

BACHELOR GULCH VILLAGE ASSOCIATION
Board of Directors Meeting
March 31, 2025
Virtual via Zoom

A meeting of the Bachelor Gulch Village Association Board of Directors was held on March 31, 2025, virtually via Zoom. Board members Bobby Murphy, Kristi Kennedy, Brian Kushner, Dan Ramker, and Paul Gorbald were present. Also in attendance were Lee Hoover, Association Manager, Lisa Mayers, counsel for the Association, numerous members of the Association, Dana Miller, financial analyst for the Association, and Mike Heaphy, secretary for the meeting. Bobby Murphy called the meeting to order at 2:03 p.m. Lee Hoover confirmed the presence of a quorum and that proper notice of the meeting was given.

Lee Hoover began the meeting by introducing Paul Datsko to the Board. Paul, a long-time Vail Resorts employee, recently assumed leadership of the Public Safety department at Beaver Creek, including oversight over Maureen Crofton and whole Bachelor Gulch Public Safety team.

Estate Lot Lease Licensing and Regulation Policy

Kristi Kennedy introduced further discussion of the proposed Estate Lot Lease Licensing and Regulation policy, previously discussed at a Board meeting held on February 25, 2025. Kristi explained that the Board had received a tremendous amount of feedback from the community both at and since the February meeting. Based on that feedback and further consultation with legal counsel, the Board had caused the proposed policy to be revised to the amended version under consideration at the meeting, the principal changes being a reduction of the number of days for a lease to be considered a prohibited short-term rental, from 30 days, as originally proposed, to either 14 or 21 days (still to be decided) and the addition of a grandfather clause applicable to current Estate Lot owners by which they would be exempted from the prohibition on short-term rentals.

The Board then invited public comment, which was received as follows:

- Angela Jackson, 1252 Bachelor Ridge (Quarter Moon) – while recognizing that it does not apply to her property, believes the policy is overreaching and could be handled in a better manner, that the Board should consider the negative impact the policy would have on property values, and that the Estate Lot owners should form their own HOA to address the issue;
- Betsy Fink, 106 Hummingbird – raised several questions, including why not just prohibit corporate-type landlords, why not have the Estate Lot owners form an HOA, what affect will regulation have on kids, why not just try to achieve the same end through enforcement of existing regulations, why shouldn't grandfathered Estate Lot owners be allowed to advertise, and will the Association look through to the members of an LLC to determine if the grandfather clause still applies;
- Brett Podner, manager from EastWest – does not believe the Board has authority to adopt policy by way of a regulation, can only be effectuated through an amendment to the Association's Declaration;
- Vanessa Hendrickson, 107 Elkhorn – reporting as co-chair of the Bachelor Gulch Resident Association, can confirm that support for the proposed policy from Estate Lot owners who have contacted her or the Resident Association is unanimous;
- Daniel Kah, 3546 Daybreak – strong support for proposed policy, no objection to grandfathering current owners but want to keep corporate landlords out;
- Kent Thiry – appreciates grandfather clause but endorses idea that there should be vigorous enforcement of rules of conduct;
- Lung Huang, Ritz-Carlton unit owner – would like policy to be very clear on what sort of future transactions would or would not terminate grandfather clause;
- Jim Wallace, 3508 Daybreak – strongly in support of policy, thinks taking the time to form an Estate Lot HOA would prompt significant purchasing by corporate landlords before a policy could take effect;

- Deborah Yurco, Quarter Moon homeowner – should enforce the rules that already exist before adopting new policy that might lead to litigation and should not impose a licensing system because such systems are subject to abuse;
- Bruce Harreld, 321 Elkhorn – fully in support of policy and would prefer policy that prohibited rentals of less than 30 days;
- Mike Leeds, 34 Goshawk – believes policy necessary to maintain the existing community;
- Rob McEwen, 3618 Daybreak – complete agreement with policy and would prefer policy that prohibited rentals of less than 30 days;
- Shelly Storey, 2845 Daybreak – in support of policy and would prefer policy that prohibited rentals of less than 30 days;
- Gary Hendrickson, 107 Elkhorn – fully supportive of policy and believes it is necessary to preserve the character of the community, would prefer policy that prohibited rentals of less than 30 days;
- Bradley Hauser, 3483 Daybreak – in favor of policy and would prefer policy that prohibited rentals of less than 21 days.

Cellphone Service Update

Dan Ramker advised the Board that American Tower was not getting sufficient carrier interest in the proposed project and, as a result, was postponing any further action until later in the year when carrier budgets are generated. Dan will re-engage later in the year. In response to Board comment, Dan stated that American Tower perceives the proposed project (essentially, installation of two new towers in Bachelor Gulch) to be doable but presently unjustifiable given the lack of carrier demand, even if the Association were to financially contribute to the project. The Board urged Dan to continue to pursue the project.

Summer Projects/Trails Updates

Lee Hoover updated the Board on a number of summer projects - Bachelor Gulch Public Safety has purchased a new vehicle; the wooden railing around the deck at the tennis center and the stairs between the upper and lower courts have deteriorated beyond repair and will be replaced in May; bridge and tunnel repairs are underway in conjunction with Bachelor Gulch Metro District; wildfire mitigation efforts in concert with Eagle River Fire Protection District continue; working with the Beaver Creek Resort Company, new lighting has been installed in the Little Bear Lot; and, finally, a new assistant tennis pro will be brought on board at the tennis center.

Trails Update

Members of the Trails Committee advised the Board of their present recommendations regarding the master trails plan. Specifically, they are recommending that only one trail be built in 2025 (a loop off the new Moose Trail), that the master plan be revised to address certain concerns (including the desire that all trails be at least five feet wide), and, once revised, that the Association formulate a plan moving forward. Dan Ramker agreed to circulate a revised master plan and otherwise pursue recommended work for 2025.

Financial Update

Dana Miller advised the Board that the Association remains in a strong financial position, with \$16.2 million in assets, about \$3 million held in three liquid accounts at First Western Trust and \$11.7 million held in treasuries with laddered maturity dates. The Association has \$2.2 million in operating equity, \$1.85 million of which was brought in from prior years. The Board has previously directed that this line item maintain a beginning balance of \$1 million so, once a final audit is completed, Dana will seek Board approval for transferring the audited surplus to reserves. Surpluses for 2025 through February are at \$401,000 and capital equity is at \$13.5 million. Turning to the income statement, the operating surplus of \$401,000 is favorable to budget by \$968,000. Operating revenue through February is \$2.7 million, favorable to budget by \$460,000, driven by civic assessments and real estate transfer fees (both a little higher than 2024). Operating expenses are favorable to budget by \$507,000 through February, driven primarily by transportation (a budgeted need for contract labor

and full service hours not having been realized) and waste disposal (as a result of new provider taking over in July 2024).

Approval of Minutes

On motions duly seconded, the Board approved the December 20, 2024 and February 25, 2025 Board Meeting Minutes as presented.

Executive Session

On motion duly seconded, the Board moved to enter into executive session at 3:03 p.m. pursuant to C.R.S. Section 38-33.3-308(4)(b) for the purpose of conferring with legal counsel regarding the proposed Estate Lot Lease Licensing and Regulation policy. The Board exited executive session at 4:06 p.m.

Upon exiting executive session, the Board advised that they had scheduled their next meeting for Monday, May 2, 2025, at 1:00 p.m. There being no further business before it, the Board, on motion duly seconded, adjourned the meeting at 4:08 p.m.

Respectfully submitted,

Mike Heaphy
Secretary for Meeting