
RECORD OF PROCEEDINGS

Minutes of the Special (Zoom) Meeting Of the Board of Directors Edwards Metropolitan District April 16, 2020

A Special (Zoom) Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on April 16, 2020 at 12:00 p.m. 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
- Mick Woodworth
- Bill Simmons
- Beth Reilly
- Todd Williams

Also in attendance were:

- Joanna Kerwin, Resident
- Teri Lester, Resident
- Tracy Erikson, Homestead
- Mandy Ivanov, Eagle County
- Kari McDowell Schroeder, Arrowhead
- Kate Isaacson, Eagle River Watershed Council
- Kristen Williams, Edwards River Park
- Don Mackenzie, Edwards River Park
- Dominic Mauriello, Edwards River Park
- Michael Cacioppo, Business Briefs
- Jim Collins, Collins, Cockrel & Cole
- Ken Marchetti, Marchetti & Weaver, LLC
- Meghan Hayes, Recording Secretary for the meeting

**Call To
Order**

The Special (Zoom) Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Reilly on April 16, 2020 at 12:05 p.m. noting a quorum was present.

**Changes to the
Agenda**

There were no changes to the Agenda.

Public Input The following community members made comments:

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Dominic Mauriello, Edwards River Park, notified the Board that due to the COVID Crisis the approval process with the County has been postponed.

Teri Lester wanted to inform the Board that there are many on-line conversations happening regarding both the Edwards River Park and Mountain Hive developments. She encouraged the Board to read the concerns of the community.

Legal There was no legal input at this time.

**Break up
With Nic
Campaign**

Mandy Ivanov, Eagle County Public Health, presented the “Break Up with Nic Campaign” to the Board. This campaign was aimed at middle and high school students asking them to pledge to live nicotine free. The program began on February 10th and ended on March 15th. In those four weeks there were almost 1,300 pledges with it being most popular with middle schoolers.

**Edwards
Preserve
Restoration
Project**

Kate Isaacson, Eagle River Watershed Council, wanted to inform the Board that they have partnered with Eagle County Open Space, Walking Mountains, and Eagle Valley Land Trust for a proposed restoration project at the Edwards Preserve. It is very much in the discussion phase and they are applying for a funding grant. It would be a trail project to make sure access to the river is clearly signed and some vegetation rehabilitation along the riparian zones.

**Potential
Roundabout at
Arrowhead**

Kari McDowell Schroeder presented the Board with a potential plan for a roundabout on Highway 6 at the entrance to Arrowhead. The intentions of this roundabout would be the health and safety of pedestrians and bicyclists crossing Highway 6, lowering the speeds along Highway 6 and safer vehicular ingress and egress operations. The Board questioned how the cost of the project would be share and what the public benefit would be. Since this project is in the introduction phase, more discussions and inquiries from the community will be necessary. The Board invited Ms. McDowell Schroeder to a future meeting after she has met with other potential stakeholders but did express their view that

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there are other more important projects throughout the Edwards area that would take priority.

Simmons

Irrigation Letter

Agreement In the Spring of 2020, the District will be undertaking a landscaping improvement project on County land in close proximity to the Simmons property located at 43 Wellington Lane. This project involves planting approximately 7 new trees. The District requires these trees to be irrigated while being established. This agreement with Mr. & Mrs. Simmons would establish a water line from their irrigation system that would be connected to the new trees. The District would reimburse the water costs associated with these new trees to the Simmons. After discussion and upon motion duly made and seconded, it was unanimously (Director Simmons abstained from the voting)

RESOLVED to approve the Irrigation agreement with Mr. & Mrs. Simmons

Minutes

The Board reviewed the February 20, 2020 Regular Meeting minutes. Director Williams pointed out a spelling mistake. By motion duly made and seconded, it was unanimously

RESOLVED to approve the February 20, 2020 Regular Meeting minutes with the spelling mistake fixed.

Accounts

Payable

The Board reviewed the March and April accounts payable lists and by motion duly made and seconded it was unanimously

RESOLVED to ratify the March 2020 accounts payable list as presented.

