
RECORD OF PROCEEDINGS

Minutes of the Meeting Of the Board of Directors Arrowhead Metropolitan District June 23, 2021

A meeting of the Board of Directors of the Arrowhead Metropolitan District, Eagle County, Colorado, was held on June 23, 2021 at 2:30 p.m. in the Marchetti & Weaver conference room at 28 Second St, suite 213, Edwards, Colorado, Eagle County, and via electronic Zoom meeting <https://zoom.us/>, Phone Only US 1 253 215 8782, Meeting ID: 810 3392 1896, 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

Also in attendance were:

- Jerry Hensel, Director of Resort Operations, Vail Resorts
- Ken Marchetti, Marchetti & Weaver, LLC
- Beth Johnston, Marchetti & Weaver, LLC, recording secretary
- Jim Collins, Collins Cockrel and Cole
- Diane Loosbrock, President of Arrowhead at Vail Association
- Geoff Dreyer, UERWA representative
- Joanna Kerwin, Edwards resident

Call To Order

The meeting of the Board of Directors of Arrowhead Metropolitan District was called to order by Director Shafer on June 23, 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 OF PROCEEDINGS

Arrowhead Metropolitan District Board of Directors June 23, 2021 Meeting Minutes

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 Director Shafer added Summer Transportation discussion to the Operations update and moved the Executive Session to the end of the meeting.

Minutes The Board reviewed the minutes included in the Board packet. Ms. Johnston pointed out the revisions requested. Following discussion, and by motion duly made and seconded, it was unanimously

RESOLVED to approve the minutes of the meeting of May 26, 2021 with the revisions presented.

Accounts

Payable Ms. Johnston confirmed that an updated accounts payable list was emailed to the Board prior to the meeting. The Board reviewed the updated Accounts Payable list which includes final payment on the Cresta Road overlay project. Following discussion and by motion duly made and seconded, it was unanimously

RESOLVED to approve the updated Accounts Payable list as presented.

Action List The Board reviewed the action list in the packet. There was discussion on the Bond refunding with Mr. Marchetti giving an overview of the 2019 bond refunding and the anticipated process for 2021. The Board requested that Director Horton work with Management on the refunding. Mr. Marchetti reported that Arrowhead addresses have been isolated from the Eagle County permit data and discussion continued on how best to present the information.

UERWA

Update Mr. Dreyer reviewed the following for UERWA:

- The Emergency disaster declarations have been terminated and late fees have been reinstated.
- Wolford Mountain Reservoirs levels would be lowered to allow for repairs to the dam. There was continued discussion on the reservoir draw down and backup water supplies.
- ERWSD received the Vail Valley Partnership Best Place to Work award.
- All users should be in usage tiers 1 to 3 and any water usage in tiers 4 and 5 is considered to be excessive usage.
- The water rights report is being updated.
- There would be more information on how the Authority would navigate combining with the ERWSD and on Bolt's Lake after the next meeting.

RECORD OF PROCEEDINGS

Arrowhead Metropolitan District Board of Directors June 23, 2021 Meeting Minutes

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

- Summer events were starting with Thursday Afternoon Club tomorrow and an Ice Cream Social on Friday.
- The insurance was being reviewed to ensure adequate coverage.
- There is a new Board member.
- A memo regarding sustainable landscape provisions was emailed to the Board prior to the meeting. There was general discussion on how the new Design Review regulations were compiled.

Roundabout Update

Director Shafer reported that he and Director Riggio met with two members of the Edwards Metropolitan District to review collaboration and the EMD operating plan. The EMD was focused on the Hillcrest roundabout and how to address the Miller Ranch Road intersection. The Board offered to share the traffic studies and other information with EMD and preliminary talks indicated that EMD may be interested in looking at the Miller Ranch Rd and Arrowhead areas collectively since both have similar objectives including increased safety for non-vehicle traffic on Highway 6. Director Shafer attended the June EMD meeting to review the District's plans and suggest putting together a joint working group of which EMD was supportive. A joint working team meeting will be set up for after July 4th holiday. The survey responses returned to date have been encouraging and there would be a good sample set to work with. Ms. Kerwin commented that in her opinion as an Edwards resident EMD needed to focus on west Edwards. Discussion continued on collaboration and sharing between the Districts and the challenges that Arrowhead residents and guests face at the Highway 6 intersections.

Operations Report

Mr. Hensel reported:

- Road Capital – The 10 year and expedited road overlay plans were emailed to the Board prior to the meeting. Mr. Hensel reviewed the differences between the plans noting that the expediated plan moved all projects up by 3 to 5 years resulting in no paving projects for three years between 2029 and 2031. General discussion continued on the different plans and which would be most beneficial for the District and community. Mr. Hensel relayed that Alpine Engineering suggested that the expedited plan would provide greater visual appeal with less crack fill but that the integrity of the roads would not be compromised with the original 10 year plan. The Board requested that Management prepare a forecast comparing the 10 year and the expediated plans for the August meeting.
- During the road review, four areas of concern were identified for repair for 2021 including a sink hole and curbs on Aspen Lane and Cesta Road. A

RECORD OF PROCEEDINGS

Arrowhead Metropolitan District Board of Directors June 23, 2021 Meeting Minutes

copy of the report and an estimate were emailed to the Board prior to the meeting. The recommended contractor to complete the work is 360 Paving. Following discussion and upon motion duly made and seconded, it was unanimously

RESOLVED to approve repair of the four identified areas of concern using 360 Paving for a cost not to exceed \$25,000.

