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## RECORD OF PROCEEDINGS

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Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

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### **Minutes of the Regular Meeting Of the Board of Directors Mountain Recreation Metropolitan District June 15, 2022**

The regular meeting of the Board of Directors of the Mountain Recreation Metropolitan District, Eagle County, Colorado, was held on June 15, 2022, at 6:00pm, in the Edwards Field House, 450 Miller Ranch Road, Edwards, Colorado, and via Zoom platform, in accordance with the applicable statutes of the State of Colorado.

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

- Jason Cowles
- Mikayla Curtis (attending remotely)
- Tracy Erickson
- Liz Jones

Director Pryor was absent and excused.

Also in attendance were:

- Janet Bartnik, Executive Director
- Scott Robinson, Superintendent of Business Operations (attending remotely)
- Scott Ruff, Superintendent of Recreation Facilities
- Eddie Campos, Marketing and Communications Manager
- Cat Olson, Human Resources Manager
- Brad Johnson, Facility Supervisor – Edwards
- Sanjok Timilsina, Finance Manager
- Rialto Heller, Program Supervisor – Aquatics (attending remotely)
- Lizzy Owens, Community Engagement Manager (attending remotely)
- Amy Burford, Administrative Assistant
- Sheryl Staten, Facility Supervisor – Eagle
- Ken Marchetti, Marchetti and Weaver
- Kris Miller (attending remotely)
- Joanna Kerwin (attending remotely)

#### **1. Call to Order**

The regular meeting of the Board of Directors of Mountain Recreation Metropolitan District was called to order by Director Jones on June 15, 2022, at 6:00pm, noting a quorum was present to conduct business.

#### **2. Changes to the Agenda**

There were none.

#### **3. Minutes**

Director Jones asked the Board to consider the May 18, 2022 meeting minutes.

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## RECORD OF PROCEEDINGS

---

Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

Kris Miller (Edwards) requested that her comments from the May board meeting be included in the minutes.

Ms. Bartnik suggested that Ms. Miller's comments can be added to the minutes as an attachment.

Director Erickson stated that he believes adding the comments as an attachment is an appropriate action.

Director Curtis noted two grammatical errors in the May 18, 2022 meeting minutes.

Director Erickson moved to approve the May 18, 2022 meeting minutes as amended. Director Curtis seconded the motion. It was unanimously.

RESOLVED to approve the May 18, 2022 meeting minutes as amended.

#### **4. Public Input**

Director Jones asked for anyone from the public wishing to share comments with the board to do so at this time.

Kris Miller (Edwards) stated that she would like for the public to be allowed to make comments throughout the duration of the board meeting.

Director Jones stated that she feels public comment during board discussion can be disruptive, but she will allow Ms. Miller three minutes for comment during the business portion of this meeting. She stated that public comment policies will be reviewed.

#### **5. Presentations**

There were none.

#### **6. Business**

##### **a. Howard Head Sports Medicine License Agreement Amendment**

In 2017, Mountain Recreation (f/k/a WECMRD) entered into an agreement with Vail Health licensing space to operate physical therapy, wellness, and rehabilitation services. The initial term of the license agreement governing use of space in the Gypsum Rec Center and Edwards Field House by Howard Head Sports Medicine ends October 31, 2022. Staff consulted with legal counsel to draft an amendment to the License Agreement extending the license for one year, to end on October 31, 2023, for the Edwards location only. The License Agreement will terminate with respect to the Gypsum Rec Center on the original termination date of October 31, 2022. Vail Health has agreed to the form of the amendment.

Ms. Bartnik explained that the Town of Gypsum requested to separate the location licenses into independent agreements. Ms. Bartnik stated that she collaborated with the Town of Gypsum on the request for proposal for the

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## RECORD OF PROCEEDINGS

---

Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

Gypsum space. She stated that both requests for proposals are ready to be released.

Director Erickson asked for clarification on whether the Town of Gypsum agreement expires in October 2022 and if the Edwards Field House agreement expires in October 2023. Ms. Bartnik confirmed that is correct and that the amendment written by legal counsel would extend only the Edwards Field House agreement for one year.

Director Erickson asked if both requests for proposals will be released at the same time. Ms. Bartnik confirmed they will both be published in June 2022.

Director Jones explained that Howard Head Sports Medicine was concerned about finding two different spaces at the same time and that the agreement amendment would help alleviate that challenge.

Ms. Bartnik explained that the District will be ultimately responsible for the vendor that is selected for the Gypsum space, and that staff will work closely with the Town of Gypsum to make that decision for the Gypsum location.

Director Jones stated that the board will be responsible for selecting the vendor to lease the space in Edwards.

