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## RECORD OF PROCEEDINGS

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### Minutes of the Meeting Of the Board of Directors Arrowhead Metropolitan District April 20, 2022

A meeting of the Board of Directors of the Arrowhead Metropolitan District, Eagle County, Colorado, was held on April 20, 2022 at 3:00 p.m. at the offices of Marchetti and Weaver, 28 2nd St, Unit 213, Edwards, with an option to attend via electronic Zoom meeting <https://us02web.zoom.us/j/83012234719>, Phone Only US 1 253 215 8782, Meeting ID: 830 1223 4719, in accordance with the applicable statutes of the State of Colorado.

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

- Bob Shafer
- Michelle Horton
- Bill Roe
- Vincent Riggio

The following Director was absent and excused:

- Tom Howard

Also in attendance were:

- Jerry Hensel, Director of Resort Operations, Vail Resorts
- Ken Marchetti, Marchetti & Weaver, LLC
- Beth Johnston, Marchetti & Weaver, LLC, recording secretary
- George Coleman, representative of Arrowhead at Vail Association
- Geoff Dreyer, AMD representative for UERWA
- Steve McPhetridge, Arrowhead owner and resident
- Henry Goetze, 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 April 20, 2022, 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

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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** Mr. Dreyer requested to report early in the meeting due to a scheduling conflict.

**Public Input** Mr. Goetz introduced himself and his concern about Arrowhead not being able to charge for parking in the skier parking lot. Mr. Goetze questioned if the election held by the District to purchase the skier parking lot was valid. Mr. Marchetti reviewed election protocols including TABOR statement requirements explaining that the election was conducted in accordance with all election laws at the time and also that the deadline to contest the election has passed. There was general discussion on the history of the election and parking lot purchase, board actions to offset not being able to charge for parking, and potential development of the parking lot. The Board will work with Jerry Hensel on redcoat coverage in the parking lot for the 2022/23 ski season.

Director Shafer introduced Mr. McPhetridge and explained he invited Mr. McPhetridge to the meeting since he expressed interest in serving on the Board.

#### **UERWA Update**

Mr. Dreyer referenced the notice of Eagle River Water and Sanitation District Board elections that was provided to Arrowhead Board members for the meeting. There were six candidates running for four open District Board seats. Mr. Dreyer is endorsing Steve Coyer for Director District 3. He noted his endorsement was based upon his working knowledge of Coyer's experience and contributions as the incumbent Director. Mr. Dreyer noted that Eric Heil was also a viable candidate for the District 3 seat, but felt that Coyer was more qualified. Mr. Dreyer noted that while Director District 3 encompasses Avon and Mountain Star, he recently learned that all seven District Directors are elected at large, so all eligible electors of the District vote for all Directors, regardless of their Director District. Thus Arrowhead eligible electors can vote for Director for District 3, or any other Director Districts.

The fact that Water District Directors are elected at large caused new concerns for Mr. Dreyer regarding Unification. If Unification were to occur, Arrowhead's votes would be diluted by all votes across the Water District. Mr. Dreyer is recommending that Arrowhead vote against Unification given this new information. General discussion continued on the election and unification.

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

**RESOLVED** to approve the minutes of the March 23, 2022 meeting as presented.

**Accounts Payable**

The Board reviewed the Accounts Payable list included in the packet. Following discussion and by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Accounts Payable list as presented.

**Road Cut Permit**

Mr. Hensel reviewed the core drilling on Cresta Road by ERWSD to find a leak. Mr. Hensel recommended approving the permit since most drilling is expected to be done on the road shoulder with little or no disturbance to the asphalt. If a leak is found, they will need to notify the District for approval for more invasive exploration such as drilling into the asphalt. There was general discussion on the project and responsibility to provide notice to road users. Following discussion and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Road Cut Permit as submitted by Lithos Engineering for Eagle River Water and Sanitation District.

