

MINUTES OF THE
BOARD OF DIRECTORS MEETING OF
BEAVER CREEK RESORT COMPANY OF COLORADO
DECEMBER 7, 2023

The Meeting of the Board of Directors of the Beaver Creek Resort Company of Colorado, a Colorado non-profit corporation (the “Company”), was held on Thursday, December 7, 2023.

Mr. Bobby Murphy called the meeting to order at 10:17a.m. Erin Jarvis verified the Notice of Meeting sent and a quorum established for the purposes of the meeting. The following members of the Board of Directors were present:

Bobby Murphy	John Dawsey
Phil Metz	Bob Boselli
Mike Trueblood	Peter Dann
Jim Donohue - zoom	Brian Nolan
Jeff Luker	

Representing the Company were Jim Clancy, Executive Director; Karen Braden-Butz, Treasurer; Erin Jarvis, Secretary.

Attendance in Public Session:

Time Maher-zoom	Sam Hearn – BC DRB
Clint Huber - BCRC	Scott Sailer-EW Property Manager-zoom
Krista DeHerrera - BCRC	Bill Simons-BC Metro District
Inno Martino- BCRC – zoom	Wendy Lapointe – zoom
Jerry Hensel- Village Operations	Mnopper – zoom
Amy Bamford- Vail Resorts Retail	Darwin McCutchin- zoom
Koby Kenny – Base Area Operations	Louis Kreig- BC Homeowner
Michael Simmon- Creekside Condos	Paul Gorbold- VR Transportation
Chris Romer – Vail Valley Partnership	Steve Nusbaum- BC DRB
Matt Tetef- VRR	Dave Eickholt-BC Metro District

1. Public Comment. Michael Simons, Creekside Condo GM and Owner of Simco Mgmt Company thanked Jim Clancy and Clint Huber for their bold vision of the new park but no one gave Creekside a voice in the process. He does not believe there has been any board members advocating for the 54 Creekside homeowners. Creekside is prepared to go to court.
Christie Cosbar-Laverti, owner in Townsend Place, mentioned she has safety concerns with increased pedestrian traffic to the park on Village Rd from Scott Hill Rd. She is concerned over activities and noise regulation.
Wendy LaPointe, Villa Montane owner, was at the Villa Montane HOA meeting where Clint had presented. She is requesting the studies done for the park planning. She was at the DRB meeting where she stated safety concerns with some of the park features.

2. Minutes of the Beaver Creek Resort Company Board Meeting November 8, 2023. Upon motion made by Mr. Nolan and seconded by Mr. Luker, the Board with an abstain from Mr. Trueblood,

RESOLVED to approve the minutes of the November 8, 2023.

Minutes of the Beaver Creek Resort Company Board Meeting November 17, 2023. Upon motion made by Mr. Nolan and seconded by Mr. Luker, the Board with an abstain from Mr. Trueblood,

RESOLVED to approve the minutes of the November 17, 2023.

These minutes are attached as Exhibit A and Exhibit B.

3. Election of Officers. Upon motion made by Mr. Nolan and seconded by Mr. Maher, the Board unanimously approved the recommended slate of FY24 officers:

RESOLVED to approve the election of officers as follows:

Bobby Murphy	President
John Dawsey	Vice President
Peter Dann	Vice President
Jim Donohue	Vice President
Jeff Luker	Vice President
Phil Metz	Vice President
Mike Trueblood	Vice President
Brian Nolan	Vice President
Bob Boselli	Vice President
Erin Jarvis	Secretary
Karen Braden-Butz	Treasurer
Brent Alm	Assistant Secretary
Tom Borbone	Assistant Secretary
Michael Rodenak	Assistant Secretary
Bonnie Vogt	Assistant Secretary
Ludwig Kurz	Assistant Secretary

4. DRB Report. Mr. Hearn reported on the DRB projects. It has slowed down in the office which is typical for the winter. 95% of the roofs in BC are now composite.

5. Public Safety Report. Mr. Kenny presented the public safety report which saw a decrease in resort violations. Construction violation has been added to better track. Mr. Boselli asked about sledding in BC and Mr. Kenny said Avon Elementary is the best place to send the guests.

6. Transportation Report. Mr. Gorbald presented the October and November report with success of 100% ride requests in 20mins or less. Service hours were slightly over budget due to better hiring efforts. Took delivery of 2 new parking lot buses which are now in service, #238 & #239. SP+ is contracted to provide 5-8 full time drivers for the winter.