FURHTER RESOLVED to approve the April 2020 accounts payable list as presented.

Overlapping District & Sub-District Policy

The Board has been approached by various developers over the years requesting overlapping or sub-districts. Director Reilly suggested that the Board adopt a policy that clearly outlines what would be required for each type of request. Ken Marchetti prepared discussion points for the Board. The Board is most concerned with the potential for

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developers to impose excessive mill levies and also structure bonds in which the developers would benefit from twice, by selling the bonds through the District but buying those bonds as the developer. The Board wants to ensure that there is full transparency to potential buyers about what kind of debt has been authorized but not issued yet as issuance of that debt would have an impact on the mill levies potentially creating large increases in that community's property taxes. After discussion, the Board directed Mr. Marchetti to create a chart that analyzes mill levy rates and the residential assessment rate during the past ten years for discussion at the May meeting.

Election Update

Ms. Hayes, Marchetti & Weaver, reported that the marketing campaign to encourage voters to request absentee ballots has begun. A newsletter has been sent out, a message posted on the Edwards website and on Facebook. The Board directed Ms. Hayes to reach out to the Vail Daily to place ads over the next few weeks. Ms. Hayes also enlisted the help of the Vail Valley Partnership, VVP, to host a virtual candidate forum. Each candidate was asked to answer several questions and submit a profile. VVP set up a website for the community to visit to get more information on the candidates. This information was included on the District's website and Facebook and will be included in the Vail Daily as well.

Financial Statements

By motion duly made and seconded it was unanimously

RESOLVED to accept the District's March 2020 financial statements as presented.

Sales Tax Update

The COVID 19 crisis will significantly impact the District's Sales Tax collections for 2020. Although we will not know the full impact, Mr. Marchetti did reduce the 2020 forecast by approximately 30% to \$725,000.

Mayors & Managers Update

Ms. Hayes attended the Mayors and Managers meeting on March 6th. The following is a recap:

Wildlife Roundtable- Kickoff meeting was held on February 24th. They will continue to meet throughout the year and an Action plan will be created by year-end.

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Transit Hub Application- Mobile-Friendly app to help the community easily navigate around the county. Will be rolled out in the next week or two.

Short Term Rentals- Senate Bill 20-109 Concerning the property tax classification on short term rentals from residential to commercial was voted down. Everyone believes that this conversation is not over yet but the current bill left too many loop holes and not enough clarification

Polling/Ballot Issues- several districts and towns are considering increases to their mill levies (Eagle County, Mountain Rec, Eagle River Fire) as well as possible sales tax increases or taxes on short term rentals. Polling was expected to begin in early March. The county polled on Workforce Housing and Childcare but the results are still being analyzed.

Coronavirus- Eagle County Public health and Emergency Management presented on the virus and informed everyone where to go to get up to date information (ecemergncy.org).

Ms. Hayes, on behalf of Director Heide, made a request to Eagle County that the Edwards Metro District be included in every meeting and not just the quarterly update meetings as our District represents the largest population within Eagle County.

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)(b) to receive legal advice on specific legal questions related to the Edwards River Park proposed development.

Adjournment

Upon conclusion of the executive session, there being no further business to come before the Board at this time, by motion duly made and seconded it was unanimously

RESOLVED to adjourn the Special (Zoom) Meeting of the Edwards Metropolitan District Board of Directors this 16th day of April, 2020.

Respectfully submitted,

Meghan Hayes
Recording Secretary for the Meeting

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Attorney Statement

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as General counsel to Edwards Metropolitan District, I attended the executive session meeting convened on April 16, 2020, held pursuant to §24-6-402(4)(b) C.R.S., conference with an attorney for the purpose of receiving legal advice related to specific legal questions regarding the referral letter being submitted by the Board to Eagle County in reference to the Mtn. Hive development. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b) C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept, and no further record, written or electronic was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signature

Name and Title

Date

James P. Collins
JAMES P. Collins Gen Counsel
6-19-2020