**RTA**

**Presentation** Directors Riggio, Horton and Roe attended the Regional Transit Authority presentation. Currently, Eagle County commissioners make all decisions for ECO Transit and funding is via a ½% sales tax. The RTA would create a separate governing body and revenue stream dedicated to running transportation throughout the Eagle River Valley. They are considering a sales tax increase to fund RTA projects. The primary objective of the RTA will be to enhance and expand current ECO Transit service but it also includes items such as a potential Eagle-Gypsum transit circulator system, conversion of the existing bus fleet to a zero-emission platform over time, potential express bus service between the airport and the ski areas, funding for expanded air service to Eagle County Airport and a potential I-70 interstate exit directly to the Eagle County Airport. The RTA would roll the current ECO Transit into its own entity and all of the Towns are in support. The RTA has an aggressive timeline to include it on the November 2022 ballot. Director Riggio reviewed the RFTA model and its success throughout the Roaring Fork valley. Mr. Marchetti explained that the RTA was still in the development phase and forming stakeholder committee groups that need to address concerns and

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requested the Board pick a representative for Arrowhead. Director Horton agreed to represent Arrowhead. There was general discussion on needing more information especially on funding, potential for an RTA to run the Arrowhead transportation and a general timeline for creation of the RTA.

#### **Open Space**

**Acquisition** Mr. Marchetti reviewed the letter of support to the US Forest Service from Homestead to acquire a land parcel for use as open space. There was discussion on the parcel, requesting support, and if the Forest Service should be invited to a District meeting to explain how the parcel will be used.

**Action List** The Board reviewed the action list in the packet and requested Management update on-going and completed items.

#### **Arrowhead at**

**Vail Update** Mr. Coleman updated the Board on the following items:

- The HOA Presidents met two weeks ago for updates.
- The Inter-Community Council met the day before.
- Discussions on changing the name from Arrowhead at Vail to Arrowhead Village or just Arrowhead are on-going and looking for additional feedback.
- Racquets and Camps – tennis, pickleball, and camps are moving along and information is being sent out. Facilities and improvements will be open. There was general discussion if camps are open to non-residents of Arrowhead.
- Strategic planning committee is to discuss marketing, communication, and hiking trails.
- Landscaping improvements are underway and the lighting project is almost complete.
- Activities programming is moving along with Thursday Afternoon Club, Bravo concert and other activities planned for the summer.
- The newsletter will go out by the end of the month with follow up email blasts announcing activities.
- Discussing a community center and follow up on the ULI study.
- AVA received a clean audit.

#### **Roundabout**

**Update** Director Riggio told the Board about a funding clearing house in Georgia and its relevance to the Arrowhead roundabout project funding. Currently the State does not know who will be distributing funding for Colorado or when it will be available. It was determined that the roundabout project would qualify for potential funding since it addresses pedestrian safety. There was general discussion on Brownstein's assistance, changing Federal rules, and how the State will eventually distribute funds. There was a general dismay on the lack of progress on funding opportunities

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for the project. Directors Riggio and Shafer said they would follow up with their CDOT contact and other possible funding opportunities, including Eagle County.

#### **Operations Report**

Mr. Hensel reported:

- The transportation report sent to the Board is preliminary and a year to year comparison would be prepared for the May meeting. The Board requested that five years be included in the comparison, if possible.
- There was a meeting last week on the electric chargers and grant. A Purchase Order was needed before the District could move forward with purchase and installation of the chargers. The chargers will be installed in the northeast corner of the parking lot and hopefully be completed by July 4.
- The Board agreed that the speed humps will be installed for the summer. Some of the signs need to be replaced and the mirrors are still on backorder. There was general discussion on a letter received from a concerned owner questioning the effectiveness of the speed humps to slow down bike traffic. There is also some trail work being done to build connector trails that is expected to alleviate some road traffic.
- The Toolcat is ordered with an anticipated July delivery date.
- The paving overlay is scheduled with a walkthrough next week.
- Two of the new lampposts pulled out of their bases during the last wind storms. Temperatures need to warm up to allow proper re-installation.

#### **Financial**

Mr. Marchetti reviewed the preliminary financial statements in the packet. The sales tax forecast was increased based on current receipts and additional changes will be made throughout the year as necessary. The current forecast is projecting a \$3 million ending fund balance. There was general discussion on options for the surplus including accelerating roadwork, larger decrease in the mill levy rate and funding the roundabout project without taking on additional debt.

#### **Audit**

The Board reviewed the draft audited financial statements included in the meeting packet. The audit committee confirmed they would be available to meet with the auditor from McMahan and Associates on Wednesday April 27 at 2:00 pm.

#### **Future Meetings**

The next meeting was confirmed for May 25, 2022 at 3:00 pm. Oaths for the elected Board members would be administered at the beginning of the meeting.

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

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**RESOLVED** to adjourn the meeting of the Arrowhead Metropolitan District Board of Directors this 20th day of April 2022.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting