
RECORD OF PROCEEDINGS

Mountain Recreation Metropolitan District – March 18, 2020 Meeting Minutes

**Minutes of the Regular Meeting
Of the Board of Directors
Mountain Recreation Metropolitan District
March 18, 2020**

The regular meeting of the Board of Directors of the Mountain Recreation Metropolitan District, Eagle County, Colorado, was held on March 18, 2020, at 6:00pm, via Zoom platform, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Liz Jones
- Mikayla Curtis
- Mike McCormack
- Chris Pryor
- Tom Pohl

Also in attendance were:

- Ken Marchetti, Marchetti and Weaver
- Janet Bartnik, Executive Director
- Anna Englehart, Superintendent of Recreation Programs
- Scott Ruff, Superintendent of Recreation Facilities
- Scott Robinson, Business Operations Superintendent
- Alethea Platter, Accounting Manager
- Cat Olson, Human Resources Manager
- Eddie Campos, Communications and Outreach Coordinator
- Kacy Carmichael, Aquatics Supervisor
- Lexxa Kever, Facility Supervisor – Gypsum Recreation Center
- Brad Johnson, Facility Supervisor – Edwards Field House
- Stacey Todd, Outdoor Recreation Programs Supervisor
- Matt Kreutzer, Sports Programming Coordinator
- Lizzy Owens, Marketing and Community Outreach Manager
- Sandra Mutchler, Eagle County School District
- Eric Mandeville, Eagle County School District
- Todd Goulding, Goulding Development Advisors
- Craig Colby, candidate for board election
- Jonathan Heroux, Piper Sandler

1. Call to Order

The regular meeting of the Board of Directors of Mountain Recreation Metropolitan District was called to order by Chairperson Jones on March 18, 2020, at 6:02pm, noting a quorum was present to conduct business. Director Jones stated that these are uncharted waters given the COVID-19 pandemic. A virtual meeting was posted in the interest of public health and welfare in light of the pandemic and in compliance with the recommendations and

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Standing Orders of public health officials. Director Jones asked the board to consider ratification of the decision to conduct the meeting via Zoom conference.

Director Jones moved to ratify the decision to hold the meeting via Zoom. Director Pryor seconded the motion. It was unanimously

RESOLVED to ratify the decision to host the board meeting via Zoom platform.

2. Changes to the Agenda

Director Jones moved to reorder the agenda to ensure the most critical items were addressed first, with business items first following public input, fiscal items, and then presentations. Director Pohl seconded and all approved.

3. Minutes

Director Curtis moved to approve the February 19, 2020 minutes as presented. Director Pryor seconded the motion. It was unanimously

RESOLVED to approve the February 19, 2020, meeting minutes as presented.

4. Public Input and Presentations

Director Jones invited members of the public to speak. Ms. Bartnik asked if Mr. Colby would introduce himself since he is on the conference call and was running for the board. Mr. Colby introduced himself and requested that the board consider tabling any action on the request of the school board to relocate the noon adult basketball program from the middle school to the Gypsum Recreation Center.

a. Eagle County School District Request

Principal Mandeville stated that the Eagle County School Board had concerns related to the adult basketball program held in Eagle Valley Middle School gymnasium. Since the program is held in the school during the school day security has become an issue because of the structural changes made to the school. The District respectfully requests the Mountain Recreation Board consider relocating the program to a different facility.

Mr. Colby stated that the group would respect the decision made by the District and asked that the board consider tabling the issue to April.

Director Pohl stated that he agreed that there were security concerns and that the program was not a good fit to today's school climate. He stated that he looked forward to the time that it becomes possible to construct improvements in Eagle and would allow us to move the program back to Eagle.

Director Pryor recommended that the program participants be offered free admission to the recreation center for three initial months before beginning to charge. Directors McCormack, Pohl, and Curtis agreed.

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Director Pryor moved to direct staff to relocate the noon adult basketball program from EVMS to the Gypsum Recreation Center and offering gratis admission to the program participants for the first three months. Director Jones seconded the motion. It was unanimously

RESOLVED to direct staff to relocate the adult basketball program from Eagle Valley Middle School to the Gypsum Recreation Center and offering gratis admission to the program participants for the first three months of operation.

b. Secret Shopper Results in Facilities

Scott Ruff provided a summary of results from the secret shopper surveys conducted over a three-month period this winter. He asked if the board had any questions.

Director Jones asked that any staff specifically identified for kudos through the secret shopper surveys be recognized.

c. StratOps Quarter 1 Progress Reports

Ms. Bartnik stated that staff had provided progress reports on first quarter action item priorities which were (1) a look at the Vail Health and Howard Head relationship, (2) partnerships with clubs and schools to introduce activities to students, and (3) improving technology at all three facilities. She asked if there were any questions on progress reports. There were none.

Ms. Bartnik stated that the March action item scrub was facilitated by Cat Olson. The team produced and recommends three action items from previous quarters for board consideration. Staff recommends a quarter by quarter plan of action be developed for the facility asset management plan, a recreation program planning template be created, and efforts to ensure bi-lingual programming continue in the second quarter. Bartnik requested that the board ratify the recommended action items by consensus.

The consensus of the board was to pursue the staff recommended action items quarter two.

5. Business

a. Eagle Sports Complex General Contractor Services

Following direction from the February meeting, staff has negotiated a contract with RA Nelson for a reduced scope of services for the Eagle Sports Complex General Contractor. A budget amendment has been prepared to fully fund the project.

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Director Jones asked the board to consider if there was reason to pause the project given the current pandemic. Mr. Goulding stated that pausing the project could bring both positives and negatives. Delaying to a fall 2020 or spring 2021 start might be necessary in order to accommodate sports lighting needs for programs. There could be benefit in reducing bid costs, but that is not a guarantee. Mr. Goulding detailed the process related to construction processes such as acquisition of materials and potential for COVID-19 case being identified on the construction site.

Mr. Goulding outlined the early termination clause in the contract. Director Pohl stated that he would like to see the additional provision for the overhead profit on non-completed work stricken.

Ms. Bartnik noted that the budget amendment also included an operating budget increase to fund the staff position authorized in February.

Director Jones opened a public hearing on the budget amendment.

Mr. Robinson noted that there has been some chatter in the public questioning construction projects continuing during the pandemic. Director Pohl stated that he felt moving forward with the project was also a positive to keep employees working.

Director Jones closed the public hearing and asked for board member discussion.

Director Jones moved to approve the FY 2020 budget amendment resolution as presented. Director Pryor seconded the motion. It was unanimously

RESOLVED to approve the budget amendment resolution increasing operating expenditures by \$110,788 and capital expenditures by \$450,000.

Director Jones moved to approve a contract with RA Nelson for construction, striking section 7.1.1 relating to the overhead profit on non-completed work. Director Pohl seconded the motion. It was unanimously

RESOLVED to approve a contract with RA Nelson in the amount of \$1,458,930 for construction services to demolish and reconstruct the Eagle Sports Complex concession stand facility with section 7.1.1 stricken.

b. Freedom Park Maintenance Contracts

Mr. Ruff stated that management of Freedom Park requires contractual assistance to ensure custodial and landscape services are completed. Under the

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new arrangement for the management of Freedom park, staff anticipate managing a greater proportion of service needs in-house. Contracts have been negotiated with service providers for a reduced scope of services for 2020.

Director Pohl asked if the termination clauses were of issue. Ms. Bartnik stated that legal counsel had added the standard terms and conditions which allow for early contract termination.

Director Jones moved to approve a contract with Stevens Home Care and with ServiceMaster for the 2020 Freedom Park season. Director McCormack seconded. It was unanimously

RESOLVED to approve a contract with Stevens Home Care in the amount of \$9,361 for landscaping services and approve a contract with ServiceMaster in the amount of \$11,290 for custodial services for the 2020 Freedom Park season.

c. Bonding Firm Letter of Engagement

In the event that the board should forward a ballot question to voters in the future, a bond underwriting firm will need to be engaged. Ken Marchetti solicited a letter of engagement for board consideration. Mr. Marchetti added that bonding firms are paid much like real estate agents are, such that they do not get paid until the transaction is completed.

Director Pryor asked what the cost to the District would be. Mr. Heroux stated that the bond underwriting fee was .5% of the total amount bonded. The percentage amount is the same whether the bonded amount is reduced or increased.

Director Pohl moved to approve a letter of engagement with Piper Sandler as presented. Director McCormack seconded the motion. It was unanimously

RESOLVED to approve a letter of engagement with Piper Sanders for bond underwriting services as presented.

d. Impacts of COVID-19 Response

Actions taken in response to Eagle County's Standing Order issued March 12, and revised March 18, regarding events and public gatherings are impacting the District. Ms. Olson presented information related to the impacts anticipated following program suspension and facility closures related to part time staffing. She requested that the board consider how to address paying employees during the closures.

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Director Pryor asked if part time employees could be furloughed. Ms. Olson stated that they could be furloughed and go on unemployment. This would afford them 50-60% of their regular pay. Those employees receiving benefits would remain on the health care plan with the District. Director McCormack asked how this would impact the accounting of hours toward earning benefits. Ms. Olson stated that the management team desired a waiver that would keep this from affecting their ability to receive benefits.

