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## RECORD OF PROCEEDINGS

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### Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District June 15, 2023

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on June 15, 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:

- 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
- Todd Goulding, Goulding Development Advisors
- Jim Telling, East West Partners
- Kevin Murphy, East West Partners
- Deron Dirksen – SGM
- Nikki Maline, WMSC
- Melissa Kirr, WMSC
- Amelia Kovacs, WMSC
- Alex Iacovetto, Eagle County Sherriff' Office's Office
- Dave Lach, Resident

**Call To  
Order**

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Williams on June 15, 2023 at 12:00 p.m. noting a quorum was present.

**Conflicts of**

**Interest**

Discussion of the conflict questionnaire and who has returned them completed. Several Board members still need to submit and will do so.

**Changes to the**

**Agenda**

None

**Public Input**

Kara Heide, presented by Director Kerwin, reported that the Eagle Valley Outdoor Movement has found a location.

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#### **Miller Ranch**

**Lighting** Mr. Goulding stated the project is in progress, conduit and bases are in and the poles and lights should show up later in the summer.

**EVRTA** Director Williams stated that at the latest meeting the EVRTA reported that they have set up bank accounts and credit card services are in place. He stated he believes the District may have to approach the EVRTA again about representation from the EMD Board. The Board gave direction to Mr. Marchetti to draft and submit the letter to the EVRTA.

#### **Funding for Miller Ranch**

**Lighting** Director Kerwin stated that she'd like a formal request letter drafted to present when asking entities for funding on the lighting project. She did approach Berry Creek about a \$60,000 contribution. She will also approach Vail Health on behalf of the EMD Board for funding as well. There was a discussion about how much to ask for from them. It was decided that the ask will be \$60,000, the same as it was for Berry Creek, unless review by Director Trueblood changes that amount.

#### **West End Update**

Mr. Murphy stated that they are in the process of looking for a construction company for the West End project. There was a discussion about relocation of the animals in the area and Jim Telling stated that they will use a company to relocate any of the animals they can. Mr. Murphy sent a link for a company they are planning to use to the EMD Board.

#### **Sidewalk Project**

Deron Dircksen of SGM introduced himself and explained the proposal he has submitted. The Board had several questions about the project, especially timing. Mr. Dircksen stated they are a bit behind on projects at the moment but should be able to start construction by next summer. He stated SGM can serve as project manager and owners rep. There was an increase to the HOA communication/meeting outreach line to 10 hours on the contract.

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

**RESOLVED** to approve the SGM proposal with the 10 hours for HOA involvement.

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#### WMSC Energy

##### Efficiency

**Rebates** Nikki Maline presented the slide show included in the board meeting packet.

#### WMSC Yard

##### Waste

**Diversion** Amelia Kovacs presented the PDF presentation included in the board meeting packet.

#### Pedestrian

##### Flashers

Director Williams sent out the agreements to the Board ahead of the board meeting. One was the proposal for parts from Tapco totaling \$90,000, the other was the contract with C&C Enterprises for traffic control totaling \$66,000. By motion made by Director Trueblood and seconded by Director Erickson it was unanimously

**RESOLVED** to approve the Tapco proposal for the hardware totaling \$90,000

Director Williams then reviewed the traffic control bid from C&C Enterprises, it is a max of the 16 days, \$66,000 total but to be billed on actual time incurred not to exceed this amount.

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

**RESOLVED** to approve the C&C Enterprises proposal for the traffic control with a not-to-exceed amount of \$66,000.

There was a Board discussion about funding requests for the project. Mr. Marchetti will draft a funding request letter to present.

#### Short Term

##### Rental Unit

##### Registration

There was a Board discussion of the survey that was done by Eagle County. The results have not been shared with the public. Director Williams stated he thinks that the property owners associations should oversee the STR's, not the County. Director Erickson stated he believes it will be more likely to happen on the County level given the restrictions of property associations. There was then a Board discussion on who should oversee this and the logistics of enforcement.

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#### **Old Edwards Estates Fence Replace/Repair**

Director Williams stated that it has been a challenge to repair the fence as it was originally constructed due to shortage of materials. He said a homeowner had reached out with a bid to get the work done to take out the fence and clean up the overgrowth around the path. There is a recorded easement on the path access. The Board decided to reach out to Fitz Landscaping, have them clean up the overgrowth for now and once complete look at next steps. They would also like to get an estimate for fence repairs from Fitz Landscaping, and what the charges for ongoing maintenance might be.

#### **Director Update**

Director Trueblood stated that his “good” is that the ongoing projects all seem to be moving forward. He also said he would like to use one of the Shift Bikes but hasn’t had a chance yet. He said he doesn’t have any “bad” to report at the moment.

Director Williams said his “good” are the ongoing projects that are being done, and the EVRTA being organized.