Director Cowles moved to approve the Howard Head Sports Medicine license agreement amendment as presented. Director Jones seconded the motion. With a vote of 3-1 with Director Erickson opposed, the board

RESOLVED to approve the Amendment to the Howard Head Sports Medicine License Agreement as presented.

**b. Eagle Outdoor Pool – Update**

The Eagle Pool's condition and staff's desire to bring in consultant assistance was discussed in the May board meeting. Mr. Ruff stated that the Eagle Pool is inoperable for now. He explained that the pool was inspected by engineers from the Town of Eagle and Associated Pool Builders. Associated Pool Builders strongly expressed that the pool should not move forward with opening because of the settling and circulation issues. Mr. Ruff stated a new gutter system was an option presented by Associated Pool Builders to address the current issues. He stated the Town of Eagle engineers can calculate the cost of pool deck replacement and grading work needed.

Ms. Bartnik stated that she spoke to a geotechnical engineering firm. They are drafting a proposal and will soon be on site to inspect the facility. She stated that they will suggest a plan and provide cost estimates for more invasive work necessary to examine the area. Ms. Bartnik expressed concern that if only the gutters are replaced and that underlying issues are not addressed, similar problems will occur in the future. She stated that the Town of Eagle's Town Manager and Public Works Director are supportive of the proposed approach to involve a geotechnical engineer in the process.

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## RECORD OF PROCEEDINGS

---

Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

Director Cowles expressed his concern about the soil and ground of the area that the Eagle Pool and Ice Rink is built on. He suggested that the ice rink structure should also be examined by the geotechnical engineer for a more comprehensive interpretation of the area. He stated that the engineer might be able to recommend an extensive maintenance program to help manage risk or prevent any potential issues.

Ms. Bartnik mentioned that Ms. Staten has done a great job of recognizing and documenting facility issues and concerns over the past several years of operation. Ms. Bartnik stated that the intent of the Mountain Rec staff is to work with the Town staff and the geotechnical engineer to collect information for presentation to this Board and the Town Council to decide next steps for the Eagle pool.

Director Erickson expressed that he is concerned about the soil and ground in the facility area if a decision is made to relocate the pool.

Ms. Bartnik acknowledged the staff who has been working hard to get the Gypsum Creek Pool open for the summer considering the closing of the Eagle Pool.

Director Jones asked if the aquatics team felt they had enough staff for the season. Mr. Heller stated that he has hired new staff members recently and has a plan to keep the Gypsum Recreation Center pool operating with normal hours. He is in the process of determining the Gypsum Creek pool hours.

**c. Edwards Field House Irrigation Work - Update**

In May, staff presented a proposal to the board to bury irrigation lines on the south side of the Edwards Field House. The board requested further information on costs to replace the irrigated areas with xeriscape and the potential pitfalls of removing the irrigation system altogether. Mr. Johnson presented the four different options, with cost details, to address the irrigation lines. He stated that the options are to bury the existing irrigation lines for \$9,314.24, xeriscape the entire area for \$61,615.41, continue with current irrigation maintenance for an estimated cost of \$1,000 a year, or remove the irrigation system entirely at no cost.

Director Cowles stated the District should be keeping the costs at a minimum to maintain native grass. He expressed concern for the trees in that area and would like to discuss options to keep those healthy if irrigation is removed.

Director Erickson and Director Jones expressed agreement with Director Cowles.

Discussion ensued concerning the water options for the trees.

The board gave direction to remove majority of the irrigation lines, all the sprinkler heads, and keep irrigation lines around the trees.

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## RECORD OF PROCEEDINGS

---

Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

Director Jones thanked Mr. Johnson for presenting a variety of options to the board.

**d. Edwards Outdoor Rink - Update**

Staff presented preliminary information related to the relocation and expansion of the Edwards Outdoor Ice Rink to the board in May. The board directed staff to formalize a proposal to expand the rink for consideration in June. There are several measures that must be taken by the District to relocate the rink(s) that include submitting a limited review land use application to Eagle County, vacating the parking lot license agreement for the winter season ice rink, and a water line extension. Additionally, the District will need to purchase the EZ-ICE systems, a second 'Bambini', and rent or purchase temporary lighting if permitted by Eagle County.

Ms. Bartnik stated that she worked with Mr. Johnson to create the request for proposal for the water line that must be added for the relocation of the ice rink. Mr. Johnson presented the initial relocation project costs and estimated maintenance fees and stated that he believes it is a wise financial choice to move forward with the rink relocation. He stated that Vail Mountaineer Hockey Club has expressed interest in purchasing one of the rinks in exchange for ice time.

Ms. Bartnik mentioned that if the relocation plan moves forward that there are steps the District must follow that include permissions from Eagle County, Berry Creek-Miller Ranch PUD Design Review Board, and Eagle River Water & Sanitation District.

