
RECORD OF PROCEEDINGS

Minutes of the Special Meeting Of the Board of Directors Edwards Metropolitan District April 6, 2023

A Special Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on April 6, 2023 at 12:00 p.m. in person at the Edwards Field House at 450 Miller Ranch Road, Edwards, CO and via an online Zoom meeting in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Kara Heide
- Joanna Kerwin
- Todd Williams
- Mike Trueblood (Zoom)
- Tracy Erickson

Also in attendance were:

- Ken Marchetti, Marchetti & Weaver, LLC
- Kendra Nicholson, Recording Secretary for the meeting
- Kevin Murphy, East West Partners (Zoom)
- Jim Telling, East West Partners (Zoom)
- Todd Goulding, Goulding Development Advisors, LLC
- Chief Karl Bauer, ERFDP Chief
- Evan Demuth, Public

**Call To
Order**

The Special Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Heide on April 6, 2023 at 12:00 p.m. noting a quorum was present.

**Changes to the
Agenda**

Contribution to Vail Valley Foundation for Mikaela 87 event.

Public Input Bill Simmons mentioned that the trees in Old Edwards don't look very good and the District may want to get them looked at. Ms. Nicholson stated James Fitz took a look and said that the trees do look stunted. He is going to look again at the water flow when the irrigation comes on. Director Heide stated she thinks the drainage from the road may be an issue as well.

Kris Miller suggested that the Board consider putting the referral letters at the top of the agenda so they get the attention needed.

Legal None

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ERFPD Ballot Issue 1A

Chief Bauer reported on the ERFPD ballot issue. He stated that his original plan was to ask the ERFPD Board to consider a Mill Levy increase for Fire District funding. Having heard the same message from constituents that they are in support of the Fire District and want the Fire District to have what they need to do the job, but that with the impending significant increase in assessed property values many were not in support of the tax increase at this time. He suggested the EMD Board not take action on the resolutions included in the Board packet at this meeting. The Fire District will be cancelling the May TABOR election. The Fire District is looking to come up with a mutually beneficial plan going forward before the ballot issues goes to a vote, possibly in November. There was a discussion about grants available and Chief Bauer stated the Fire District has been working with any grants available. Evan Demuth asked about details of where the extra funding will go. Chief Bauer stated it would be mainly for capital maintenance and replacement. He stated there's a shortfall between general operating funds received and the current costs being incurred. Increasing costs have been the biggest reason the Fire District is asking for more funding. There was a discussion about the increasing property valuations and the related property tax rates. Chief Bauer said ERFPD has sufficient reserves to get through until the November election without requiring major reductions in operating or staffing levels. He stated it is more the future years the Fire District is concerned about. The Fire District does have an equipment replacement schedule that they use to project shortfalls in funding. Director Heide requested that a simple version of this be available to the public. Director Kerwin asked about where the Minturn Fire Station works into the funding request. Chief Bauer stated that if the additional funding is used for equipment replacement, it could help free up more funds to be used for the Minturn Fire station.

Miller Ranch Road Pedestrian Path Lighting

Mr. Goulding informed the Board that the RFP had been published for the Miller Ranch Road Pedestrian Lighting project as of today, April 6th, in the Eagle Valley Enterprise and that he has also reached out directly to several electrical contractors. Construction proposals are due back by May 1st. May 5th is reserved for interviews, if needed. By mid-May he's planning to have contractors on board and the project will be ready to move forward.

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Mill Levy Rates and Assessed Value Increases

There was a discussion about mill levy credits and the Board's plan for a mill levy credit. This will be an ongoing discussion as more information becomes available and leading up to adoption of the 2024 budget.

The Integrated Project Delivery Resolution was reviewed by the Board and By motion made by Director Erickson and seconded by Director Williams, it was unanimously

RESOLVED to approve the Integrated Project Delivery Resolution.

Director Update

Director Erickson brought up the sidewalk project. He said the District has reached out to two engineering companies and both are too busy to assist with the project. One of the engineers suggested an engineer's survey be done to be used for designing the improvements. The curb and gutter work needs to be done prior to or at the same time the sidewalks are being done. Director Williams offered to contact SGM Engineering to see if they have capacity to take this project on. There was also a discussion about possibly using an owner's rep for the project. Director Erickson stated that the District is fortunate to have people on the Board, and within the community, that are volunteering their time to help issues within the District. He suggested spending some of the Districts funding to get professional assistance in some of the areas where the most help is needed, such as the sidewalks. The Board decided to wait to see if SGM may be available and then revisit this.

Director Kerwin said she's pleased with the outcome of the Fire Department ballot issue and how everyone involved worked together to solve it. In reference to Senate Bill SB23-213, she stated that she believes there is an inadequate understanding of how the bill being presented will affect rural communities. The Bill effectively will take power away from the local governments when it comes to housing and gives it to the State. Regarding the request for funding from Berry Creek Metro for the Miller Ranch Road Pedestrian Lighting Project, she stated she had a conflict last month but will go to their next Board meeting.

Director Trueblood noticed an article in the Vail Daily about a proposed short term rental tax the County Commissioners are considering in unincorporated Eagle County. He stated he would like the Board to determine what the County is planning for this tax and discuss it further as more information is available. He stated he noticed damages to the concrete in the roundabouts and asked who is responsible. Director Williams stated that curb repairs fall under CDOT, and inside the

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roundabout is the District's responsibility. Director Trueblood would like to try to get it fixed. A plan was discussed to approach CDOT about getting the repairs done.

Director Heide stated a no trespassing sign had been posted on the east access of the Preserve entering onto Edwards Plaza. The sign has been removed and the County is addressing this issue directly with the Edwards Plaza landowner but she requested Mr. Marchetti draft a letter to the County emphasizing the importance of that access to the Edwards community.

West End Update

Jim Telling is in the process of addressing the responses they received to the development proposal. He stated they are now in a bit of a construction pricing crisis and he will continue to keep the Board informed. He also let the Board know when they were reviewing the emergency access/egress for their property he did not find a recorded easement for the eastern access to the Preserve where the no trespassing sign had been placed.

Mill Levies Credits

The Board requested that Mr. Marchetti prepare a Scope of Services in reference to addressing other districts that overlap EMD about possible mill levy credits in anticipation of the reassessment increase in property valuations.

By motion made by Director Kerwin and seconded by Director Williams, it was unanimously

RESOLVED to request that Mr. Marchetti prepare a scope of services related to requesting mill levy credits for taxing entities that overlap EMD.

UERWA Representative Report

Director Trueblood met with town of Avon representatives to consider how workforce housing could be prioritized and/or proposed in light of limited future water availability and in the context of water rights being assigned to new developments on a first come, first served basis. He also reported that ERWSD water counsel will support requests for information by Edwards Metro special water counsel.

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VVF Funding Request

Director Heide said other towns and metropolitan districts are helping cover the cost of the Mikaela 87 event and she requested the Board discuss this in Executive Session later in the meeting.

Garfield & Hecht Water Legal Counsel Engagement Letter

There was a Board discussion about ratifying the Garfield & Hecht contract.

By motion made by Director Williams and seconded by Director Kerwin it was unanimously

RESOLVED to ratify the Garfield & Hecht engagement letter.

Shift Bike Program

Director Heide stated that Maria Cisneros, the Community Manager of the Eagle River Village Mobile Home Park, is in the process of working on Spanish translation for the Shift Bike program. There will be a Shift Bike Program launch on May 18th.

Mikaela 87 Report

Director Heide reviewed the gift of the Edwards sign that was presented at the Mikaela 87 celebration in Vail. She thanked the group for all the assistance in getting it prepared for the presentation. She mentioned she would like to get Mikaela's side profile of her slalom skiing for the sign, Director Trueblood said he will assist. Channel 9 had mentioned that they would like to report on the unveiling of the sign.

Margaux Sketch PUD

Ms. Nicholson asked the Board if they did have any comments, the referral is due April 11th. The Board did not have any comments at this time.

Traffic Study McDowell Engineering

Mr. Schroeder with McDowell Engineering will be at the next regular meeting to review and to discuss the schedule of the traffic counts, as well as other aspects of the traffic study.

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Minutes The Board reviewed the March 16, 2023 Regular Meeting minutes.
By motion made by Director Williams and seconded by Director Heide it was unanimously

RESOLVED to approve the March 16, 2023 Regular Meeting minutes

Regular Meeting

Date

The Board discussed the April 20th regular meeting date and who is available to attend. The meeting will be held as scheduled.

Executive session

By motion duly made and seconded, it was unanimously

RESOLVED to enter into executive session pursuant to C.R.S. 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Mikaela 87 Celebration

The Board discussed a \$5,000 contribution to VVF for the Mikaela 87 celebration. By motion made by Director Williams and seconded by Director Trueblood it was unanimously

RESOLVED to contribute \$5,000 to the Mikaela 87 celebration put on by Vail Valley Foundation.

Adjournment

There being no further business to come before the Board at this time, by motion duly made by Director Erickson and seconded by Director Williams it was unanimously

RESOLVED to adjourn the meeting of the Edwards Metropolitan District Board of Directors this 6th day of April, 2023

Respectfully submitted,

Kendra Nicholson
Recording Secretary for the Meeting