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## RECORD OF PROCEEDINGS

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### Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District October 19, 2023

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on October 19, 2023, 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:

- Kris Miller (Zoom)
- Joanna Kerwin (Zoom)
- Todd Williams (Zoom)
- Tracy Erickson (Zoom)

The following director was absent and excused:

- Mike Trueblood

Also in attendance were:

- Ken Marchetti, Marchetti & Weaver, LLC (Zoom)
- Magdalena Gembal, Recording Secretary for the meeting (Zoom)
- Todd Goulding - Goulding Development Advisors (Zoom)
- Kevin Murphy - West End Partners (Zoom)
- Deron Dirksen – SGM (Zoom)
- Kevin Sharkey and Robin Thompson - Eagle Valley Trail (Zoom)
- Maren Cerimele and Eric Williams – Vail Valley Partnership (Zoom)
- David Norris - Eagle Water & Sewer Sanitation District (Zoom)
- Brian Thompson - Eagle Water & Sewer Sanitation District (Zoom)
- Rick Plyman - Eagle Water & Sewer Sanitation District (Zoom)
- Siri Roman - Eagle Water & Sewer Sanitation District (Zoom)
- Diane Johnson - Eagle Water & Sewer Sanitation District (Zoom)
- Sergeant Comroe – Eagle County Sheriff Office (Zoom)

**Call To  
Order**

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Kerwin on October 19, 2023, at 12:00 p.m. noting a quorum was present.

**Conflicts of  
Interest**

On file.

**Changes to the  
Agenda**

None.

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**Public Input** None.

#### **Miller Ranch Road Pedestrian**

**Lighting** In Mr. Goulding's absence during the update, Mr. Marchetti addressed the report. Mr. Goulding's report sought the Board's approval for the location for placement of lights on the south side of the railroad tracks between HWY 6 and the railroad tracks. Directors Trueblood, Williams and Kerwin all reported they have reviewed the locations and expressed agreement with the proposed locations.

#### **Sidewalk Project**

Mr. Dirksen gave an update on the progress of the Sidewalk Project, indicating that they have made significant headway in reaching out to most HOAs and utility companies regarding the locations of their utilities. A meeting with the school to discuss planning is in the pipeline. Approximately 90% of the drawings have been completed, and there are plans to submit them to Eagle County for a Right of Way Permit. Additionally, Mr. Dirksen presented detailed drawings of the school's sidewalk, featuring fencing, handicap ramps, striping, and entrances for children on both the east and west sides. There was also an overview of the proposed sidewalk along Edwards Village Boulevard. Discussions with the Board of Directors centered on the need for fencing and whether to replace the school's proposed turf with rock in the sidewalk plans.

#### **Eagle Valley Trails Proposed Kiosks Locations**

Kevin Sharkey and Robin Thompson suggested suitable sites on both the east and west sides of Edwards for kiosks, which would feature trail maps and information about partnerships. All four directors reached a consensus on these locations. Director Williams voiced concerns about potential vandalism at the west site.

Director Kerwin inquired about any plans to address safety issues regarding striping and repair on the Eco Trail connection with Homestead. Mr. Sharkey responded that they were unable to get those repairs completed this fall due to external contractors' schedules but indicated that he may be able to make repairs utilizing Eco Trails staff. He is aware that it is a high priority item.

#### **Vail Valley Partnership Funding Request**

Maren Cerimele and Eric Williams put forward the funding request from Vail Valley Partnership, seeking \$8,000 for initiatives in 2024. During their presentation, they

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emphasized the achievements in critical program areas, such as CareerWise Youth Apprenticeships, and shared success stories from the organization. These requests will be considered in executive session.

#### **West End Update**

Mr. Murphy conveyed that there hasn't been significant progress since his last presentation last month. They are currently awaiting a Planning Commission hearing scheduled for a date between mid-November and early December. No questions were asked by the Board.

#### **Eagle River Water & Sanitation District**

Siri Roman, the General Manager, and Davis Norris, the Director of Business Administration, along with Rick Pylman, the Director District 7 Representative for ERWSD, introduced a revised rate structure for individually metered residential and irrigation-only accounts. This revised rate structure, affecting two out of the six account types, aims to create a more equitable pricing model for each gallon of water consumed and support water conservation goals. Additionally, Ms. Roman reported there will be a 10.9% increase in rates for monthly water and wastewater services for the typical customer in 2024. This change is primarily attributed to ongoing regulatory requirements, aging infrastructure improvements, and enhancing system resilience. These rate adjustments align with similar actions taken by other water and wastewater utilities providers on the western slope. Both the Eagle River Water & Sanitation District and the Upper Eagle Regional Water Authority have committed to reducing customer water use by 400 acre-feet by 2026.

Furthermore, the meeting involved discussions about the Bolts Lake project, including its objectives, associated costs, funding, zoning considerations and anticipated timing.

#### **Pedestrian Crossings Flashing Beacons**

Director Williams provided an update on the completion of the pedestrian crossings flashing beacon project, with all associated bills submitted for payment. However, a CDOT inspection is pending. Director Miller recommended creating public awareness regarding the project to inform pedestrians about the button that can help enhance safety and prevent accidents.

Director Kerwin inquired about the potential removal of old poles in Homestead, but plans are in place for this at this time. Mr. Marchetti reported that a citizen has noted that the flashing signals' duration seemed excessive and asked about when cars could

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resume. Director Williams clarified that cars could proceed as soon as the pedestrian has fully crossed.

#### **CDOT Update**

CDOT is in the process of scheduling road striping work in the near future. However, they have no plans for curb repairs or replacements because the issues are not high enough on their priority list to warrant attention. Director Erickson raised the question of what the threshold is for CDOT to initiate repairs and whether the Metro District should consider intervening and seeking reimbursement from CDOT. It was noted that obtaining a permit might be necessary. Additionally, there was a suggestion to clean up the gravel in the medians, and a local company will be contacted.

