
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District December 14, 2023

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on December 14, 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:

- Joanna Kerwin
- Todd Williams
- Mike Trueblood
- Tracy Erickson
- Kris Miller

Also in attendance were:

- Ken Marchetti - Marchetti & Weaver, LLC
- Magdalena Gembal - Recording Secretary for the meeting
- Deron Dircksen – SGM
- Sargent Tim Comroe (Zoom)
- Kevin Murphy - West End (Zoom)
- Richard Davis – Eagle County (Zoom)

**Call To
Order**

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Kerwin on December 14, 2023, at 12:00 p.m. noting a quorum was present.

**Changes to the
Agenda**

Director Kerwin asked for the inclusion of an update on RTA and Climate Action Collaborative in the updates and reports.

Public Input None.

**Sidewalk
Project**

Mr. Dircksen provided the Board with an update on the Sidewalk Project, highlighting key developments. Eagle County has offered comments on the project, with minor issues that should be easily addressed. However, the release of the Right-of-Way is contingent upon the contractor being on board. Ground Engineering has been involved in geotechnical site work, and as of December 5th, the site investigation work is on hold due to winter conditions. A private locator was brought in for public utilities, and its cost could be absorbed into the budget. In the context of the school scope, additional fees for surveying and design have been incurred, with

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the expectation that the budget will absorb these costs. Overall, SGM's engineering services project budget is currently on track.

Additional discussions with the Board focused on the construction schedule for the next year. There were also considerations regarding previous resident comments about drainage in a specific area and its feasibility for correction. Mr. Marchetti emphasized that the District possesses the financial resources but is seeking the most cost-effective approach for completing the project. Furthermore, discussions touched on the availability of contractors considering the number of projects starting nearby in 2024, including the roundabout in Arrowhead.

West End Mr. Murphy mentioned that the County did not properly notify a meeting and is rescheduling the Planning Commission hearing to January 17th. Meanwhile, West End Partners are actively seeking additional community support, and a reminder was issued for the District to submit its letter of support before the holidays.

Furthermore, Director Kerwin inquired about the location of the signage, expressing concern that signs for other projects are inconspicuous. In response, Mr. Murphy offered to install additional signage along the boundary of the site to ensure residents and citizens are well-informed about the project.

Hillcrest

Roundabout Mr. Davis discussed the Highway 6 and Hillcrest roundabout project schedule for 2024, noting that construction is planned between April 1st and September 30th. He highlighted the upcoming bid submission deadline on December 22nd, following the pre-bid conference held on December 5th. It is anticipated that four different companies will submit bids. Mr. Davis expressed that the bids are likely to be higher than what Felsburg Holt & Ullevig estimated in 2022.

The Board raised inquiries about the increase in the estimate and the key factors driving this change. Additionally, they sought information on the four companies that are most likely to bid, assessing their capability to complete the project, exploring the necessity for a performance bond and inquiring about other projects Mr. Davis is undertaking next year, as well as his involvement in the Arrowhead roundabout project.

Miller Ranch Pedestrian Lighting Project

The Board examined the report presented by Mr. Goulding, and Director Trueblood expressed his appreciation for the current approach, favoring the installation of every other fixture until the additional fixtures become available.

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Water Authority

Update

Director Kerwin provided updates from the latest Water Authority meeting, emphasizing the completion of the bench in honor of Bill Simmons' wife, the acquisition of a building in Eagle-Vail for employee housing, aiming to eliminate rental expenses, and the success achieved in inspection of irrigation backflow. She also reported the finalization of the purchase of 25 acre-feet of additional water rights and ongoing work on the 50-acre-foot lease. Director Kerwin touched on Edwards River Park's request to provide a letter of credit rather than payment, which was denied, and provided updates on the status of the Gracious Savior Housing project, particularly concerning the ability to serve letter and unmetered usage.

Director Trueblood shared his active efforts in managing Edwards' irrigation accounts to determine the extent of acreage being irrigated and exploring ways to monitor and adjust water usage. Discussions included consideration of turf choices and utilizing the free services from Eagle River Water and Sanitation District to determine appropriate water usage in the area, along with plans for monitoring usage in the upcoming summer.

Furthermore, Director Trueblood informed the Board of his acceptance of a seat on the Beaver Resort Company Board of Directors. Due to conflicting meeting times with the Water Authority, he proposed Director Kerwin as EMD's primary representative on the Authority Board and himself as the alternate. By motion made by Director Erickson and seconded by Director Williams it was unanimously

RESOLVED to appoint Director Kerwin as EMD's primary representative on the Water Authority Board with Director Trueblood as the alternate.

