
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Copper Mountain Consolidated Metropolitan District August 26, 2022

A Regular Meeting of the Board of Directors of the Copper Mountain Consolidated Metropolitan District, Summit County, Colorado was held on August 26, 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
- Chelsey Lange, Public Works Director
- Ed Pankevicius, Chief Plant Operator
- Eric Hookanson, Cable & Internet Services
- Missy Stabile, Clerk-Treasurer

Also in attendance was:

- Graeme Bilenduke, Copper Mountain Director of Development
- Eric Weaver, Marchetti & Weaver

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 August 26, 2022 at 8:30 a.m. noting a quorum was present.

Old Business The Board reviewed the minutes of the June 24, 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 June 24, 2022 Regular Board Meeting with corrections on line 26 and 59.

Community Updates

Graeme Bilenduke, Copper Mountain Director of Development and Rob Martin, District Manager reported that the Resort with CMCMD and the Resort Association met with the Board of County Commissioners regarding winter street plowing and snow removal on County Road 1190 (Copper Road) which is a public right of way for which the county is responsible. The longstanding enhanced services plowing contract between CMCMD and Summit County Road and Bridge which was endorsed by CMCMD management was ended by Summit County Road and Bridge based on language in the most recent agreement stating that both parties agreed to terminate at the end of the 2021/2022 season, subject to further negotiation and agreement. The previous District Manager signed this agreement without communicating the commitment to anyone at the District or the Resort. When

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District August 26, 2022 Meeting Minutes

contacted by the District, Summit County staff said that the 2021-2022 agreement clearly stated that last year was the final year of the agreement and they were exercising their right not to renew. Summit County claimed that they do not have staff or budget to continue the agreement and that CMCMD had accepted responsibility for Copper Road years ago. During the meeting County Commissioner Elizabeth Lawrence reminded county staff that Copper Mountain is a significant tax contributor. The District pointed out that the agreement with the County was for CMCMD to pay the County an agreed sum to provide enhanced winter services above and beyond the base plowing services which should be provided and paid for by taxes collected at Copper. Another meeting is scheduled with the county to discuss how to move forward this winter, hopefully extending the agreement for this winter season.

Eric Weaver from Marchetti and Weaver noted that Metro Districts can collect taxes for road maintenance. Rob Martin will send the Summit County Road and Bridge contract to CMCMD District counsel and a memo to the Board. The Board emphasized that the District Manager needs to keep them informed of changes to contractual agreements.

Mr. Bilenduke also reported that under a wildland fire training and mitigation agreement between the Resort, CMCMD, and Summit Fire & EMS, trees will be thinned starting at the Lewis Ranch water tank moving west. The Resort is working seven days a week to get Solitude closed in by the end of October. There is a tremendous amount of work being done on the mountain to prepare for snowmaking. The A-Lift terminal has been removed, grading of golf holes is almost complete, and the Resort has begun interviews with golf course management companies. Big music events will take place over the next two weekends and opening day is scheduled for Monday, November 14.

Director Reis reported on behalf of Peter Siegel, Copper Mountain Resort Association Executive Director, that the Resort Association continues to review documents that will be needed for the merger of the three nonprofit organizations at Copper. The consultants hired to develop a park plan for the Chapel Park and other potential parks at Copper went beyond what was requested of them and the Resort Association has asked them to reduce the scope of their preliminary proposal and bring back plans that would be in a budget range that the Association could handle.

Erik Hookanson, Cable & Internet Services, stated that the Resort Association is looking at removing local Channel 18 since commercial properties were no longer willing to support it. The Board responded that they would like the local channel to remain.

Public Comments

and

Concerns

No public comments and concerns.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District August 26, 2022 Meeting Minutes

Financial

The July 31, 2022 financial report was prepared by Marchetti & Weaver and provided to the Board for review prior to the meeting. Mr. Weaver reported that he was surprised by low tax collections from the county and is hoping it is a timing issue. Cable and Internet expenses are dramatically higher than budgeted. The District is paying more to ResortInternet than previous years and there still is no contract. Personnel is favorable because the new CATV position has not been filled. Overall, we are within budget but there are building capital expenses coming up. The fire alarm panel needs to be replaced, schedule seven fire sprinkler pipe is failing and needs to be replaced.

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

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

With interest up, Mr. Weaver suggested that the District close its CSafe operating account and invest \$1,000,000 in a one-year UMB treasury bill.

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

AGREED to approve closing the CSafe operating account and investing \$1,000,000 in a one-year UMB treasury bill.

New Business

Transfer Fire

Apparatus

The bill of sale to transfer Engine 1 and Truck 1 to SFE has been approved by SFE.

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

AGREED to authorize Tom Malmgren to sign the bill of sale transferring Engine 1 and Truck 1 to Summit Fire & EMS.

Staff Updates

Mr. Martin reported that notification about the Colorado FAMLI Program has been sent to District employees inviting them to attend the September Board Meeting when the FAMLI resolution will be presented. The District has been removing chemicals and streamlining processes which has increased Phosphorus amounts. The Phosphorus levels are well below the maximum allowable amount. District counsel is reviewing the District's response to Tucker Mountain Lodge. The Lewis Ranch lot owner understands the District is not responsible for pipes in the easement but the District would like to be a good neighbor by helping the owner find a contractor who will complete the necessary work.

Recess

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District August 26, 2022 Meeting Minutes

Meeting The Regular Meeting of the Board of Directors was recessed by Director Malmgren at 10:14 a.m.

Reconvene Meeting The Regular Meeting of the Board of Directors was reconvened by Director Malmgren at 10:21 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 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 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 10:22 a.m., and the Board will go into executive session.”

Return to Open Session Director Malmgren stated, “The time is now 11:46 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, 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 September 30, 2022 at 8:30 a.m.

Adjournment There being no further business to come before the Board, by motion duly made by Director Sprinkle and seconded by Director Broughton, it was unanimously

AGREED to adjourn the Regular Meeting of the Copper Mountain Consolidated Metropolitan District Board of Directors.

RECORD OF PROCEEDINGS

Copper Mountain Consolidated Metropolitan District August 26, 2022 Meeting Minutes

Director Malmgren adjourned the Regular Meeting of the Copper Mountain Consolidated Metropolitan District Board of Directors the 26th day of August 2022, at 11:47 a.m.

Respectfully Submitted,

BY: Thomas J. Malmgren

Thomas J. Malmgren
President of the District

ATTEST: David Steele

David Steele
Secretary of the District