7. Colorado Short Term Rental Legislation. Mr. Romer, CEO Vail Valley Partnership, presented the potential CO Interim Committee Bill that would tax STR as commercial property if rented more than 90 days. Beaver Creek has purpose-built condo rental units which will most likely only rent for 89 days, limiting the year round bed base. The legislative session begins on January 10th. With CO Tabor requiring tax increases to go to a vote, this may end up in a lawsuit. The bill sponsor suggests this will support workforce housing and increase taxes for school district. However, commercial properties are taxed on the economic activity of the property and not the rate of the free market like residential tax rates.

Mr. Dann said this would have such a negative impact on the condo-hotel development structure. The business structure relies on condominium rental model, like the Westin.

Mr. Trueblood asked if there were any resort communities included in this or if it was only a Front Range bill. Mr. Romer said it seems Front Range driven and that this would be the most devastating bill to hit CO tourism. There could be upwards of 70% bed base lost in resort communities. CO Hotel and Lodging Association has opposed with expectation that Colorado Assessors will follow opposing.

Mr. Dawsey stated that a lot of communities have built in STR tax funding mechanisms to help with workforce housing and this new bill will combat this community effort. Fewer room nights in Vail would reduce tax dollars allocated to housing.

Mr. Luker asked about percentage of owners even knowing about this. Right now it is small but the management companies will be sharing this information out. He suggested there be a large campaign to oppose with a click and email option.

In order to provide an official stance to oppose the bill, upon motion made by Mr. Nolan and seconded by Mr. Dann, the Board unanimously,

RESOLVED to allow BCRC to take an official opposition stance to the proposed CO Legislative Bill with regards to Short Term Rental tax rates.

8. Financial Report. Ms. Braden-Butz provided an update on the FY23 year end results which can be found attached as Exhibit C. Overall YE Revenues exceeded budget by \$4,882M, 21.9% to budget, with strong results from Real Estate Sales exceeding budget by 39% at \$2,187M and Civic, Lodging Civic exceeding budget by 19.7% at \$1,778M. To highlight a couple of Other Revenues; Interest Income results from our laddered Treasury Notes and from funds in a Fidelity US Govn't Treasury Money Market, resulted in earnings of \$809,076. Business Licenses had a strong finish due to the Public Safety Gate Attendants insuring that all commercial vehicles were properly licensed for entry resulting in \$128,283 in revenues.

The final FY 23 Expenses resulted in a negative \$70k to budget. This includes the \$162K unbudgeted contribution to the Vilar Performing Arts Center 25th Anniversary Renovation Projects.

The fiscal year ended at net income of \$4,881M

Capital spend totaled \$3,600M; just under \$3M spent on the Strategic Projects that has already been shared and \$650K in maintenance capital.

Resulting in an ending cash balance of \$29,167 a favorable variance of \$9m to budget.

Ms. Braden-Butz presented the staff recommendation of zero mill levy rate for Common Assessments. Upon motion made by Mr. Luker and seconded by Mr. Boselli, the Board unanimously

RESOLVED that the Board of Directors hereby adopts zero mills as the mill levy rate for Common Assessments of the Company for the calendar year 2024.

Ms. Braden-Butz presented the FY24v3 budget that did not have any changes since the last meeting. Upon motion made by Mr. Dann and seconded by Mr. Dawsey, the Board unanimously

RESOLVED to approve the FY24 budget.

9. Strategic Initiatives. Mr. Huber thanked the building associations, property managers and maintenance teams on their lighting efforts to get the deficiencies into compliance.

DRB will review the Upper Creekside Park plan at their December 20th meeting for final approval. Meetings to review the plan were held with the Villas, Villa Montane, Hyatt Mountain Lodge Master Association, Creekside Condos, Oxford Court and Central Village manager for East West.

Hawks Nest Cabin has opened with the few days during Thanksgiving being the busiest with peak visitation of 60 participants. Video content is playing at Spruce Saddle, Talons, village kiosks and social

media posts. Rack cards and flyers have been distributed to concierges with an open house in early December. Full time lead and manager have been hired. Will continue operating plan until January 6th with data collection.

10. Events Update. Ms. Deherrera provided an update on village events. Successful opening week with Cookie Competition. The lanyard hour waves really helped the event but will look into 30min waves for next year. The tree lighting show was cut a little short due to snowy weather. Birds of Prey had great village activations and smooth load in and out.

Village activation will start mid-December with first Thursday Night Lights. TNL will be taken internally and not use a 3rd party vendor. Longer fireworks this year.

NYE winter circus will have more performers. Main 10pm fireworks will be mountain side instead of over the village to reduce ice rink safety risks.

