
RECORD OF PROCEEDINGS

Minutes of the Special (Zoom) Meeting Of the Board of Directors Edwards Metropolitan District May 21, 2020

A Special (Zoom) Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on May 21, 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
- Mike Trueblood
- Beth Reilly
- Todd Williams

Also in attendance were:

- Joanna Kerwin, Resident
- Teri Lester, Resident
- Kevin Sharkey, ECO Trails
- Jessica Foulis, EVLT
- Sara McNeill, McNeill Property Management
- Kristen Williams, Edwards River Park
- Don Mackenzie, Edwards River Park
- Dominic Mauriello, Edwards River Park
- Michael Cacioppo, Business Briefs
- Matt Larson, West End Subdistrict
- Emma Sloan, Eagle County
- Makenzie Mueller, Remonov
- Rick Mueller, Remonov
- 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 May 21, 2020 at 12:00 p.m. noting a quorum was present.

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Changes to the

Agenda

The presentations on the potential roundabout at Arrowhead and the bus stop at the mobile home park were removed from the agenda and a presentation from Jessica Foulis, Eagle Valley Land Trust was added. Later in the meeting, Director Heide requested to discuss the Safety Mirror along the pedestrian trail into Old Edwards Estates and the graffiti issue under the Spur Road Bridge.

Public Input The following community members made comments:

Dominic Mauriello, Edwards River Park, presented an update on the project and where it stands within the Eagle County land use approval process.

Joanna Kerwin requested that the Board consider taking public comment after each meeting agenda item instead of at the beginning of the meeting.

Legal

There was no legal input at this time.

Election

Results/

Election of

Officers

A Director Election was held on May 5, 2020. Todd Williams, Kara Heide and Mike Trueblood were all elected to a three-year term. After discussion, and by motion duly made and seconded, it was unanimously

RESOLVED to elect the following officers:

Beth Reilly	President/Chairman
Mike Trueblood	Treasurer
Kara Heide	Secretary
Todd Williams	Vice President/Asst Secretary/Asst Treasurer
Mick Woodworth	Vice President/Asst Secretary/Asst Treasurer

Appointment To

UERWA

By motion duly made and seconded it was unanimously

RESOLVED to appoint Director Woodworth as the District's Upper Eagle Regional Water Authority (UERWA) representative and Director Heide as the District's alternate representative.

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Appointment to Mayors & Managers

By motion duly made and seconded it was unanimously

RESOLVED to appoint Director Heide as the District's Mayors & Managers representative and Meghan Hayes as the District's alternate/manager representative.

ECO Trail Miller Ranch Tree Removal Project

Kevin Sharkey, ECO Trails, notified the Board that there are several issues with Cottonwood trees along the Eagle Valley Trail adjacent to Miller Ranch causing damage to the trail. There are some areas that are so damaged that the asphalt must be removed and replaced. He requested that the Edwards Metro District participate as a funding partner. At this time, he was still working out all the details about the project and requested to be invited to the June meeting, where he would have more information on the cost and scope of the project.

Eagle Valley Land Trust

Jessica Foulis was recently appointed as the Executive Director of the Eagle Valley Land Trust. She wanted to introduce herself to the Board and update them on the state of the Land Trust and what projects will be starting up again this summer. She reported there was a positive response from donors during the COVID crisis and that they are strategically coming up with ways to continue fund raising in this new challenging environment.

Draft Landscaping Cost Sharing Agreement

Edwards Metro District has been working with Medsker Partnership (Conoco Station) and Remonov & Company on a cost sharing agreement for the landscaping maintenance and water on the southwest corner of Highway 6 and Edwards Village Boulevard. The parcel of land is split between properties owned by each party with Edwards being responsible for the CDOT Right of Way portion. Rick Mueller, Remonov, has some concerns on some of the terms of the agreement and will be working with his legal counsel and Medsker Properties to update the agreement so that all parties are satisfied with the terms. Jim Collins, Edwards Metro District Attorney, reviewed the agreement and made some suggestions and after discussion and upon motion duly made and seconded, it was unanimously

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RESOLVED to approve the Cost Sharing Agreement with the condition that the changes being made by any party does not substantially change the terms of the agreement.