Director Erickson said the sidewalk repairs going ahead is his “good”. He also stated that it’s good to see the pedestrian flashers finally being put in. He mentioned he would also like to see a curb cleanup done on the roundabouts in Edwards.

Director Miller stated she was happy that the ballot question Chief Bauer had proposed was not put on the ballot this May. She then mentioned that there is a plan being formulated to try and have all the local special districts come together and review what the funding needs are for each of the entities. She mentioned that the State initiative (Proposition HH) which would lower property tax rates around the State, is in the works and the group is keeping an eye on what’s happening there. Mr. Marchetti stated he would like to get the local taxing jurisdictions together and have each do a presentation about what they plan to do with the tax funding being collected next year. Eagle County is looking into a Mill Levy reduction for 2024 as well. He then asked the EMD Board if they would like a special project billing code to track Marchetti & Weaver time spent on this issue. The Board concluded that Mr. Marchetti proceed with the special project without the application of a special project billing code.

Director Kerwin stated that she attended the most recent CAC meeting. She is also the alternate EMD representative on the water authority and is to be sworn in at the next meeting. She was happy that fellow Board members showed up at the Shift Bike Launch. She also stated that the modular units being put into Edwards were presented and are of a high quality, which she was happy about.

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**Band by the River**

Director Williams presented the Bands by the River funding request. By motion made by Director Miller and seconded by Director Erickson, with Director Williams abstaining and all other voting yes, it was

**RESOLVED** to approve the Bands by the River funding request at \$3,000

**E-Bike Conversion Kit**

Ms. Nicholson stated that a resident of Edwards had asked if they could get the e-bike rebate on a conversion kit he's installing on his bike. Director Miller said she'd like to see a picture of the completed install and it was to be paid out on completion.

**Publicist For EMD**

The Board gave the direction to hiring a public relations consultant to help with public relations for the District.

**Minutes**

The Board reviewed the May 18, 2023 Regular Meeting minutes. Director Trueblood and Director Miller suggested edits. By motion made by Director Williams and seconded by Director Erickson it was unanimously

**RESOLVED** to approve the May 18, 2023 Regular Meeting minutes with the suggested edits.

The Board reviewed the May 25, 2023 Special Meeting minutes. Director Trueblood suggested edits.

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

**RESOLVED** to approve the May 25 2023 Special Meeting minutes with the suggested edits.

**Accounts Payable List**

The Board reviewed the June accounts payable list. Director Trueblood went over WMSC Energy Rebates Program that has been spent YTD. He then stated he has reviewed the payables and recommends approval. By motion made by Director Williams and seconded by Director Miller it was unanimously

**RESOLVED** to approve the June accounts payable list.

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#### **Preliminary Financial Statements**

The Board discussed the preliminary May 31<sup>st</sup> financial statements and the new CD accounts. Director Trueblood pointed out the mill levy credit that has been estimated in the preliminary 2024 budget. By motion made by Director Erickson and seconded by Director Williams it was unanimously

**RESOLVED** to accept the May 31<sup>st</sup>, 2023 financial statements as presented.

The 2022 Audit approval based on Director Trueblood's meeting with the auditors. By motion made by Director Trueblood and seconded by Director Miller it was unanimously

**RESOLVED** to approve the 2022 Audit subject to the outcome of Director Trueblood's meeting with the auditors.

**Bank Signers** Ms. Nicholson went over status of the bank signers. Director Erickson stated he has taken care of the UMB Bank paperwork, and Director Miller asked for the CIP form for Alpine Bank be resent. Ms. Nicholson will follow up.

#### **Water Conservation Committee**

The group is comprised of ERWSD, the Water Authority, Director Trueblood from EMD and water district staff. Director Trueblood reviewed the SFE multiplier and how it works. There is a base rate based on square footage. Water usage is billed per tier with increasing charges per gallon as usage increases. However, homes greater than 3,000 sf currently have different tier structures than homes with less than 3,000 sf so customers with larger homes can pay lower rates for similar water use. Water District staff is considering adopting new policy that would leave the existing base service charge structure in place but would modify the usage tiers to charge homes less than 3,000 sf at similar rates for usage as homes with more than 3,000 sf. They are also discussing turf replacements and the logistics of that. Legally the local government entities cannot impose stricter regulations on herbicide use than the State and Federal regulations currently in place. There was a Board discussion about the turf replacement program and possible improvements that could be made to the program. The consensus was that there should be more professional expertise referred to about how the program should be administered.

#### **Adjournment**

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

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**RESOLVED** to adjourn the meeting of the Edwards Metropolitan District Board of Directors this 15<sup>th</sup> day of June, 2023

Respectfully submitted,



Kendra Nicholson  
Recording Secretary for the Meeting