
RECORD OF PROCEEDINGS

Minutes of the Meeting Of the Board of Directors Arrowhead Metropolitan District April 28, 2021

A meeting of the Board of Directors of the Arrowhead Metropolitan District, Eagle County, Colorado, was held on April 28, 2021 at 3:30 p.m. via electronic Zoom meeting <https://zoom.us/>, Phone Only US 1 253 215 8782, Meeting ID: 810 3392 1896, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Bob Shafer
- Bill Roe
- Thomas Howard
- Vincent Riggio
- Michelle Horton, appointed during meeting

Also in attendance were:

- Jerry Hensel, Director of Resort Operations, Vail Resorts
- Ken Marchetti, Marchetti & Weaver, LLC
- Beth Johnston, Marchetti & Weaver, LLC, recording secretary
- Diane Loosbrock, President of Arrowhead at Vail Association
- Norman Dreyfus, owner

Call To Order

The meeting of the Board of Directors of Arrowhead Metropolitan District was called to order by Director Shafer on April 28, 2021, at 3:31 p.m. noting a quorum was present.

Disclosure of Potential Conflict

Of Interest The Board noted that it has received certain written disclosures of potential conflict of interest statements from Director Riggio more than seventy-two hours prior to the meeting, indicating that Director Riggio is affiliated with Trinity Development Group, Inc. (“Trinity”), a real estate development company. Trinity is evaluating possible alternative uses of the Skier Parking Lot owned by the District and Trinity may bid on the purchase or some other form of development of the Skier Parking Lot, within the confines of applicable law. Director Riggio’s activities in evaluating possible alternative uses of the Skier Parking Lot could be considered by some to 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 of interest.

Consideration

Of Agenda There were no changes to the agenda.

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Public Input Director Shafer introduced Mr. Dreyfus and Ms. Horton. Mr. Dreyfus explained he was attending to learn more about the District.

Minutes The Board reviewed the minutes included in the Board packet and by motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the meeting of March 24, 2021 as presented.

Accounts Payable

Procedures Ms. Johnston and Mr. Marchetti reviewed the District's Accounts Payable process, general timeline, and internal controls. There was discussion on the changes to the procedures and timing using an online bill payment system versus the previous paper checks and invoices process. Following discussion, the Board requested that approval of invoices and release of payments be completed after Board approved the Accounts Payable list each month, that no payments over \$50,000 be released without prior approval of the Board, and other changes be updated on the Procedures and presented for further review at the next meeting.

Accounts

Payable List Director Shafer reviewed the updated Accounts Payable list. Ms. Johnston reviewed the lighting invoice and bond payments included on the list and confirmed that no payments had been released prior to the meeting. Following discussion and by motion duly made and seconded, it was unanimously

RESOLVED to approve the accounts payable list as presented.

DocuSign

Review In response to the increasing sophistication of spam requests, Ms. Johnston reviewed the information included when a legitimate DocuSign request is sent to a Board member. Items to be verified include personalized text in the email body, proper grammar and spelling, and the email signature. She reiterated that if there was any question on the legitimacy of a request that they should call to confirm.

Director

Appointment Director Shafer reviewed the background on the Board seat vacated when Director Svoboda resigned. Following discussion, Michelle Horton was nominated to fill the vacant seat. Ms. Johnston verified that Ms. Horton was eligible to fill the position. Upon motion duly made and seconded, it was unanimously

RESOLVED to appoint Michelle Horton to the vacant seat for a term ending May 2023.

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Director Shafer administered the Oath of Office to Ms. Horton. Ms. Johnston confirmed that the Oath was filed via email with the Eagle County Clerk and Recorder in accordance with State Statute and Ms. Horton joined the meeting as an active Board member.

Encroachment

Agreement Mr. Hensel reviewed the encroachment agreement for 401 Arrowhead Dr included in the packet. He met with the landscaper and explained the project was to replace the driveway and install landscape. He did not see any issues with the project and recommended approval. Following discussion, and by motion duly made and seconded, it was unanimously

RESOLVED to approve the Encroachment License Agreement for 401 Arrowhead Dr. as presented.

Action List The Board reviewed the action list in the packet and requested Management make updates as necessary.

UERWA The Board reviewed the minutes included in the packet. Director Shafer explained that the special meeting scheduled for April 8 for ERWSD Presentation #2 had been cancelled and recommended the it be rescheduled in conjunction with the regular May meeting. Following discussion it was agreed to start the May meeting at 2:30 p.m. to accommodate the presentation.