Winter culinary has had great partnership with the restaurants. Splendido will host a gala in January.

Mr. Luker and Mr. Nolan praised staff for having summer lineup ready in the winter for the first time which will allow for marketing material to be created and distributed for Spring Break guests. BC Unplugged lineup can be released in March.

Mr. Luker thanked the entire team from VVF, to race crew, to events, to village ops on all the Birds of Prey race contributions.

11. Marketing Committee Update. Mr. Clancy highlighted marketing updates. Working with Vail Resorts on website updates. The brand creative platform has an agency earmarked for the campaign and they will be in resort for a two-day Beaver Creek immersion trip. The Open Space partnership is strong with Hawks Nest Cabin content complete and starting on photo and video production for 2024.

Economic Development position priorities will include non-winter business, culinary and strategic initiatives.

Culinary council met to brainstorm incorporating the restaurants in events and group business more. Mr. Nolan said the group is excited and has high level participation with leadership from BCRC. Mr. Metz stated the new agency will be very beneficial to Beaver Creek and help find areas where the resort is lacking.

Mr. Luker asked about winter pacing. Retail pacing is down over the holiday period but the 90 day view shows strong ramp up after. This is all compared to a very strong PY. The four year average shows great increase in pacing. Mr. Dawsey stated that the booking window has decreased. Mr. Dann has committed to getting East West on the pacing reports.

12. Conduct of Meeting Policy. Ms. Jarvis presented edits to the conduct of meeting policy to allow for public comment at the beginning of the meeting or during the meeting just prior to the agenda item to be presented. Mr. Trueblood said this was a great idea to spell out when comment will be taken and allow for continuity and flow of the meeting. Mr. Nolan suggested there be a table clock to show the three minutes. Upon motion made by Mr. Nolan and seconded by Mr. Boselli, the Board unanimously,

RESOLVED to change the conduct of meeting policy Section 2(a)(iii) as follows:

Any person desiring to speak at a meeting may be permitted to speak during Public Comment on any matter including agenda items. The Chair shall allow Public Comment that does not pertain to an agenda item to occur at the beginning of the meeting. For comments on an agenda item, the BOD Chair will call for Public Comment three (3) minutes prior to commencement of discussion

on that agenda item. All persons shall be given up to a maximum of (3) minutes to speak or ask questions during Public Comment, although questions may not be answered until a later date. Each person may only speak once. Yielding of time by a speaker to another individual shall not be permitted. Such time limit may be increased or decreased by the Chair but shall be uniform for all persons addressing the meeting.

13. Delivery Regulations. Ms. Jarvis presented staff recommendation to permanently modify the delivery time on Avondale lane from 7am-6pm to 5am-6pm. Upon motion made by Mr. Boselli and seconded by Mr. Nolan, the Board unanimously,

RESOLVED to approve the Avondale delivery time.

14. New Business. Mr. Luker updated the BOD on VVF endowment policy document. Direction was given for Mr. Luker and Mr. Clancy to review with legal and if decision is made to move forward prior to next meeting, the approval will be ratified at the next meeting. Upon motion made by Mr. Nolan and seconded by Mr. Trueblood, the Board unanimously,

RESOLVED to ratify any result of the legal review of the VVF endowment policy at the next BOD meeting.

Mr. Nolan stated that this annual meeting with staff presentations has been the best in 14+ years. Mr. Dann stated that things are getting done at BCRC and the rest of the community.

Mr. Boselli mentioned there is opportunity with the Vail-BC free bus. Eagle Transit Authority runs the bus. It seems to be a mix of skiers and employees. He also mentioned an opportunity with sledding communication and drop off locations to Avon.

BOD acknowledged the One Village event and staff's efforts to put on for all merchants.

New restaurant, Aritza, is in the old Met space.

15. Adjourn. With no further business to come before the board and upon motion made by Mr. Trueblood and seconded by Mr. Dawsey and the Board unanimously

RESOLVED to adjourn the public session of the meeting of the Beaver Creek Resort Company Board of Directors held Thursday, December 7, 2023 at 12:08pm.

Respectfully submitted,

Erin Jarvis
Beaver Creek Resort Company
Secretary

LIST OF EXHIBITS
BOARD OF DIRECTORS MEETING
BEAVER CREEK RESORT COMPANY OF COLORADO
December 7, 2023

- A. Minutes of the Beaver Creek Resort Company Board Meeting November 8, 2023
- B. Minutes of the Beaver Creek Resort Company Board Meeting November 17, 2023
- C. FY23 Year-end Financial Results