RTA

Update

Director Kerwin and Director Williams provided updates from the recent RTA meeting, addressing issues with buses, contractors, and anticipated parking challenges for the 2024-2025 ski season. They commended the positive efforts of the acting ECO Transit director Larry Tennenholz. The discussion then turned once again to the possibility of Edwards Metropolitan District securing a seat on the Board. Directors deliberated on the appropriateness of the timing, considering the challenges faced by the RTA. Director Trueblood offered to contact Dave Eickholt (the Beaver Creek representative on the RTA Board) to discuss EMD's interest in obtaining a Board seat, emphasizing the numerous benefits Edwards could bring to the RTA, such as year-round ridership from the local workforce, new workforce housing, sales tax contributions, mutual support, and collaborative efforts.

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Elevation Sign

Estimate After the Board reviewed the estimate sent by First Chair Design, and by motion made by Director Miller and seconded by Director Erickson it was unanimously

RESOLVED to approve the estimate for the Elevation Sign by First Chair Design as presented.

Proposed 2024 Board Meeting

Calendar The Board reviewed the proposed meeting calendar, and when Director Kerwin inquired about the possibility of converting any meetings into working sessions, others responded affirmatively, stating that any agenda could be adapted accordingly. By motion made by Director Miller and seconded by Director Erickson it was unanimously

RESOLVED to approve the proposed 2024 Board Meeting Calendar as presented.

Gracious Savior/ ECSD Staff Housing Project Referral Form

The discussion on the referral form primarily revolved around addressing past non-compliance with local and state regulations concerning water and sewer infrastructure. This includes the absence of precise measurement of water usage through meters and the failure to apply appropriate charges for usage. It was emphasized that approval for this project should not be granted until a "will serve" letter for water usage is obtained from the water provider. Additionally, there was a consensus that the project should adhere to road safety guidelines set forth by the Colorado Department of Transportation and Eagle County. If applicable, it should also follow the specifications outlined by CDOT in 2015 regarding access to Lake Creek Road. By motion made by Director Kerwin and seconded by Director Erickson and with director Miller abstaining, it was

RESOLVED to submit the referral comments regarding water and sewer usage and road and pedestrian safety concerns.

Furthermore, the Board discussed the challenges the District has faced in receiving referral forms from the Community Development Department. Director Kerwin mentioned that she discovered the referral application in question on the County's website without prior notification. It appears that the County has since updated its records, directing all referral forms to her. Nevertheless, the Board expressed an

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interest in urging the County to follow established procedures more closely. By motion made by Director Erickson and seconded by Director Williams, it was unanimously

RESOLVED to submit a letter to Eagle County expressing frustration with the referral process and to adhere to established procedures.

Eagle County Conservation District Funding Request

The Board discussions focused on how the contribution for election costs could benefit the residents of Edwards. Despite the neutrality expressed by some Directors, the decision was made that the District would not commit to contributing \$5,000 for election costs. However, there was a suggestion for ECCD to submit a funding request with a more designated contribution to programs that specifically benefit the residents of Edwards Metropolitan District.

Director Update

Director Williams had no further comment.

Director Miller conveyed her appreciation to Riverwalk for permitting the November parade to pass through its area.

Director Erickson reported that the flashing beacons are effectively improving pedestrian safety. He also suggested incorporating communication on the website for public outreach, particularly with the anticipated road and path construction in 2024.

Director Trueblood inquired about the funding status of the Miller Ranch Lighting project and whether there are any outstanding contributions.

Director Kerwin expressed satisfaction with the "Shop with a Cop" program and raised concerns about the lack of response to the letter of support for banning styrofoam in Avon. Additionally, she announced upcoming programs in 2024 by the Climate Action Collaborative.

Minutes

The Board reviewed the November 16, 2023, Regular Meeting minutes and made some suggested edits. By motion made by Director Williams and seconded by Director Erickson it was unanimously

RESOLVED to approve the October 19, 2023, Regular Meeting minutes with the suggested edits.

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Accounts Payable List

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

RESOLVED to approve the December accounts payable list including the new additions submitted to the Board by email.

Preliminary Financial Statements

The Board reviewed the preliminary November 30, 2023 financial statements, and no questions were asked. By motion made by Director Trueblood and seconded by Director Williams it was unanimously

RESOLVED to accept the November 30, 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 Erickson and seconded by Director Trueblood it was unanimously

RESOLVED to adjourn the meeting of the Edwards Metropolitan District Board of Directors this 14th day of December 2023.

Respectfully submitted,

Magdalena Gembal
Recording Secretary for the Meeting