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## RECORD OF PROCEEDINGS

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### Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District September 21, 2023

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on September 21, 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
- Magdalena Gembal, Recording Secretary for the meeting
- Todd Goulding, Goulding Development Advisors
- Kevin Murphy, East West Partners (Zoom)
- Deron Dircksen – SGM
- Nina Timm, Berry Creek Metro Manager (Zoom)
- Kevin Sharkey and Robin Thompson, Eagle Valley Trail
- Gina McCrackin – Climate Action Collaborative (Zoom)
- Deb Forsline, The Reserve HOA
- Cliff Thompson
- Steve Nusbaum
- Elizabeth Reilly (Zoom)

**Call To  
Order**

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Kerwin on September 21, 2023, at 12:00 p.m. noting a quorum was present.

**Conflicts of  
Interest**

On file

**Changes to the  
Agenda**

Director Joanna Kerwin made the following changes: An executive session is needed; for business matters, there should be a discussion on the incorporation of an elevation sign on the Edwards sign; an update from Ken Marchetti on the September

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13<sup>th</sup>, 2023 meeting regarding Eagle County Property Tax Forum, and board discussion on what will be in next meeting's agenda.

**Public Input** Steve Nusbaum introduced himself and expressed his interest in the board vacancy. Debra Forsline also introduced herself and expressed her interest in the board vacancy.

#### **Executive Session**

Director Kerwin announced the need for an executive session for the purpose of personal matters. By motion made by Director Trueblood and seconded by Director Kerwin it was unanimously

**RESOLVED** to enter into executive session pursuant to 24-6-402(4)(f), C.R.S. for the purpose of discussing personal matters.

Following the conclusion of the Executive Session, the Board returned to public session.

Kris Miller requested a withdrawal of her resignation as a board member. By motion made by Director Erikson and seconded by Director Trueblood it was unanimously

**RESOLVED** to approve Director Miller's request to withdraw her resignation from the Board of Directors.

#### **Miller Ranch Road**

##### **Pedestrian**

##### **Lighting**

Mr. Goulding reported on the progress of the Miller Ranch Road Pedestrian Lighting project. All lights of Phase 1 have been installed from CMC to Miller Ranch. However, there has been some troubleshooting in the controls for the dimming of the lights, which are now set at 50%. Phase 2 has been walked and staged; excavation should start next week. Phase 3 will be walked next week and specific areas such as the railroad and Blue Light Bridge will be assessed. All the bases will be installed next week, and staging will proceed. Once all fixtures for Phases 2 and 3 arrive, they will be installed.

McDowell Engineering has submitted a proposal to do the construction drawings for Phases 2 and 3 and the proposal is within the budget for the project. The construction of Phases 2 and 3 will be done by Tri Phase Electric through a change order to their contract. The total contract price for construction will be \$12,000 less than the project budget. Director Williams made a motion to approve the McDowell Engineering Proposal and a motion to approve the change order to

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the Tri Phase Contract for construction of Phase 2 and 3. Director Erickson seconded the motion, and it was unanimously

**RESOLVED** to approve the McDowell Engineering proposal and approve the change order to the Tri Phase contract for construction of Phase 2 and 3.

#### **Eagle Valley Trail Maintenance**

Kevin Sharkey and Robin Thompson reported that the stripping of the path in Edwards has been completed as well as asphalt crack sealing and repair. The stripping on the path by Highway 6 in front of Arrowhead has also been completed. Repainting crosswalks for e-bikes is also planned for the future.

Designs for the kiosks to include trail maps and partnerships are complete, locations need to be established. A proposal is expected to arrive soon, and the Board will determine the appropriate locations for the kiosks.

#### **Climate Action Collaborative Funding Request**

Gina McCrackin with Climate Action Collaborative presented a funding request for \$5,500 for 2024 initiatives, which are fully funded by outside organizations from Walking Mountain Center. Discussion was held regarding electric vehicle (EV) stations, plastic bag bans, landfill partnership with Eagle County and the increment from last year's funding. These requests will be considered in executive session.

#### **Sidewalk Project**

Deron Dircksen of SGM reported that the engineering survey of the Edwards Village Blvd. sidewalk area has been completed. Discussions with Rickie Davies with Eagle County Engineering Department for permits and next steps took place outside of this meeting. Per Mr. Dircksen's report, the drawings have been completed to the 30% stage, and the project is moving forward nicely. Mr. Dircksen will be meeting every Tuesday on site to look at the problematic areas to ensure effective action. Director Erickson will coordinate with Mr. Dircksen for a follow-up meeting.

The geotechnical evaluation contract by Ground Engineering has increased by a small amount (less than \$1,000) and Mr. Dircksen requested approval to proceed which the Board granted.

Further discussions took place regarding the budget, neighbors' opinions, HOAs, in the vicinity of the sidewalk, connecting the sidewalk loop adjacent to the school and replacement of the ADA ramps to meet current standards. Mr. Dircksen anticipates

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having the construction drawings done so the project can be bid this winter with construction to start during the 2024 shoulder season when there is more contractor availability.

#### **West End Update**

Mr. Murphy reported that they have resubmitted their application with changes requested by the Planning Department, and they are addressing referral responses as they arise. Once all has been addressed and the application is deemed sufficient, they will be preparing for a Planning Commission hearing, after 30-day public notice, resulting in an anticipated hearing date by mid-November. Construction schedule has not changed with an anticipated start date mid-year 2024. They have not updated their construction cost budget at this time and they will not be prepared to price any units until after construction budgets have been updated.