Old Edwards Estates Trail

Mirror Director Heide requested that the Metro District replace the safety mirror that was on the blind corner of the trail into the Old Edwards Estates before the construction of the new bridge. After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED to approve replacement of the safety mirror.

Spur Road Bridge Graffiti

Director Heide pointed out to the Board there is an issue with graffiti under the new Spur Road Bridge. She suggested some solutions such as putting up a motion sensor camera to help identify who is vandalizing the bridge or possibly start a program where we work with artists to build a mural there. She directed Meghan Hayes to look into both alternatives. Ms. Hayes will report at a future meeting on her research into this issue.

Minutes The Board reviewed the April 16, 2020 Special Meeting minutes. Director Heide requested that the section on the Mayors and Managers be updated to note her request that Edwards Metro District be included in all meetings and not just the quarterly update meeting. By motion duly made and seconded, it was unanimously, with Director Trueblood abstaining

RESOLVED to approve the April 16, 2020 Special Meeting minutes with the inclusion of the above verbiage from Director Heide.

Accounts Payable

The Board reviewed the May accounts payable list and by motion duly made and seconded it was unanimously

RESOLVED to approve the May 2020 accounts payable list as presented.

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Edwards

River Park Jim Collins, Legal Counsel, informed the Board that the Edwards River Park was no longer looking for an overlapping district with the Edwards Metro District. They were granted an overlapping District with the Eagle River Water and Sanitation District. Even though they are no longer requesting the overlapping district, Mr. Collins suggested the Edwards Metro District continue to request all updates to their Service Plan and Financial plan for their district and continue to be a voice throughout the land use application process.

Property

Tax Assessment

Chart

Mr. Marchetti presented the Board a chart that compared the property taxes of the surrounding areas to help the Board with their decision about requesting or suggesting a Mill Levy cap for any overlapping or sub district requests. There were discussions from the Board on both sides of the argument about applying a limit on Mill levies as well as using a policy for overlapping district requests. Jim Collins suggested that instead of a policy that the Board consider using a less formal document such as a considerations to be made for overlapping and subdistrict requests. This way the Board is able to communicate with future developers the areas that are of concern to the District but recognizing that each project is unique and without limiting projects to a rigid policy. The Board directed Mr. Collins to prepare a new document with the discussed considerations and it will be presented at the June meeting.

Encouraging

Community

Involvement Director Reilly encouraged the Board think of ways we could gain community involvement. She directed Meghan Hayes to reach out to the two candidates who were not elected to the Board to gauge their interest in being involved as representatives of the Edwards Metro Board for various community projects.

Director Woodworth left the meeting at 2:45

Economic

Advisory

Council

Update

Meghan Hayes attended the May 11th Economic Advisory Council Meeting as a representative of the District. Ms. Hayes reported that the focus of the meeting was discussing Eagle County's strategies of how to economically recover from the COVID 19 crisis. The council is preparing to begin a marketing campaign to reach out to second

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homeowners to encourage them to come to Eagle County and stay for a longer period of time than just the weekends.

Financial Statements

By motion duly made and seconded it was unanimously

RESOLVED to accept the District's April 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. He also presented the long range financial projections of sales taxes expected to be generated and asked the Board to begin thinking about future projects that could be funded by sales tax revenue over the next 10 years.

West End Subdistrict Update

Matt Larson presented the Board with an update on the West End project. He reported that there has been a delay due to the COVID 19 crisis but that the Traffic Study report should be finalized within a week. He voiced his concerns about putting a mill levy cap on any policy or consideration for overlapping or subdistrict requests. As requested, he will continue to provide updates every month.

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.

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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 21st day of May, 2020.

Respectfully submitted,

Meghan Hayes

Meghan Hayes

Recording Secretary for the Meeting

Attorney Statement

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION *General*

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as ~~special~~ counsel to Edwards Metropolitan District, I attended the executive session meeting convened on May 21, 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 *James P. Collins*

Name and Title JAMES P. COLLINS
General Counsel

Date 6-12-2020

Subject to