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## RECORD OF PROCEEDINGS

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### **Minutes of the Special Meeting Of the Board of Directors Edwards Metropolitan District December 12, 2019**

A Special Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on December 12, 2019 at 12:00 p.m. at the Community Room of the Mountain Recreation District Field House, 450 Miller Ranch Road, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

**Attendance** The following Directors were present and acting:

- Kara Heide
- Mick Woodworth
- Bill Simmons
- Beth Reilly

Also in attendance were:

- Joanna Kerwin, Resident
- Mackenzie Mueller, Resident
- Mike Trueblood, Resident
- Stacy Sadler, Resident
- Chris Pryor, Mountain Recreation District
- Rick Mueller, Remonov
- Dudley Irwin, Resident
- Teri Lester, Resident
- Tracy Erikson, Homestead
- Todd Williams, Riverwalk
- Ellen Eaton Smith, Resident
- Joe Shankland, Resident
- Ken Marchetti, Marchetti & Weaver, LLC
- Meghan Hayes, Recording Secretary for the meeting

#### **Call To Order**

The Special Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Reilly on December 12, 2019 at 12:03 p.m. noting a quorum was present.

#### **Conflicts of Interest**

It was noted that a Disclosure of Potential Conflict of Interest Statement has been filed with the Board and Colorado Secretary of State at least seventy-two hours prior to the meeting in accordance with statute, indicating that Mr. Simmons has been appointed as a Board member of the Eagle River Fire Protection District (ERFPD). There are certain

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business transactions between the District and Eagle River Fire Protection District. While both the District and ERFPD serve overlapping public constituency, transactions between the two entities could constitute a potential conflict of interest. The Board noted, for the record, that this disclosure is restated at this time with the intent of fully complying with laws pertaining to potential conflicts.

#### **Changes to the**

**Agenda** There were no changes to the Agenda.

**Public Input** Joanna Kerwin, Edwards Resident, shared with the Board the success of the Birds of Prey Ski races that were held in Beaver Creek. As a volunteer coordinator, she was responsible for over 200 volunteers. She reported that about half of those volunteering were from outside of Eagle County therefore staying in local hotels and short-term rental properties throughout Edwards and Eagle, contributing to our local economy.

**Legal** There was no legal input at this time.

#### **Board**

**Vacancy** At the October meeting, it was decided that a press release should be prepared to announce that there is a vacancy on the District's Board and applicants are being sought to fill the vacancy. The Board received letters from seven candidates who were invited to this meeting to state why they were interested in serving on the Board. Those candidates are:

- Ellen Eaton Smith
- Dudley Irwin
- Joanna Kerwin
- Chris Pryor
- Joe Shankland
- Mike Trueblood
- Todd Williams

The Board expressed its thanks to all of the candidates stating that the decision was not an easy one as all of the candidates have strong resumes. The Board noted this appointment is only until May 2020. At that time the position will be filled by an election and all the candidates were encouraged to run in that election as three board positions will be open at that time.

After discussion, Director Simmons nominated Todd Williams and Director Heide nominated Joanna Kerwin. After a paper ballot vote, the Board appointed Todd Williams.

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Director Reilly administered the Oath of Office.

After discussion, by motion duly made and seconded, the Board unanimously assigned Mr. Williams to the same position as Director McCaulley: Vice President/Assistant Secretary/Assistant Treasurer.

### **2020 Contract**

**Renewals** The 2020 contract for Premier Landscapes was included in the board packet for the Board to review. Previously, the Board questioned the exact location of the snow plowing services provided by Premier Landscapes. Ms. Hayes met with Premier Landscapes and walked the entire service area to better define those areas, noting that the area has more than doubled with the new roundabout and sidewalks along Spur Road. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2020 Premier Landscaping agreement.

### **Spur Road Maintenance**

**IGA** Mr. Marchetti reviewed the Intergovernmental Agreement between Eagle County and Edwards Metropolitan District for the I-70G Edwards Interchange Upgrade Phase 2 (Edwards Access Road) Maintenance. This agreement assigns the responsibilities for maintenance along the Access Road and the Highway 6 Roundabout. After discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Intergovernmental Agreement between Eagle County and Edwards Metropolitan District for the I-70G Edwards Interchange Upgrade Phase 2 (Edwards Access Road) Maintenance.