Director Erickson asked if there will be challenges with receiving approval from the Design Review Board. Mr. Johnson stated that this same proposal was presented to the Design Review Board last year and the two main concerns were lighting and noise. He explained that the District was able to successfully address those issues last year before the relocation application process was halted.

Director Curtis asked if there will be other utilities, aside from the water line, to maintain the ice rinks. Mr. Johnson confirmed that the water line will be the only utility.

Director Erickson stated that he believes it is best that the District own all assets involved in the rink expansion. He expressed opposition to allow Vail Mountaineers Hockey Club to purchase one of the two new rinks. He stated that the District should show appreciation for their offer to contribute. He suggested an alternative option to have them in charge of rink maintenance in exchange for ice time. Ms. Bartnik agreed with Director Erickson about the District being the sole owner of both ice rinks due to insurance and liability concerns.

Ms. Bartnik explained that she has drafted the request for proposal for the water line bid because the projected cost exceeds the statutory amount and requires bidding. She confirmed that proposals will be brought to the board for review once they are received. She stated that the District must first get approval from Eagle County to place a new water line in the ground

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## RECORD OF PROCEEDINGS

---

Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

**e. Board Meeting Policy**

Ms. Bartnik stated the District has recently been reviewing and rebuilding policy documents. She stated that the presented board meeting policy was created by using the Special District Association template. Ms. Bartnik invited the board to discuss the drafted policy.

Director Curtis asked if there were any revisions made.

Ms. Bartnik stated that she revised the Time Limits subsection by creating a rule that speakers may not cede their time to others, and she set the maximum amount of time for each public speaker to three minutes.

Kris Miller (Edwards) voiced her concern about the three-minute time limit.

Ms. Bartnik pointed out that a group is allowed a time limit of five minutes.

Director Erickson expressed that he believes public input is very important but understands that it can be disruptive at times. He stated that he would like to discuss the public input section more in depth.

Discussion ensued about public input and how it can be addressed in the board meetings moving forward.

Director Cowles voiced that public input is valuable but that it is also necessary to conduct an efficient board meeting. He stated that it would be beneficial to establish clear expectations on public input and the structure of meetings. He stated that he does not want disruptions during staff presentations or board discussions. He expressed that he would prefer a policy addressing those concerns that also allows the public an opportunity to comment when appropriate.

Director Curtis agreed with Director Cowles statement on setting up expectations for public input. She stated that she would like to discuss the public input section more extensively.

Ms. Bartnik suggested that the policies can be explored more at the board retreat and can be revisited at the September board meeting. The Board concurred.

**f. Other Business**

Ms. Bartnik confirmed that the board retreat will be on August 26<sup>th</sup>.

Director Erickson asked if there is a plan to have a reserve study performed on the District's assets. He suggested that a reserve study could be used for budgeting purposes.

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## RECORD OF PROCEEDINGS

---

Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

Ms. Bartnik confirmed that there was a reserve study done in 2016 on all three facilities that formed the basis for the development of capital replacement modeling programs.

Director Cowles stated that he agrees a reserve study would be valuable to the District.

Director Jones confirmed that a presentation by staff would be the first step in the consideration of a reserve study. She suggested that the board consider the current process before moving forward with another reserve study.

Ms. Bartnik confirmed that staff will create a presentation for the July board meeting.

### **7. Financial Matters**

#### **a. Financial Statements**

#### **b. Accounts Payable**

Mr. Marchetti stated that he is excited to welcome Mr. Timilsina as the new Finance Manager.

Mr. Timilsina introduced himself and summarized his previous work experience.

Director Jones asked if there were any questions on the financial statements.

Director Erickson asked for clarification on the District's investment policy. Mr. Marchetti confirmed that the District does have an established investment policy. Mr. Robinson stated that he will email the investment policy to each board member.

Director Erickson 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.

### **8. Staff Reports**

#### **a. Administration**

#### **b. Facilities Division**

#### **c. Recreation Programs Division**

### **9. Reports & Board Communication**

Director Jones asked about staffing concerns and the status of open positions.

Ms. Olson confirmed that the Sports Coordinator position was posted and interviews were held recently. She stated that is the only full-time position open currently.

## RECORD OF PROCEEDINGS

---

### Mountain Recreation Metropolitan District – June 15, 2022 Meeting Minutes

---

Director Jones asked how many people are expected to attend Opening Day.

Mr. Campos stated the estimated amount is around 1,000 people.

Ms. Owens listed several of the sponsors that will be attending opening day. She briefly described the games and events that will occur at the event. She stated that the event will be catered by Landshark Catering.

#### **Adjournment**

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

RESOLVED to adjourn the meeting at 7:47 pm.