Director Jones asked how the board felt about hazard pay for employees who choose to work during the closure. The consensus of the board was favorable. Ms. Olson added that minor employees would be prohibited from working on projects where hazard pay was authorized.

Director Jones moved to direct staff to fully fund part time employee wages until the next board meeting based on a 30-day look back and offering staff hazard pay to work additional hours on District projects. Director McCormack seconded the motion. It was unanimously

RESOLVED to fully fund part time employee wages until the next board meeting based on a 30-day look back period and offering staff hazard pay to work additional hours on District projects.

Director Jones requested that the board consider direction for staff related to program and membership payment credits due to the cancellations and closures.

Director Pryor moved to push the memberships forward one month and to issue program credits on account under staff direction. Director Jones seconded the motion. It was unanimously

RESOLVED to push the memberships forward one month and to issue program credits on account under staff direction.

An emergency declaration was issued by Ms. Bartnik on March 12 for the maximum length of seven days due to the COVID-19 pandemic in an effort to position the District for access to any and all disaster funding that might become available in the future. Ms. Bartnik recommended that the Board elect to extend the declaration. Mr. Marchetti stated that he is seeing many other special districts issuing similar declarations.

Director Curtis asked what the typical length of the extension should be. Mr. Marchetti stated that he was seeing extensions written indefinitely to cover the extent of the pandemic.

Director Curtis moved to extend the emergency declaration indefinitely to the end of the 2020 COVID-19 pandemic. Director Pryor seconded the motion. It was unanimously

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RESOLVED to extend the emergency declaration indefinitely to the end of the COVID-19 pandemic.

Director Jones asked Mr. Marchetti if he had any direction on how to handle the May election. Mr. Marchetti stated that the District not only had missed the deadline for notification for the election and the cost of a mail ballot would be prohibitive. He stated that there are concerns related to finding an alternative location for the election. The Special District Association is holding a webinar shortly for groups to discuss the unknowns related to the May election.

Director Jones asked that staff follow up with information on the election options at the April meeting.

e. Other Business

None.

6. Financial Matters

a. Fiscal Policy

Staff has drafted a fund balance and reserve policy for board review and consideration. Ms. Bartnik stated that the policy establishes a minimum operating reserve balance in accordance with GFOA recommended best practices. Ms. Bartnik stated that she and Mr. Marchetti had revised the capital reserve policy to reflect current practice utilized with Eagle and Gypsum facilities and to establish the same for Edwards and other outdoor facilities.

Director Jones moved to approve the Fund Balance and Reserve Policy as presented. Director Curtis seconded the motion. It was unanimously

RESOLVED to approve the Fund Balance and Reserve Policy.

b. Financial Statements

c. Accounts Payable

Mr. Marchetti stated that the financials came in as expected for the month.

Director Jones asked if the team was working on any re-forecasting of the budget. Ms. Platter said that will need to happen.

Director Pryor asked if the funds currently invested were at risk in this economic climate. Mr. Marchetti stated that he did not feel the principal amounts were at risk, but that the District would see reduced interest revenues.

Mr. Marchetti stated that there is an CD maturing in the short term. He recommended not reinvesting those funds and to roll those funds into the Colorado Trust.

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Director Jones asked why there was no figure showing for the Gypsum area reimbursement from the Town. Ms. Platter stated that an invoice is not issued until the audit is complete.

Director Pohl moved to approve the financial statements and accounts payable report as presented. Director Jones seconded the motion. It was unanimously

RESOLVED to approve the financial statements and accounts payable report.

7. Staff Reports

- a. Administration**
- b. Facilities Division**
- c. Recreation Programs Division**

Director Curtis welcomed new employee Lizzy Owens. She also stated that new state Orders have been issued that extend the closure of schools through spring break.

Director Pryor emphasized a need to construct contingency plans for continuity of operations.

Director Pohl agreed and recommended using our communication tools to support the community. Director Curtis stated that several organizations were beginning to offer virtual fitness classes. Mr. Robinson stated that there were a number of staff beginning to plan social media posts.

Ms. Bartnik and Mr. Robinson noted that the polling was paused to ensure that the results would not be skewed by the pandemic. Lizzy Owens will be preparing to hit the ground running.

8. Reports & Info

Adjournment

Director Jones moved to adjourn the board meeting. Director Curtis seconded the motion. It was unanimously

RESOLVED to adjourn the meeting at 8:34 pm.