
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District May 18, 2023

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on May 18, 2023 at 11:00 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:

- Kris Miller
- Joanna Kerwin
- Todd Williams
- Mike Trueblood
- Tracy Erickson

Also in attendance were:

- Ken Marchetti, Marchetti & Weaver, LLC
- Kendra Nicholson, Recording Secretary for the meeting
- Kari Schroeder- McDowell, McDowell Engineering
- Allison Ebbets, ERWSD (Zoom)
- Mauriello Planning, East West Land Use Application-Gashouse (Zoom)
- Chris Dudar, East West – Edwards Station
- James Fitz, Fitz Landscaping
- Gina McCrackin, WMSC - Climate Action Collaborative (Zoom)
- Will Barror, WMSC - Climate Action Collaborative (Zoom)
- Deron Dircksen – SGM
- Cliff Thomson, Public

Call To Order

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Williams on May 18, 2023 at 11:19 a.m. noting a quorum was present.

Executive Session

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

RESOLVED to enter into executive session pursuant to §24-6-402(4)(b) and (e) C.R.S. for conference with an attorney for the purpose of receiving legal advice related to specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

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Executive session concluded at 12:12 p.m. with not formal action being taken.

**Changes to the
Agenda** None

Public Input None

**Confirmation of
Oaths** Ms. Nicholson confirmed that Director oaths of office have been administered and filed with the County Clerk and Recorder.

**Officer
Elections** Director Erickson nominated Director Kerwin as president.
Director Miller nominated Director Williams as Vice President, Director Erickson as Secretary, and Director Trueblood as Treasurer. Director Miller was nominated as Assist Secretary and Assist Treasurer. By motion made by Director Williams and seconded by Director Kerwin it was unanimously

RESOLVED to close nominations and elect officers as stated above.

**Traffic Study
Update** Ms. Schroeder-McDowell introduced herself. They have coordinated with Eagle County and the County has offered to make historical traffic studies available for McDowell's use. New traffic counts are being taken and counters will be set up this week. Their schedule of items to complete are:

- Next week scope with the County and crash data
- June outreach to different entities such as
 - Homestead HOA, Berry Creek MD, Vail Valley Health, Emergency Service, Riverwalk HOA

McDowell Engineering will update the Board on the traffic data collection next month.

**EVRTA
Update** Director Kerwin stated that the ECO buses are the same age as the Beaver Creek buses that are currently being retired. There was a discussion at the EVRTA meeting about all of Eagle County being free fares for June, July & August, as suggested by the State, however they have not decided to proceed with free fares at this time due to it possibly causing confusion and also cost constraints. Director Miller stated that a Board position for Edwards was suggested after the election. Mr. Marchetti suggested that now that with the progress the RTA Board has made toward getting

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the RTA off the ground, it would be appropriate for Edwards to reiterate its request for a formal seat on the RTA Board.

Land Use

Applications June Creek land use application request for referral comments was presented. The Board discussed the Land Use application. Director Trueblood stated he did ask what the width of the pedestrian/cyclist side access gate will be, but he hasn't received an answer yet. The Board stated that they had no concerns. On the Gashouse application, the Board had no concerns.

Sidewalk Project

Deron Dircksen of SGM introduced himself and gave a quick bio and history of his experience. Mr. Marchetti explained that he and Mr. Dircksen walked the sidewalk area around the Edwards Village Boulevard loop including a short spur path into upper homestead up to the location of the concrete sidewalk in that area. Mr. Dircksen reviewed the process for making repairs. An engagement letter has been submitted. SGM can do both the engineering for the project and project management, so there really isn't a need for an owner's representative. There was a question from Director Miller about the tiered pricing structure on the proposal and asked about a not to exceed amount. Mr. Dircksen stated he can create a scope of work including a not to exceed amount. Director Trueblood said he'd like to see SGM come back to the Board with the number for approval.

By motion made by Director William and seconded by Director Miller it was unanimously

RESOLVED to approve the SGM proposal subject to an acceptable not to exceed amount to be included.

Pedestrian Flashers

Director Williams went over the scope and details of the project, mainly the need for traffic control. There will need to be lane closures for this project, and he explained the safety issues. Mr. Marchetti stated he'd like to understand the traffic control needs and the specific locations and times for lane closures etc. There was a Board discussion about the traffic control quotes and the total amount needed for the project. Director Williams suggested Berry Creek, Vail Health and CMC be contacted as potential funding partners.

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

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RESOLVED to approve the TS&L Agreement in the amount of \$66,500 plus accessories for a total of \$80,600 so the materials for the project can be ordered.

Hillcrest

Roundabout Rickie Davies from Eagle County gave an update on the Hillcrest Roundabout project. The project is not able to commence this summer due to delays in right-of-way acquisition so construction has been deferred to spring of 2024. The estimated costs to be incurred in 2023 by EMD for right-of-way, utility relocations and engineering are \$110,000.

Turf Replacement

Funding Allison Ebbets gave an update about the funds for turf replacement. The Board has already approved \$25,000. She has had more interest and reviewed the requests that have been received. There are many associations and larger turf replacement projects planned at this point, including the Reserve and Villas at Brett Ranch. There was a Board discussion about larger projects vs single family residences and about turf replacements vs overseed with a different type of grass requiring much less water. The Board then discussed the possible adjustment to the contribution. Ms. Miller asked about how to discourage the use of chemicals citing concerns with the effects on wildlife and the water. Ms. Ebbets pointed out that significant chemicals are also used to keep non-native grasses alive, and that the use of chemicals are typically used because it produces the best result. Ms. Miller stated that she is not in support of any additional funding due to the impact on wildlife. Cliff Thompson (on the Villas at Brett Ranch Board but attending as a member of the public) stated that he also shares that sentiment and that there are alternatives to using chemicals. He stated that the aging irrigation system at the Villas at Brett Ranch is becoming inefficient. He said the original capital replacement project for the irrigation did not take into account water efficiency and the association is now looking into alternatives, including a turf replacement alternative.

