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## RECORD OF PROCEEDINGS

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### **Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District July 21, 2022**

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on July 21, 2022 at 12:00 p.m. in person 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:

- Mike Trueblood
- Todd Williams
- Joanna Kerwin
- Tracy Erickson
- Kara Heide

Also in attendance were:

- Kris Miller, Edwards Resident
- Jim Telling, West End
- Ken Marchetti, Marchetti & Weaver, LLC
- Kendra Nicholson, Recording Secretary for the meeting
- Jim Collins, Legal Council
- Beth Reilly
- Mick Woodworth, UERWA Representative
- Kevin Sharkey, Eagle Valley Trails

#### **Call To Order**

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Heide on July 21, 2022 at 12:05 p.m. noting a quorum was present.

#### **Changes to the Agenda**

Add RTA discussion of Eagle Valley RTA

#### **Public Input**

Beth Reilly: Eagle County is trying to coordinate valley wide curfews for young drivers to make the timing consistent throughout, they would like to see all areas follow the State regulations. The County is looking to make a valley wide resolution instead of it being up to the individual municipalities. Board members had several questions: What are the consequences if kids are caught violating curfew ordinances? What do other areas do? Can kids get a pass to commute to and from work? Ms.

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Reilly said she would get answers to the questions and let the board know what she finds out.

#### **Director Update**

Director Kerwin: At the Eagle Count Commission meeting the Eagle County Assessor, Mark Chapin shared that there has been a 2% per month appreciation in Real Estate values. Land use regulators stated there's a 15% increase in applications in certain areas and the County land use office is short staffed at this point. There will be a Climate Action Meeting Sept 10<sup>th</sup> with a presentation about a proposed e-bike sharing program.

Director Trueblood: The sidewalks were looked at and he's hoping to move forward shortly with a plan for the needed repairs.

Director Williams: Many out of towners have been visiting Edwards lately and spending money, which should be good for sales tax revenue. He looked at the sidewalks and has developed a good idea of what needs to get done.

Director Erickson: Stated he is aware of the sidewalks and where there are issues.

Mick Woodworth: The County is looking to put together a founders' history of the Edwards area.

#### **UERWA Report**

Mr. Woodworth stated that water conservation is still the big issue, there was an email sent out recently about outdoor irrigation watering and the restrictions they are planning to put on it. One focus has become providing incentives to property owners to convert turf to xeriscape. Mr. Collins stated that to get around the upper tier usage, many owners may simply pay for another tap. Ms. Miller asked Mr. Telling how can the new developments continue to be allowed, when at the same time the current and long-time residents are asked to cut usage back. Mr. Telling stated that the water authority does not make the development decisions, that falls on the local governments. He stated phase one would be to increase the upper tiers to a point where it really discourages the higher usage for everyone, even the larger developments that have the resources to pay the current higher tiers. Director Heide asked if it makes sense to create a separate

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irrigation use rate from the indoor water usage. Mr. Telling stated that the separation is in place in some areas already.

#### **Eagle Valley Trails Funding Request**

Kevin Sharkey from Eagle Valley Trails stated that there are 12 miles left to complete that will fully connect the trails within the valley, but that these 12 miles are the hardest to develop due to the terrain. He stated some of the benefits of the trail system are connecting communities, helping with climate change by encouraging alternative transportation options, and improves rider safety by moving the bike traffic off of the roadways. The current construction going on is in Dotsero by the Duck Pond Open Space, they just broke ground on that section and it should be done by November. They are currently looking into funding options for the rest of the trail including grants, which is why they're looking for letters of support from as many communities as possible. Director Heide suggested they also look into GOCO (Great Outdoors Colorado) as a funding option as well. Mr. Sharkey stated they are looking at that option, but it is highly competitive to get funding approval from them. Mr. Woodworth stated as a first responder he'd like to see the trail mile makers match up with the miles on Hwy 6 to make it easier to locate emergencies. Mr. Sharkey stated that there are 7.5 miles of trail to complete in the Edwards vicinity at a cost of approximately \$26 million. They are looking for from \$10,000 to \$50,000 per year over a 2-year period from supporters of the project. The Edwards board members stated that they are happy to provide a letter of support and will discuss funding in executive session.