- Fire mitigation – There has been discussion on installing a siren in Arrowhead similar to Bachelor Gulch. But one problem Bachelor Gulch has experienced with the siren is that the specific location of a fire could require different evacuation routes and it is impossible to communicate that through a siren. Evacuation routes and maps, especially for Cresta Road, are being worked on along with access to mountain gates. Discussion continued on the best option for notifying residents in case of an emergency. Current mitigation efforts include construction of a fire break line and modeling Beaver Creek’s 100 ft non-vegetation area around tall timber areas. Further discussion was had on wildfire threats and response options available from Vail Resorts via snowmaking and collaboration with other communities such as Homestead.
- Summer Transportation - Village Transportation cannot commit to any summer transportation for Arrowhead. Mr. Hensel is in talks with Mr. Paul Dansko with Arrowhead Village Property Rentals (AVPR) on possible ride share. The AVPR shuttle is a smaller capacity van which would limit the number of owners per trip and a sign up model is recommended. The District offered to cover the cost for the shuttle driver to obtain a CDL license in order to utilize an Arrowhead bus to increase capacity. AVPR has agreed to ride share for all Bravo events, the Vail July 4th parade and Beaver Creek July 4th events at a cost of \$60 per hour. Other options were discussed including hiring Epic Mountain Express. Following discussion, the Board requested that Mr. Hensel move forward with scheduling the ride share with AVPR and offering to cover the cost of training for CDL licensing.
- Director Shafer summarized the letter received from Ms. Guerriero that Vail Resorts does not want to give up their rights to Cresta Road but is willing to work with the District on solutions. The Trailside HOA letter voicing safety concerns was also discussed. Discussion continued on McDowell Engineering’s rules and recommendations for striping Cresta Road, the road width and Eagle County specifications for roads with shared vehicle and bike traffic.

RECORD OF PROCEEDINGS

Arrowhead Metropolitan District Board of Directors June 23, 2021 Meeting Minutes

Financial Statements

Mr. Marchetti reviewed the financial statements included in the packet. Sales tax was still coming in over budget. Discussion continued on from where the sales tax revenue was being generated, how to determine if sales tax revenue was coming from inside or outside the gate, and if it could be more accurately determined.

Future Meetings

The Board confirmed the next meeting for July 28 starting at 3:00.

Executive Session

By motion duly made and seconded it was unanimously

RESOLVED to enter into Executive Session pursuant to C.R.S. §24-6-402(4)(b), for the purpose of receiving legal advice related to Cresta Road safety at 5:23 pm.

Furthermore, pursuant to Section 24-6-402(2(d.5)(II)(B), C.R.S., no record or electronic recording will be kept of those portions of the executive session that, in the opinion of the Board's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-401(4)(b), C.R.S. The signed Attorney Statement from James Collins follows and is made a part of these minutes.

The board adjourned from executive session at 5:51 p.m.

Cresta Road Safety

Following executive session, the Board discussed the striping, markings, and signage for Cresta Road, pedestrian access, if residents could have special privileges for biking on the road, and using speed bumps to reduce speeds. It was determined that no further response to Vail Resorts was necessary. Steps for moving forward include:

1. obtaining engineers' and traffic safety expert's letters documenting that Cresta Road was not designed to County standards for shared bicycle and vehicle traffic
2. communication to the community and bike groups that Cresta Road was for automobile and pedestrian traffic only.

Following discussion and upon motion duly made and seconded, it was unanimously

RESOLVED to

- 1) stripe and mark the roads for automobile and pedestrian traffic only,

RECORD OF PROCEEDINGS

Arrowhead Metropolitan District Board of Directors June 23, 2021 Meeting Minutes

- 2) purchase and install signage alerting bicycles of the extreme danger of riding on Cresta Road, and
- 3) purchase and install removable speed bumps as soon as possible.

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 23rd day of June 2021.

Respectfully submitted,



Beth Johnston
Secretary for the Meeting

RECORD OF PROCEEDINGS

Arrowhead Metropolitan District Board of Directors June 23, 2021 Meeting Minutes

ATTORNEY STATEMENT

Pursuant to Section 24-6-402 (2) (d.5) (II) (B) C.R.S., I, James P. Collins, state that I am General Counsel to the Arrowhead Metropolitan District and that I was present at the time the Board convened in Executive Session on June 23, 2021 at approximately 3:30 pm. I further state that the Executive Session was not recorded because it constituted a privileged attorney-client communication and that no electronic record thereof was necessary. The Board did not adopt any proposed policy, position, rule, regulation or take any formal action during the Executive Session.

Date: 6-28-21

Signature: _____



James P. Collins