#### **Holiday Lighting**

Director Williams presented two proposals for holiday lighting to the rest of the Board, one from Old Growth and the other from Stevens Home Care. Conversations revolved around aspects such as the choice of light color, the inclination toward supporting local vendors, storage arrangements between seasons, and how the lighting would be wrapped around trees. By motion made by Director Williams and seconded by Director Kerwin it was unanimously

**RESOLVED** to approve acceptance of the Old Growth bid as presented.

#### **Purchase of a Portable Message**

##### **Board**

Director Williams relayed a local business owner's request to acquire a portable message board for disseminating information about work and events in Edwards to residents and visitors. However, Directors Miller, Erickson, and Kerwin voiced their objections, as they believe such a board does not align with Edward's rural ambiance, would create a storage problem and would not receive sufficient use to justify the cost.

#### **Snow Removal**

##### **Contract**

A snow removal proposal has been received from Premier Landscapes, the same contractor who has done in the recent past and the price increase is reasonable. By motion made by Director Erickson and seconded by Director Williams it was unanimously

**RESOLVED** to approve the snow removal contract by Premier Landscapes, Inc. as presented.

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#### 2023 Audit

##### Proposals

Audit proposals were received from four audit firms. Discussions were held on past experiences, the audit firms' qualifications and the usage of local firms. By motion made by Director Miller and seconded by Director Erickson it was unanimously

**RESOLVED** to approve the engagement of McMahan and Associates for the 2023 audit.

##### Other

Mr. Marchetti reported that during the meeting Mr. Goulding had sent an email update regarding the additional lights for phase III. In this update, Mr. Goulding provided a new figure from Tri Phase and recommended moving forward with the new proposal, emphasizing that it aligned with the project's budget and made use of the project's contingency funds. Director Williams asked for more information regarding savings based on previous conversations, and Mr. Goulding joined the meeting to clarify. There will be some savings in all three phases, around \$20,000-30,000, created by the reduction of lights in the overall budget. The Board agreed with the recommendations provided by Mr. Goulding and authorized proceeding.

#### Director Update

Director Miller commended the excellent progress on the flashing beacons project. Additionally, inquired of Sergeant Comroe if the sheriff's substation in the potential new Eagle County building in Edwards could be reopened to the public. Sgt. Comroe responded, indicating that the decision would be under Sheriff Van Beek's purview. However, he noted that previous attempts at the Field House (current location) were unsuccessful due to a lack of administrative resources within the Sheriff's office.

Director Erickson also acknowledged the successful work on the flashing beacons and sidewalk lighting project, which enhances citizen safety. Nevertheless, he expressed concerns regarding the project's cost of the proposed sidewalk replacement for the school.

Director Williams informed the board that the primary light on the Edwards sign has been restored to operation. However, there has been no progress on fixing the light for the Mikaela's portion of the sign. Additionally, he mentioned ongoing discussions regarding replacement of the elevation sign.

Director Kerwin reported that the RTA plans to reduce fares by 25% for all groups except seniors and students, causing tension within the organization due to Gypsum also benefiting from the fare reduction despite not voting for RTA. At a public hearing regarding the matter, a member in a chicken suit expressed concerns about RTA favoring Vail Resorts over local interests. Commissioner McQueeney

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suggested a work session to establish a strategic plan for the board's operation. Concerns were raised about RTA potentially providing \$800,000 to \$900,000 to the Eagle Air Alliance next year without fulfilling previously approved ballot initiatives. In response to suggestions from all board members, Mr. Marchetti was encouraged to contact representatives from the RTA to seek improved representation for the Edwards Metropolitan District.

**Minutes** The Board reviewed the September 21, 2023, Regular Meeting minutes. By motion made by Director Miller and seconded by Director Williams it was unanimously

**RESOLVED** to approve the September 21, 2023, Regular Meeting minutes with the suggested edits.

**Accounts  
Payable  
List**

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

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

**Preliminary  
Financial  
Statements**

The Board reviewed the preliminary September 30, 2023 financial statements. Director Williams inquired about the marketability of the CDs and whether it might be wise to sell them due to their underperformance. Mr. Marchetti, however, stated that the CDs were purchased with the intent to hold to maturity and disposition will result in a loss whereas they will be able to be redeemed for their full face value at maturity. Disposing of the CDs at a loss and reinvesting the smaller proceeds at a higher rate will not result in any additional earnings to the District. The Board accepted the financial statements as presented.

**Sales Tax  
Report**

Mr. Marchetti emphasized the positive and relatively robust nature of sales tax collection, which was seconded by Director Williams, who also highlighted the observed trend in Riverwalk. A brief conversation took place regarding sales tax collections on utility sales.

**2024 Preliminary  
Budget**

This agenda item has been deferred to next month's meeting to ensure the presence of all five board directors and in light of the uncertainty surrounding assessed values at this time.

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#### **Executive Session**

Director Kerwin announced the need for an executive session for the purpose of considering contribution requests during the meeting. Director Williams moved director Miller seconded

**RESOLVED** to enter into executive session pursuant to 24-6-402(4)(e), C.R.S. for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and instructing negotiators.

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

#### **Vail Valley Partnership**

The Board requested that Mr. Chris Romer, President/CEO of Vail Valley Partnership, be invited to the next Board meeting to discuss concerns and respond to Board questions.

#### **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 Kerwin it was unanimously

**RESOLVED** to adjourn the meeting of the Edwards Metropolitan District Board of Directors this 19<sup>th</sup> day of October, 2023.

Respectfully submitted,

Magdalena Gembal  
Recording Secretary for the Meeting