
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District July 29, 2022

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on July 29, 2022 at 8:30 a.m.

Attendance The following Directors were present and acting:

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

The following Directors were not present:

- Stan Sprinkle (excused from meeting)

Staff in attendance was:

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

Also in attendance was:

- Peter Siegel, Copper Mountain Resort Association Executive Director
- Graeme Bilenduke, Copper Mountain Director of Development
- Eric Weaver, Marchetti & Weaver
- Bryon Wentzlaff, ResortInternet (by phone)
- Tim Flynn, Collins Cole Flynn Winn & Ulmer (by phone)
- Mike Anderson, Continuum Property

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 July 29, 2022 at 8:30 a.m. noting a quorum was present.

Old Business No Old Business to come before the Board.

Community Updates

Peter Siegel, Copper Mountain Resort Association Executive Director, reported that new 2022 HOA legislation takes effect soon. HOA Boards need to pay attention to several changes that will require their attorney. Please reach out to Mr. Siegel with questions.

Graeme Bilenduke, Copper Mountain Director of Development, reported that there is a lot of construction in the East Village and at Solitude. There is a lot of visitor activity on the mountain. Work on the back nine holes of the golf course will begin in Spring 2023. The plan is to have final shaping and completion done for summer 2024.

Public Comments and

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District July 29, 2022 Meeting Minutes

Concerns No public comments and concerns.

Financial The June 30, 2022 financial report was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Eric Weaver reported that we are starting to see what Cable & Internet revenue might look like. Cable & Internet expenses are significantly over budget. Personnel is over in all departments due to changes in administrative staff. Interest rates are rising which means we should look at where investments can make more return. The 2021 Financial Audit has been approved and filed with the State. The 2023 budget calendar has been developed so we can stay on track this year.

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

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

New Business

Education

Policy Rob Martin, District Manager, reported that \$5250 is the maximum allowable amount an employee can receive pretax for education. The Board emphasized that any educational funding will be based on budget availability. Tim Flynn, District Counsel, commented that any policy can be amended, changed, or terminated by the Board at any time.

Community

Party The Metro District Community Party will take place from 5:00 – 7:00 on Thursday September 1 in the Fire Department bays. Food will be catered by El Zacatecano. Beer and wine will be available for purchase.

The Board requested that Mr. Martin provide a five-minute prerecorded speech addressing changes in Cable & Internet to be presented at the State of the Resort meeting.

Resort

Internet Bryon Wentzlaff has requested the ResortInternet lawyers expedite the contract so that it can be completed by the end of August.

Staff Updates

Mr. Martin reported that he hopes to attend the Special District Association Annual Conference if his schedule will allow. District counsel is working on the transfer of District owned Fire Apparatus to Summit Fire & EMS. The transfer should be completed by the end of September.

Chelsey Lange, Public Works Director, reported that Copper Mountain's water has been tested for "forever chemicals". We are good because of our ground water

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District July 29, 2022 Meeting Minutes

source whereas Frisco water comes from surface water sources. The state does not require testing at Copper yet but probably will soon.

Eric Hookanson, Cable and Internet Services, reported that DORA denied our grant request because they are under the impression that our area is serviced by Comcast and Lumen/Centurylink. This is incorrect and an appeal is being prepared. There are lots of other grant and funding opportunities for which we will submit letters of intent.

The Board requested that Mr. Hookanson brief our State Representative about the situation.

Mr. Hookanson further reported that there is confusion about Cable and Internet changes and he has been having a lot of conversations with customers.

Bryon Wentzlaff requested a customer audit that is required by Dish Network.

Recess Meeting

The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 9:28 a.m.

Reconvene Meeting

The Regular Meeting of the Board of Directors was reconvened by Director Malmgren at 9:30 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)(b) of the Colorado Open Meetings Law. The discussions are for the purpose of receiving legal advice regarding utility easements. 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, and Tim Flynn, District Counsel.” 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 9:32 a.m., and the Board will go into executive session.”

Return to Open Session

Director Malmgren stated, “The time is now 10:18 a.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, and Tim Flynn.

“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.”

