Unfortunately, the problem has not been discovered and therefore resolved. The Community wi-fi has improved. There have been issues with the switches and

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District February 28, 2020 Meeting Minutes

data needs to be cleared regularly. Mr. Hookanson has been manually clearing the data daily and is hoping for a remote option.

Mr. Hookanson has been working closely with Copper's IT company on improvements within the District. The trenching costs will be split with Excel Energy for utility work starting in May. Copper received county approval recently for a new transportation center. The District has power in the existing transportation center. A road cut will be needed for getting service to the well house. The existing line will need to be replaced.

**Other
Business**

None.

**Recess
Meeting**

The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 10:15 a.m.

**Reconvene
Meeting**

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren 10:24 a.m.

**Executive
Session**

Director Broughton moved that "The Board of Directors for the Copper Mountain Consolidated Metropolitan District go into executive session for the purpose of developing strategy for negotiators, and determining positions relative to matters that may be subject to negotiations as authorized by C.R.S. §24-6-402(4)(e). The discussions are related to the cable services agreement. Those presented at the outset of the executive session shall be the Board of Directors as present at this meeting and Bryan Webinger, John Monday, Eric Weaver, and Cheri Curtis." 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 10:26 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 J. Malmgren, Ben Broughton, David Steele, Stan Sprinkle, Jim Reis, Bryan Webinger, John Monday, Eric Weaver, and Cheri Curtis."

**Recess
Meeting**

The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 12:46 p.m.

**Reconvene
Meeting**

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren 12:52 p.m.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District February 28, 2020 Meeting Minutes

**Executive
Session**

Director Broughton moved that “the Board of Directors for the Copper Mountain Consolidated Metropolitan District go into executive session for the purpose of developing strategy for negotiators, and determining positions relative to matters that may be subject to negotiations as authorized by C.R.S. §24-6-402(4)(e). The discussions are related to the Summit Fire and EMS inclusion. Those presented at the outset of the executive session shall be the Board of Directors as present at this meeting and Bryan Webinger, District Manager and Eric Weaver, District Accountant and Cheri Curtis, Secretary to the Meeting.” 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 12:53 p.m. and the Board will go into executive session.”

Return to Open

Session Director Malmgren stated, “The time is now 1:26 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, Eric Weaver, and Cheri Curtis.

Inclusion

Agreement The proposed agreement will be distributed to the Board after final draft revision.

Adjournment There being no further business to come before the Board, and upon 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 28th day of February, 2020, at 1:34 p.m.

Respectfully Submitted,

BY: Thomas J. Malmgren
Thomas J. Malmgren
President of the District

ATTEST: David Steele
David Steele
Secretary of the District