### **2020 Election**

**Resolution** An Election Resolution was presented to call the May 5, 2020 Board of Directors election and to designate an election official. There are three positions available on the Edwards Metro Board. If there are three or less candidates, no election will be needed. If there are four candidates or more, an election will proceed. All Self-Nomination and Acceptance forms are due to the Designated Election Official by close of business on Friday, February 28, 2020. The Board discussed the pros and cons of a mail ballot election vs. a polling place election. After discussion, it was determined that a polling place election, being coordinated with other local Districts, would be the most convenient and cost-effective approach. The Board directed Ms. Hayes, Designated Election Official, to

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create a public awareness campaign including an emphasis on the West Edwards area to encourage residents to vote. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the May 2020 Election Resolution, a copy of which is incorporated herein by this reference.

**Minutes**      The Board reviewed the October 17, 2019 Regular Meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the October 17, 2019 Regular Meeting minutes as submitted.

**Accounts Payable**      The Board reviewed the November 2019 and December 2019 accounts payable lists and by motion duly made and seconded it was unanimously

**RESOLVED** to ratify the November 2019 accounts payable list as presented and;

**FURTHER RESOLVED** to approve the December 2019 accounts payable list as presented.

**Miller Ranch  
Pedestrian  
Lighting**

Director Reilly and Meghan Hayes attended the Miller Ranch Design Review Committee's meeting on December 11, 2019. They presented the Miller Ranch Road Lighting Project plans to the Committee for approval. The DRC was concerned with the height of the street lights proposed in the plan. The DRC would prefer the use of lower lighting such as bollards. Ms. Hayes will reach out to Rickie Davies at Eagle County to ask for an updated cost estimate for the project using a different type of lighting.

Director Simmons voiced his concern regarding the funding of this project as the project will serve multiple constituencies and the costs should be borne proportionately by the organizations serving the various constituencies. The Board suggested that the next step to be taken with this project is to secure funding commitments from other organizations. Director Reilly offered to take the lead on securing funding commitments.

**County Road  
Tree**

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**Update** GH Daniels submitted a proposal to install trees along Old County Road. The proposal estimates the cost of installation at \$21,812 and the monthly irrigation costs at \$308 during the irrigation season. Although the Board is not required to obtain additional proposals, the Board directed Ms. Hayes to reach out to the landscaping company maintaining the landscaping at the adjacent roundabouts to see if they are interested in submitting a proposal. This will be added to the January Meeting agenda for further discussion.

#### **Edwards River Park Revised Land Use**

**Application** The Board previously submitted a referral letter on September 13<sup>th</sup> to Eagle County outlining their concerns with the Edwards River Park PUD. Since this letter was submitted, the developer amended the Land Use Application to include additional affordable housing options. Although the Board recognized that this was a step in the right direction, there was still concern that this application was not addressing points made in the Eagle River Housing Needs and Solutions Study conducted by Eagle County. Another concern the Board requested be addressed was the potential use of eminent domain to acquire land to be used for right of way acquisition for construction of the roundabout at Highway 6 and Lake Creek Road. The Board requests that additional land be used on the north side of Highway 6 rather than from parties' land on the south side. The Board directed Mr. Marchetti to update the referral letter to include these additional concerns.

#### **Eagle River Village Mobile Home Park**

**Update** Director Reilly informed the Board she had a meeting with the Eagle River Village Mobile Home Park On-Site Manager to discuss some of the community's concerns with the quality of the drinking water. The mobile home park manager informed Director Reilly that the owners are committed to providing drinkable and fluoridated water. They also discussed adding an additional exit on the east end of the mobile home park to help with traffic congestion exiting the park.

#### **Future Projects- Collaboration With Eagle**

**County** In November, Eagle County invited the Urban Land Institute ("ULI") to conduct a Technical Advisory Panel workshop to provide recommendations on responsible use of

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land and sustainable community living for the West Edwards area. Once this report is issued to Eagle County, the County will prepare a list of potential partnership projects with the Edwards Metro District. The Board directed Ms. Hayes to invite Eagle County to the March 19, 2020 meeting to present their suggestions.

#### **Climate Action**

#### **Collaborative**

#### **Update**

Director Reilly attends the quarterly Climate Action Collaborative meetings. She informed the Board that the meetings are well attended and suggested that the Edwards Metro District take a larger role in the organization's mission of reversing the causes of climate change. Director Reilly asked Ms. Hayes to add composting to the January meeting agenda.

#### **Financial**

#### **Statements**

By motion duly made and seconded it was unanimously

**RESOLVED** to accept the District's November 2019 financial statements as presented.

#### **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 Special Meeting of the Edwards Metropolitan District Board of Directors this 12<sup>th</sup> day of December, 2019.

Respectfully submitted,

*Meghan Hayes*

Meghan Hayes

Recording Secretary for the Meeting