#### **West End Update**

Jim Telling, introduced Kevin Murphy: They reported they made a presentation to Eagle Valley Land Trust because of the Preserve being in close proximity to the development. They also presented to the Homestead HOA Board and showed the renderings. Homestead's concerns were mostly about the traffic impacts. Other concerns of the Homestead HOA – look and feel of the building and tying in with what's currently in Edwards. Mr. Telling offered to send the presentation they made to the Homestead HOA if desired. Other discussion included the number of parking spaces and employee/affordable housing. Director Trueblood asked about Eagle County's requirements for parking. Mr. Telling responded that the development has 433 spots for 273 units planned which is an increase from the last report. Director Williams stated that other areas are starting to lower the number of parking spaces required to

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encourage use of public and other alternative forms of transportation. Kris Miller would like to see the traffic study, she's concerned about manipulation of the studies to suite the needs of the development. Mr. Telling said he did forward the study to the Homestead HOA. Mr. Telling stated deed restricted units will be about 50% of the planned development, per the housing authority. He also stated that it will be year-round leasing only with no short-term rentals. The board stated that it would like to see a non-permeable barrier on the preserve side, as well as consideration of no dogs allowed to the West End section

**Legal:**  
**EMD RTA**  
**Board Member**  
**Seat**

Jim Collins recommends sending a letter to Bill Ray and Commissioner McQueeney reiterating the request for a board seat on the RTA Board, either immediately or to be made available upon formation of the RTA. Mr. Collins stated that it may be a good idea to add verbiage that states EMD will share a prorated part of the cost of the Formation Committee. The EMD Board expressed concerns that there won't be any incentive on the part of the RTA board to add them after formation. Mr. Collins will draft a letter for consideration by the Board. By motion duly made and seconded, it was unanimously

**RESOLVED** to authorize Director Heide to sign and submit the letter to be drafted by Mr. Collins, following review by other Board members.

**Edwards**  
**Development**

Director Kerwin reviewed the proposed Eagle County Housing Development going in next to the Edwards Field House. The Housing Authority will manage this development as well as the housing being constructed by the School District adjacent to Battle Mountain High School.

Director Trueblood reviewed the updates on the Miller Ranch Lighting project. He said after review of the cost breakdowns and project phases, the suggestion he's making is to have Edwards Metro District pay for all of Phase 1 of the project and to approach the other entities requesting funding for different percentages/amounts for Phases 2 and 3. Director Trueblood presented a proposed cost breakdown worksheet to the Board.

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He's hoping to get Phase 1 of the project started next year. He's also going to reach out to Eagle County and the Eagle County School District to see if conduit can be put in as part of the planned construction. There was a discussion among the Board members about asking Eagle County and CMC for funding for the lighting project in conjunction with the building they are planning to do at Freedom Park. Kris Miller suggested that the Board reach out to let the community know what's going on with the new developments and other projects, like the lighting project.

#### **Minutes**

The Board reviewed the June 16, 2022 Regular Meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the June 16, 2022 Regular Meeting minutes with the requested changes.

#### **Actions Taken Outside of A Board Meeting Policy**

The Board reviewed the Actions Taken Outside of a Board Meeting Policy. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Actions Taken Outside of a Board Meeting Policy.

#### **Eagle County Referrals Policy**

The Board reviewed the Eagle County Referrals Policy. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Eagle County Referrals Policy.

#### **Operating Plan Revisions**

The Board reviewed the Operating Plan revisions. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Operating Plan revisions.

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**2021 Audit** Director Trueblood reported he spoke to the auditor and got a great report back and the auditor stated that it was a clean report with no issues that came up, no negative findings. The audit report is a “clean opinion” with adverse no audit findings. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the 2021 Audit Report as presented.

**Accounts Payable**

The Board reviewed the July, 2022 accounts payable list and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the July 2022 accounts payable list as presented.

**Financial Statements**

The Board reviewed the June 2022 financial statements. By motion duly made and seconded it was unanimously

**RESOLVED** to accept the District’s June 2022 financial statements as presented.

**Sales Tax Report**

Director Trueblood reviewed the sales tax report. He stated the sales tax is continuing to come in higher than the numbers from last year while expenses are also trending in a favorable direction.

**Edwards Roundabout Landscaping**

Director Williams reported that EMD was working on a cost sharing agreement with the gas station and Edwards Corner to split the landscaping and water billing for the land next to the Edwards main roundabout, but the agreement was never executed. The gas station owner stated she sent a bill for reimbursement and never heard back from Romanov/Rick Mueller. Director Williams will review the email communication and attempt to develop a solution.

**Executive Session**

By motion duly made and seconded, it was unanimously

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**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.

**Eagle Valley  
Trails Funding**

Following the executive session the Board discussed budgeting \$50,000 for 2023 and \$50,000 for 2024 for construction of the Eagle Valley Trail, subject to annual appropriation, with the stipulation that it be used for the Edwards to Horn Ranch segment of the trail.

**Adjournment**

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 Regular Meeting of the Edwards Metropolitan District Board of Directors this 21<sup>st</sup> day of July, 2022

Respectfully submitted,



Kendra Nicholson

Recording Secretary for the Meeting