AVA Update Ms. Loosbrock reviewed the following activity for Arrowhead at Vail Association:

- The Association was meeting to discuss enforcement, community relations, and review the Rules and Regulations with Public Safety.
- Final comments were being reviewed on the website and it would include activities sign up.
- Pool – using same agreement as prior years
- A Vail Recreation Trail Race would be held in Arrowhead on August 21. The proposed Mountain bike race was denied.
- A newsletter was being prepared and would include updates on trail work, Vista opening, repaving, survey, and other updates for the community.
- All contractors are to use the front gate. Contact Public Safety if any contractors are using the east or west gates.
- Trees in the common areas will be removed for fire mitigation as recommended. There was general discussion on downed trees, fire risk and mitigation with Ms. Loosbrock explaining the Association was responsible for common areas and homeowners were responsible for their own properties.
- Since Broken Arrow was scheduled to be closed again for the summer, activity scheduling would be creative. An MC is needed for Bingo and other activities.

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Roundabout

Update

Director Shafer reported that they were still waiting on costs and working on the presentation to Eagle County at their work session on May 18. Director Shafer reviewed the questions that would be sent out via emailed online survey to residents and owners to gauge support for the roundabout project. General discussion continued on the questions, timeline for sending out and response to the survey, and if an additional question including estimated costs and potential use of new debt issuance to complete the project should be included.

Lighting Study

Mr. Hensel reviewed the quote for fixtures and estimated installation would cost around \$20,000. Installation was expected to be complete before winter. Following discussion, and upon motion duly made and seconded, it was unanimously

RESOLVED to purchase the fixtures and proceed with installation as recommended per the AVA Lighting Study.

Transportation

Review

Mr. Hensel reviewed the transportation reports. There was less ridership than previous years due to 50% capacity and less buses being run. The App usage was higher and Vail bus ridership increased over last year.

Pathways Paving

There was general discussion on the paving of the pathways on Arrowhead Drive between Aspen Ridge and Aspen. Mr. Hensel reported that Alpine Engineering reevaluated the area and expected more extensive work than previously estimated. It was also discussed that Frontier may not be able to complete the work due to not having the proper equipment to complete the project. Following discussion, and upon motion duly made and seconded, it was unanimously

RESOLVED to approve using best practices to pave the pathways at a cost not to exceed \$30,000.

Guardrail

Stain

Mr. Hensel reviewed the estimate for guardrail staining. Following discussion, and upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Proposal from Alpine Painting and Custom Finishes as presented to stain the guardrails.

Operations

Report

Mr. Hensel reported that street cleanup was in process and paving of Upper Cresta Road was expected the first or second week of May. Discussion continued on road striping and markings especially in regards to bike safety. The Board requested

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that striping, markings, and signage be completed per best engineering and safety practices as identified in the Bike Safety Study and be presented to the Board for review at the May meeting before completion. There was also discussion on removable speed bumps to reduce speeds and increase safety on Cresta Road.

Discussion turned to the letter that was sent last year from the District and AVA to Vail Resorts regarding bike safety on Cresta Road. No response to the letter has been received to date. The Board requested that Director Riggio work with the District's counsel to determine the best course of action to move forward. Mr. Hensel was asked to check with Vail Resorts on the response.

Financial Statements

Mr. Marchetti reviewed the year to date 2021 financial statements included in the packet. There was transportation savings due to a bus not running for the season and Ms. Johnston reviewed a credit due to the District for incorrectly billed fixed cost portion of the transportation agreement. Director Shafer reviewed the sales tax schedule and general discussion on collections to date continued with Director Riggio and Ms. Johnston giving updates on the sales tax permits and short term rental projects.

2020 Audit

Director Shafer introduced the draft 2020 audited financial statements. Directors Roe and Riggio agreed to review the audited statements with McMahan and Associates prior to the May meeting. The Board asked Ms. Johnston to assist with setting up the review.

Future Meetings

The Board confirmed the next meeting will be May 26, 2021 starting at 2:30 p.m. to accommodate the ERWSD Presentation #2 to be held in person with a call in option.

Adjournment There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

RESOLVED to adjourn the meeting of the Arrowhead Metropolitan District Board of Directors this 28th day of April 2021.

Respectfully submitted,



Beth Johnston
Secretary for the Meeting