
RECORD OF PROCEEDINGS

Minutes of the Meeting Of the Board of Directors Arrowhead Metropolitan District December 15, 2021

A meeting of the Board of Directors of the Arrowhead Metropolitan District, Eagle County, Colorado, was held on December 15, 2021 at 3:00 p.m. at the offices of Marchetti and Weaver, 28 Second St, Suite 213, Edwards, with an option to attend 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
- Vincent Riggio
- Michelle Horton
- Tom Howard
- Bill Roe

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
- Geoff Dreyer, representative for UERWA
- George Coleman, Arrowhead owner and resident

Call To Order

The meeting of the Board of Directors of Arrowhead Metropolitan District was called to order by Director Shafer on December 15, 2021, at 3:00 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

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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.

Public Input There was no public input.

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 November 17, 2021 meeting as presented.

Accounts

Payable Ms. Johnston confirmed that an updated accounts payable list was distributed via email prior to the meeting. The Board reviewed the updated Accounts Payable list and the was general discussion on the transportation invoice. By motion duly made and seconded, it was unanimously

RESOLVED to approve the updated Accounts Payable list as presented.

Transportation

Agreements Mr. Hensel presented the Intervillage Transportation Agreement that wase included in the board packet explaining it was the Village to Village shuttle that was shared between Vail Resorts, Beaver Creek and Arrowhead. The service runs all day and supplements the Arrowhead shuttles. Vail Resorts is projecting about 400 hours of service which is the same as last season with a cost around \$23,000 due to an increase in the hourly rate. Following discussion, and upon motion duly made and seconded, it was unanimously

RESOLVED to approve the Second Amendment to the Intervillage Transportation System Agreement .

Discussion continued on the Arrowhead shuttle agreement that was emailed out prior to the meeting. Discussion included the proposed shuttle schedule and expected service hours for the season, the method used to determine the fixed and variable cost portions of the monthly billing, the increase to the hourly rate and fixed billing cost and language regarding termination of employees. Following discussion, the Board tabled any action on the Agreement pending a more thorough review.

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Driver Bonus

Program Mr. Hensel reviewed the bonus program set up by Vail Resorts for new employees, including shuttle drivers, how the bonuses will be paid out and responsibility for the cost. There was general discussion on the program with the Board expressing support for the program.

Request for Support

from CVC Director Shafer reviewed the request received from Cordillera Valley Club Metro District (CVC) included in the packet. CVC is asking for the District's support for requesting that the speed limit of a section of I-70 be reduced due to noise issues. General discussion continued on the amount and type of noise experienced, the effect on Arrowhead residents, availability of data supporting the change and AVA's position. Director Shafer agreed to contact CVC to request data and other information that would support that lowering the speed limit would decrease the noise issues. Following discussion, the Board tabled the request pending receipt of additional information from CVC and coordination of possible joint resolution with AVA.

Action List The Board reviewed the action list in the packet and requested management add the UERWA unification under long term actions. .

UERWA

Update Mr. Dreyer reviewed the following activity for Upper Eagle River Water Authority:

- The 2022 Budget and Operations Agreement with ERWSD is approved.
- The new Traer Creek water tank is properly constructed and testing has begun. The tank is expected to be fully functional after January 2022.
- Bolts Lake update - environmental testing is being done at the site and there are ongoing negotiations between Town of Minturn and the Developer.
- Unification update – draft pre-unification and pre-inclusion agreements are completed. There was general discussion on the timeline for the agreement, potential objections, and proposed structure of the unified entity.

Roundabout

Update The Board was updated on the following activities related to the roundabout:

- Director Shafer attended the Edwards Metropolitan District meeting and they approved supporting a reduced speed limit and safer pedestrian crossing for Highway 6.
- Director Shafer will contact Jared Barnes with Eco Transit for a letter of support for a safer Highway 6 crossing.
- Hoping to go to CDOT by the first of the year to review options for a safer crossing on Highway 6.
- Director Riggio reviewed the response from Ms. Mercer with Brownstein Hyatt Farber Schreck. BHFS agreed to represent the District's roundabout

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project to the Governor's office and CDOT using a three prong approach for requesting federal infrastructure funds. There was general discussion on the process and next steps.

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

RESOLVED to approve spending up to \$10,000 to determine the feasibility of receiving federal and/or state funding for the roundabout project.

Operations Report

Mr. Hensel reported:

- Evening Shuttle – The Arrowhead Property Management shuttle driver has not obtained a CDL license as of yet. Mr. Dasko is not comfortable with committing to sharing the smaller shuttle with the District during the holiday season so any shared service would be started after January 1, 2022. Mr. Gorbald with Vail Resorts is researching running a temporary evening shuttle from Arrowhead to Beaver Creek during the holidays.
- Lighting Project – Cresta Road lights will not be installed until spring so any unspent funds in the 2021 budget should be added to the 2022 budget.
- 2022 Road Overlay – Engineering for the anticipated 2022 road overlays has been completed. A resident requested that Riverdance road paving be postponed to accommodate a major roofing project next summer. Following discussion, the Board agreed to swap the Riverdance overlay with a similar cost overlay from 2023.

Note: Subsequent to the meeting, the Riverdance community retracted their request to postpone paving and it will be included for overlay in 2022.

2022 Budget Following Mr. Hensel's report, by motion duly made and seconded, it was unanimously

RESOLVED to move any remaining funds in the Lighting Project budget which are unspent at December 31, 2021 into the 2022 budget with the corresponding change in the budgeted 2022 beginning fund balance so the budgeted 2022 ending fund balance will be the same as previously budgeted.

Financial The Board reviewed the Financial statements included in the packet. Director Horton reviewed the bond issue comparison included in the packet explaining how the different bond issue amounts would affect the fund balance in future years.

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Future**Meetings**

The next meeting date was confirmed for January 26, 2022 at 3:00 pm.. Due to a scheduling conflict, the Board agreed to cancel the regular meeting on April 27, 2022 and reschedule it for April 20, 2022.

Executive**Session**

Director Riggio recused himself from the remainder of the meeting. By motion duly made and seconded it was unanimously

RESOLVED to enter into Executive Session pursuant to C.R.S. §24-6-402(4)(e) and (4)(g), Determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators and consideration of protected documents regarding the parking lot.

The Board entered into executive session at 4:42 p.m.

The Board adjourned from executive session at 5:22 p.m.

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 14th day of December 2021.

Respectfully submitted,



Beth Johnston
Secretary for the Meeting