Further discussions were held about relocation of the building thirty feet from Eagle River Preserve and a split rail fence separating the project from the Preserve.

#### **Pedestrian Crossings**

##### **Flashing Beacons**

Director Williams reported the pedestrian crossings flashing beacon project has begun with installation of beacons around the Shell Gas station. Vail Health provided input on the project and suggested the cost should be covered by their impact fees rather than by an additional contribution. Continuation of installation is planned for next week. Director Kerwin will work on a formal funding request to Vail Health for this project. Nina Timm, Berry Creek Metropolitan District Manager, commented that a funding request of \$60,000 has been included in their preliminary budget but the request hasn't been considered by the Berry Creek Metro Board at this time.

#### **CDOT Update**

Director Kerwin reported that John Kronholm with CDOT said that the stripping was done last fall and they do not a plan to do any this year. The gravel issue continues and needs to be followed up outside of CDOT as it is not their responsibility. Discussion was held on contracting with outside companies to hand sweep outside of the roads.

#### **UERWA Update**

Director Trueblood reported that the Water Authority discussed Bolts Lake construction and the need to prioritize the acceleration of permitting and designing for future water. Further discussions included a proposed new rate structure for irrigation only accounts. Representatives from UERWA plan to attend EMD's next meeting to present the proposed new rate structure. Lastly, there is an ongoing

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discussion from the Water Authority asking for water rights from ERWSD for new developments.

#### **Edwards Recycling**

**Event** Director Williams has contacted the company, Blue Star Recyclers, for information about fees and what to expect. The company is booked up for the next months, thus the event could potentially happen next spring.

#### **Holiday Lighting**

Director Williams suggested doing the lighting this year with an outside contractor instead of Director Williams' personnel, and he is expecting bids from two companies: Old Growth and Steven's Homecare. The general discussion had a consensus to have consistency between Berry Creek Metro District and EMD. Further discussion was held on cost based on using colored or white lights. Nina Timm, Berry Creek Metro District Manager, commented that the cost is usually double for colored lights.

#### **Bear-Proof**

**Trash Cans** Director Williams pointed out that there are no bear-proof trash cans in the Edwards rest area, yet there is information in the facility regarding the importance of not leaving trash out as it is detrimental to the bears. Discussion was held on creating a proposal for CDOT to cost share with Edwards Metro District and Eagle County on four double-wide bear proof trash cans, included in the 2024 budget. Another discussion was held on adding one or two bear proof containers in the overlook area on I-70, and placing stickers on trash cans.

#### **Referral Letter for Eagle County Housing and Offices 1041 Permit**

Discussion and comments regarding zoning, overflow parking and alternative public transportation were held. A preliminary draft regarding comments and concerns will be done as a reply to the referral letter. A possible joint meeting between Edwards Metro District and Berry Creek Metro District could be held in order to discuss the approved development.

#### **Other**

The Board discussed the elevation sign in the Edwards sign. Director Williams will initiate the project, as well as fixing the electrical problems in the current Edwards sign.

Ken Marchetti discussed the meeting held on September 13<sup>th</sup>, 2023, regarding mill levy and property taxes in the case of Proposition HH passing through.

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#### **Climate Action Collaboration**

By motion made by Director Miller, second by Director Kerwin it was unanimously resolved to approve the consensus to include a contribution to Climate Action Collaboration of \$5,500 in the 2024 budget.

#### **Director Update**

Director Erickson – nothing additional.

Director Trueblood – nothing additional.

Director Williams – nothing additional.

Director Miller – nothing additional.

Director Kerwin attended last month's RTA meeting and inquired about its involvement in the sketch plan phase of the referral process. Director Kerwin proposed that each town or government individually include RTA in the referrals. However, a representative suggested seeking legal counsel instead. Additionally, Director Kerwin provided an update on the Shift Bike Program, noting that Edwards is entitled to five stations and only has four currently so a location for the fifth station is needed possibly near Eagle Water and Sanitation District's Cattail Flats employee housing. Director Kerwin will follow up with ERWSD about potentially adding a Shift Bike location there. Finally, a thank-you letter from the Rotary Club was received and will be distributed.

#### **Minutes**

The Board reviewed the August 17, 2023, Regular Meeting minutes. Director Trueblood had edits which he reported to the Board and provided to Ms. Gembal. By motion made by Director Williams and seconded by Director Kerwin it was unanimously

**RESOLVED** to approve the August 17, 2023, Regular Meeting minutes with the suggested edits.

Directors Miller and Erickson departed from the meeting.

#### **Accounts Payable List**

The Board reviewed the accounts payable list and by motion made by Director Williams and seconded by Director Kerwin it was unanimously

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**RESOLVED** to approve the September accounts payable list as submitted.

**Preliminary  
Financial  
Statements**

The Board reviewed the preliminary August 31, 2023 financial statements. By motion made by Director Trueblood and seconded by Director Kerwin it was unanimously

**RESOLVED** to accept the August 31, 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 21<sup>st</sup> day of September, 2023

Respectfully submitted,

Magdalena Gembal  
Recording Secretary for the Meeting