
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District June 30, 2023

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on June 30, 2023 at 8:30 a.m. in person and by phone in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Tom Malmgren, President
- Abigail Tietjen, Secretary
- Stan Sprinkle, Treasurer
- Jim Reis, Board Member

The following Directors were not present:

- Ben Broughton, Vice President (excused from meeting)

CMCMD Staff in attendance was:

- Rob Martin, District Manager
- Chelsey Lange, Public Works Director
- Eric Hookanson, Cable & Internet Services
- Hannah Whitton, Operator I
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Peter Siegel, Copper Mountain Resort Association Executive Director
- Matt Miller, McMahon & Associates (by phone)
- Eric Weaver, Marchetti & Weaver
- Evan Biagi, Vero Networks
- Dave Steele, Woods at Copper

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 June 30, 2023 at 8:30 a.m. noting a quorum was present.

Old Business

The Board reviewed the minutes of the April 28, 2023 Regular Board Meeting. Upon motion duly made by Director Reis and seconded by Director Sprinkle it was unanimously

AGREED to approve the minutes of the April 28, 2023 Regular Board Meeting with corrections on lines 61, 88 and 97.

The Board reviewed the minutes of the May 26, 2023 Regular Board Meeting. Upon motion duly made by Director Reis and seconded by Director Tietjen it was unanimously

AGREED to approve the minutes of the May 26, 2023 Regular Board Meeting with corrections on lines 33 and 108.

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Community Updates

Peter Siegel, Copper Mountain Resort Association Executive Director, demolition of pavers in Center Village has begun and construction meetings are still scheduled every two weeks. Peter and CMCMD staff will determine if anything else can be addressed while equipment for pavers is on site. Regularly updated directional maps will be placed throughout the Village to guide guests around construction. Element 29 Hotel has been rebranded by the new owners into the Cambria collection. House Bill HB221137 is getting nowhere. A task force is being established under HB12305 to address issues in the original bill.

Eric Hookanson, Cable and Internet Services, Nassar Development continues to not request utility locates and cause damage to Cable and Internet infrastructure with the extent of damage and frequency increasing. Financial penalties are not preventing the damage and the District will explore legal ramifications. Despite the fact that it is against the law to dig without utility locates, the District does not intend to punish Nassar Development. The District wants to be reimbursed for the time and material costs associated with infrastructure repairs and prevent it from continuing. Nassar Development also tapped a wastewater line from new construction into the lift station of a neighboring property causing considerable damage. The District also discovered Nassar Development was preparing to direct ground water into a communications manhole. The District was able to prevent this before more damage would have been done. The Board requested a copies of letters generated by the District regarding this issue.

Fiber Project Update

District staff is very happy with Vero's progress and quality of work. A preliminary conversion schedule was distributed to the Board. Rob Martin, District Manager, reported that as of now, 313 units have been converted from five HOAs and 228 units are in progress. It has been determined that there are a total of 1,498 customers with base fees as opposed to the 1,602 customers that ResortInternet is charging the District for.

Evan Biagi, Vero Networks, reported that Vero has back pulled and replaced over 7,000 linear feet of fiber cable. Once boring is complete, they will add an additional 3,000 linear feet. Vero determined it would be best to bring existing infrastructure up to current standards and is undertaking a huge clean-up effort to better support a long-term relationship with Copper Mountain. Vero will provide three set top boxes per unit/home at no cost. Mr. Martin commented that Vero is doing work well beyond the original scope and is determined to provide an excellent product. Six HOAs have not committed to either Vero or ResortInternet. Mr. Martin is working on drafting a letter to remind uncommitted HOAs of the timeline and also to let ResortInternet customers know that the District will terminate it's services on August 31, 2023. This means that anyone not receiving service from Vero or ResortInternet will have no service. Vero is confident that they will be able to

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temporarily provide service to customers that have not been officially hooked up to their system using the existing internet umbrella.

Upon motion duly made by Director Malmgren and seconded by Director Tietjen it was three in favor and one against

AGREED to discontinue existing District Cable and Internet services on August 31, 2023 with the contingency plan to provide cable and internet service through the existing internet umbrella to customers awaiting connection to the new system.

Recess

Meeting

The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 10:30 a.m.

Reconvene

Meeting

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren at 10:38 a.m.

Public Comment

and

Concerns

No public comment or concerns.

Financial

Matt Miller, McMahan & Associates, reviewed the audit process with the Board and delivered a clean opinion on the District's financial statements. The Board Communication Letter commented that the Employee Policies need to be updated and that paying sales tax on purchases needs to be limited.

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

AGREED to accept the 2022 financial audit report as presented.

The 2022 financial audit will be filed with the State and posted on the District website by the end of July.

The May 2023 financial report was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Eric Weaver, Marchetti and Weaver, new cell tower lease will be updated in budget once negotiated and renewed. Personnel, operations, and overall favorable except Cable and Internet which continues to see overages and revenue loss. There needs to be discussion about the \$4 monthly fiber fee. The District will need to adopt two budgets this year in order to address results of November mill levy vote. District taxes should not increase significantly and should be more in line with past years.

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

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AGREED to receive the May 26, 2023 Financial Statement and cash disbursement reports as presented.

New Business Homeowner’s Weekend Community Party will be from 5:00 – 7:00 on Thursday, August 31. Dave Steele will be recognized for 16 years as a Director on the Metro District Board.

The Board is in favor of changing financial and utility software to update business procedures.

The Board is in favor of looking at childcare assistance and dependent tuition at some point in the future.

The District will not participate in an election coordinated with the county this November.

Staff Updates Rob Martin, District Manager, reported that discussions with the county regarding road maintenance are ongoing and that mid-year employee evaluations are underway.

Chelsey Lange, Public Works Director, moving forward with company who will haul and dispose of biosolids. The transition to the new company will take place in October. The water service line to the Wastewater Facility has been replaced to prevent ongoing leaks. The asphalt will also be repaired.

Meeting Schedule

The next Regular Board Meeting is scheduled for August 22, 2023 at 8:30 a.m.

Other Business

The Board requested that District staff familiarize themselves with HB12305 which requires the District to notify the community about a new task force being established to address issues that have come up with HB231137.

Adjournment There being no further business to come before the Board, by motion duly made by Director Tietjen and seconded by Director Sprinkle, 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 30th day of June 2023, at 12:34 p.m.

Respectfully Submitted,

BY: Thomas J. Malmgren

Thomas J. Malmgren
President of the District

ATTEST: Abigail Tietjen

Abigail Tietjen
Secretary of the District