
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District June 23, 2015

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on June 23, 2015 at 4:30 p.m., at the Singletree Community Center, 1010 Berry Creek Road, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- George Gregory
- Mike Budd
- Ann Darby
- Dan Godec
- Mike Reisinger

Also in attendance were:

- Karen Kern
- Jeff Schlichting
- Brent McFall, Eagle County Manager
- Melissa Macdonald-Nelson, SPOA President
- Terri Martinez-Johnson, Community Manager
- Dan Carlson, Operations
- Ken Marchetti, CPA
- Cheri Curtis, Secretary to the Meeting

**Call To
Order**

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Gregory, on June 23, 2015, at 4:30 p.m. noting a quorum was present.

Agenda

There were no changes to the agenda.

Minutes

The May 26, 2015 Special Meeting minutes were reviewed. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the May 26, 2015 Special Meeting minutes with revisions.

**Eagle County
Manager**

Brent McFall was hired as the Eagle County Manager earlier this year and was at the meeting to introduce himself to the Board and provide a brief description of his background.

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Mr. McFall informed the Board the County is continuing to operate in a deficit spending mode. The County is working on strategic plans to determine where to use the available resources to serve the County's needs.

Director Godec questioned if Mr. McFall is pleased with the County's reserve funds. Mr. McFall noted Eagle County has been using reserve funds for the past few years, and is continuing to use them moving forward. Mr. McFall believes the County needs to address the budget to protect the reserves. Director Gregory informed Mr. McFall 60% of the registered voters in Eagle County live in Edwards. Mr. McFall stated the County is aware of that statistic.

Mr. McFall left the meeting at 4:45 p.m.

Public Input Jeff Schlichting was in attendance to discuss the noise and trash at the Community Center during recent functions. Mr. Schlichting informed the Board the noise has continued well past 10:00 p.m. and a disk jockey set up outside of the Community Center at a recent event. Trash has been left outside and guests have been notably intoxicated at recent events. Mr. Schlichting recommends the Board hire staff to be onsite during events to avoid these types of issues. The Board will consider Mr. Schlichting's recommendation in future discussions on the Singletree Community Center.

Brush Creek

Landscaping Certified Arborists, Steve Tarrant and Paul Dyke with Brush Creek Landscaping, presented a written report to the Board on their assessment of the health of the trees in Singletree. Mr. Tarrant noted the area is challenging due to the soil in the area and the climate. There were 130 trees planted in 2012 that have been treated by Brush Creek Landscaping since 2013. Typically transplanted trees go into shock the first year, and the effects are seen during years two and three.

Mr. Dyke has graded the trees and distributed their report to the Board. Mr. Dyke reviewed the list, showing the trees they expect to fail. It was noted some trees were planted too deep and the soil is too acidic for this type of tree. Mr. Dyke provided recommendations including pulling back the soil, mulching around the trees, and adjusting the irrigation.

Director Budd noted the report shows approximately half of the trees are at risk and the District will work with the golf course to protect the largest number of trees. Mr. Carlson obtained a bid to weedwack around trees, mulch, and adjust the irrigation for \$58 per tree. The estimated cost to treat the trees at risk is approximately \$5,800. The Board agreed to spend the funds to preserve as many trees as possible.

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Mr. Tarrant and Mr. Dyke left the meeting at 5:22 p.m.

Buckboard Intersection

Landscaping Director Gregory reported to Jodi Pratt that the District would prepare the soil and plant the flowers at the Buckboard intersection but that the Villas at Singletree would be responsible for the maintenance and irrigation of the landscaped areas. Ms. Pratt is going to take the information to the Villas at Singletree Board of Directors for approval.

Landscaping at

Persimmon

Woods

Carol Glasson has requested the District bring the corner at Berry Creek Road and Winslow Road intersection to the same level of the other landscaped corners throughout the community. Director Gregory updated the Board on the history of that corner, noting the District had previously provided landscaping. The Board is willing to improve the landscaping at the corner if Persimmon Woods agrees to contribute to the cost and assumes the maintenance. The Board recommended Ms. Glasson work with Garden Creations to create a plan to be approved by the Board.

RMCL

Bobbie Head and Steve Bjurstrom from Rocky Mountain Custom Landscaping (RMCL) joined the meeting to discuss the landscaping at the main entrance. The Board updated Mr. Head and Bjurstrom on the earlier report from Brush Creek Landscaping on the condition of the trees.

Mr. Head and Mr. Bjurstrom met with Directors Budd and Godec at the west entrance prior to the Board meeting to review the status of the landscaping in the area. RMCL suggested planting Aspen trees and additional flower plantings to bring the north side of I-70 landscaping to the same level as the south side of I-70. RMCL provided a schedule of the costs for the recommended plantings.