Director Trueblood stated that he would like to propose doubling the budget for the turf replacement program in 2023. He said ERWSD's program is going to proceed anyway and be managed by ERWSD. Director Erickson stated that his understanding was that the purpose of the replacement program was to remove the need for irrigation completely, and that the numbers originally proposed were not going to be anything like what is being proposed now. He suggested a max amount per project. Ms. Ebbets stated that the estimated water savings is a significant amount. Director Williams stated that it sounds to him like water conservation outweighs the use of chemicals. Director Kerwin likes the idea of doubling the total contribution, but also likes the idea of putting parameters on the contribution.

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A motion was made by Director Trueblood and seconded by Director Williams to add \$25,000 to the original EMD Turf Replacement approved amount to supplement the ERWSD program. Directors Williams and Trueblood voted yes and Directors Erickson, Kerwin and Miller voted no so the motion failed.

This item will be retained on the agenda for a future meeting.

Edwards Station

Turf

Replacement Chris Dudar with East West presented. He represents the commercial property owners association at Edwards Station and described the details of the xeriscape project they are planning. The preliminary plans and the changes to the landscaping were presented by James Fitz of Fitz Landscaping. East West/Edward Station are looking to get approval from the Board for the project. He stated that additional funding is not needed since ERWSD increased their payment amount to \$2 per square foot. The EMD Board stated they support the project and requested that the timeline be shared with the Board. The Board also asked James Fitz about making similar changes to the roundabouts EMD manages. He stated that he would get information on this to Board.

West End

Update No update this meeting, East West still responding to the referral comments per Jim Telling.

Electric Vehicle

Charging Station Infrastructure

Plan

Gina McCrackin with the Climate Action Collaborative presented the Electric Vehicle Charging Station Infrastructure Plan, included in the meeting packet. The Collaborative is aiming for a 50% carbon emissions reduction by 2023, 70% by 2050. She then reviewed the goals of the plan and the need for EV charging stations throughout the valley. She also mentioned grant opportunities available. She asked the Board if EMD has any plans to install EV Charging stations. Director Williams stated that the District doesn't have any land to put the station on. Ms. McCrackin then asked the Board for some gap funding for installations that are planned. Ms. Miller then asked about the current code for the EV charging stations and if they are part of the total spots required. Ms. McCrackin stated that they are included in the total with the current codes. She also mentioned the EV demonstration event going on May 21st.

Miller Ranch

Lighting Project

Goulding Development

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Mr. Goulding presented the Tri Phase Electric construction contract for ratification. Tri Phase was the only respondent to the RFP that submitted all required documents. Tri Phase has received approval for the hardware from the County and is now in procurement.

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

RESOLVED to ratify the Miller Ranch Lighting construction agreement with Tri Phase Electric in the amount of \$440,991.

Short Term Rental Unit

Registration Mr. Marchetti stated this was an informational addition to the packet. Director Trueblood stated he does not see a need for County level regulations at this time, that it should remain with the local entities. There was a Board discussion about the licensing process proposed. Director Kerwin stated that she is in support of a licensing process, but not for funding reasons.

Director Update

Director Miller said the bad was the response to the email she made before officially being a Board member, that she is now aware of not to reply all to the board emails.

Director Williams reported the ribbon in the roundabout that was damaged has been replaced. He also met with Rick Grayson from First Chair Designs about a revised plan to include backlighting for the Mikaela sign at the roundabout.

Director Trueblood would like the District the District to pass a resolution to recognize Kara Heide for her two terms of Board service and will present some ideas.

Director Kerwin reported she is planning to go to Berry Creek Metro to ask for funding for the Miller Ranch Road Pedestrian Lighting project. She also reported Fritz Schmidt's home is permitted based on a special use permit rather than approved zoning and that access to Eagle River Preserve was a condition for the special use permit. Eagle County is still working on a solution for the eastern access to the Preserve and hope to have a solution by July.

Minutes

The Board reviewed the April 20, 2023 Regular Meeting minutes. Director Trueblood has clarifications related to the Upper Eagle Regional Water Authority report which he sent to Ms. Nicholson by email. By motion made by Director Williams and seconded by Director Trueblood it was unanimously

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RESOLVED to approve the April 20, 2023 Regular Meeting minutes with the suggested edits.

Committee/Board Appointments

Mr. Marchetti stated there is now a vacancy of the EMD Board representative to the Mayors & Managers meetings. Director Kerwin offered to serve as EMD's representative for the Mayors & Managers meeting, with Director Williams as an alternate.

Bank Signers Ms. Nicholson stated ColoTrust has been changed to the new board members, update of the UMB signature card is in process, and for Alpine Bank a current signer has to initiate the process, so Director Williams offered.

Accounts Payable List

The Board reviewed the May accounts payable list. Director Trueblood stated he has reviewed the payables and recommends approval. By motion made by Director Erickson and seconded by Director Williams it was unanimously

RESOLVED to approve the May accounts payable list.

Preliminary Financial Statements

The Board discussed the preliminary April 30th financial statements and the YTD sales tax numbers. By motion made by Director Trueblood and seconded by Director Williams it was unanimously

RESOLVED to accept the April 30, 2023 financial statements as presented.

Adjournment

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

RESOLVED to adjourn the meeting of the Edwards Metropolitan District Board of Directors this 18th day of May, 2023

Respectfully submitted,

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Kendra Nicholson
Recording Secretary for the Meeting