Director Budd reported the natural landscaping on the northwest quadrant of the roundabout is affecting the health of the trees located there. Director Gregory stated it was a design flaw. Mr. Marchetti will notify ECA of the landscaping concerns in the northwest quadrant. Director Reisinger suggested placing pavers on the established trail through the area. Director Budd stated that since Eagle County spent money on the sidewalk it was not necessary to make improvements to the unauthorized path.

Director Gregory informed RMCL they needed to plant the correct type of trees for the location and do soil samples before planting anything. Director Godec suggested planting annuals in the roundabout to provide additional color.

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Mr. Head and Mr. Bjustrom left the meeting at 5:47 p.m.

Community Center

Remodel Director Darby reported the remodel is substantially complete. The feedback has been positive. Concerns have been expressed regarding maintaining the quality of the finishes but the Board is confident they can be maintained.

Community Center

Expansion A survey is being prepared to determine whether property owners are interested in expansion of the Community Center. The Board will need to make a decision whether to move forward on construction in July if construction is to begin in the spring of 2016. The Board agreed the survey results will be necessary to make a decision.

Joint

Meeting The Board agreed to meet on July 16, 2015 at 2:00 p.m. with the SPOA Board to discuss joint matters.

Eagle County

Road Overlay Director Gregory reported Eagle County's milling and overlaying in Singletree will be limited to Berry Creek Road from Latigo Circle to Charolais Circle. Director Budd suggested Eagle County also address the area where the sink hole is developing.

Mr. Carlson questioned whether the Board wanted to proceed with painting the stop bars, centerline, and bike lanes in 2015. The Board directed Mr. Carlson to proceed with the striping of the roads.

Operations The Board discussed painting lines on Winslow Road to direct bicycles. Director Budd and Mr. Carlson will determine the best solution for bicycles traveling on Winslow Road.

Mr. Schlichting requested the Board replace the trees that were removed at Chip Ramsey Park to provide shade for the park.

Mr. Carlson informed the Board there is dirt buildup at the guardrail on the west end of Berry Creek Road which is affecting drainage in that area. The Board directed Mr. Carlson to contact Eagle County Road and Bridge to alert them of the issue.

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Director Darby reported Mr. Carlson was extremely helpful with completing the remodeling at the Community Center. Energy Smart is evaluating the building for a possible grant for energy saving measures.

Financial Report

The preliminary May 31, 2015 Financial Statements were included in the Board packet. Director Budd noted the reduction in the 2016 debt service mill levy will reduce property taxes by approximately \$200,000 to Singletree property owners. The Board acknowledged receipt of the May 31, 2015 financial statements.

Payment of Invoices

The Board reviewed the June list of payments. By motion duly made and seconded it was unanimously

RESOLVED to approve the June 2015 list of payments as presented.

SPOA Update

Ms. Macdonald updated the Board on the recent actions of the SPOA Board. \$400 was approved for rocks to the north side of the Avon/June Creek Connector Trail. The SPOA Board approved an additional speed display device. The SPOA Board approved purchasing No Parking signs and will request a 50% cost share with the District. It was noted the proposed location for the signs could be in County right-a-way. Upon motion duly made and seconded it was unanimously

RESOLVED to approve up to \$2,900 for signage, subject to 50% reimbursement by SPOA.

UERWA

There is an ongoing investigation regarding construction issues with the new Traer Creek water tank. It was reported Lake Powell is at 51% of capacity and Lake Mead is at 37%. The shortage of water is an ongoing concern.

ECA

The June meeting was cancelled. Director Budd questioned the representation of ECA at the meeting with Eagle County Commissioners and Edwards Metro District. Mr. Marchetti reported the meeting did not involve ECA.

Director Budd also questioned the funding for future road construction projects through ECA. Mr. Marchetti reported it could be funded through property taxes, sales taxes, or a combination of both. Most participating entities are not in favor of an additional property tax. If future construction is funded with a sales tax only, EMD plans to implement the sales tax through the existing EMD rather than formation of a new overlapping district. If a sales tax is implemented through EMD, the ongoing purpose of ECA is being evaluated.

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Open Items

List The list was reviewed, with no additions. The Board discussed the boulders on the path entrances to the June Creek trails.

RMCL

Proposal Director Gregory reviewed the proposals for landscaping at the west entrance and questioned the amounts of the proposals. Director Budd stated the contract should also include annual flowers. By motion duly made and seconded it was unanimously

RESOLVED to authorize Directors Budd and Gregory to meet with RMCL and enter into a contract with RMCL for the landscape improvements at the west entrance for an amount not to exceed \$16,000.

Other

Business Mr. Carlson suggested having Singletree Community Center users leave the chairs down with a charge to have them put it away. The Board felt users should continue to put the chairs away as in the past.

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

RESOLVED to adjourn the Regular Meeting of the Berry Creek Metropolitan District Board of Directors this 23rd day of June, 2015.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting