
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District July 23, 2013

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on July 23, 2013 at 8:30 a.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
- Dan Godec

The following Directors were absent and excused:

- Ann Darby
- Herb Luhman

Also in attendance were:

- Steve Penrose, SPOA
- Dan Carlson, Operations
- Ken Marchetti, Robertson & Marchetti, P.C.
- Cheri Curtis, Secretary to the Meeting

**Call To
Order**

A Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Gregory, on July 23, 2013, at 8:30 a.m. noting a quorum was present.

Changes to the

Agenda The Winslow Road damage was added to the agenda.

Public Input No public input.

Minutes The June 25, 2013 Regular Meeting minutes were reviewed. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the May 28, 2013 Regular Meeting minutes as presented.

Operations Mr. Carlson reported he met on-site with Brush Creek Landscaping who identified trees that have a fungus that affects poplars, aspen and cottonwood trees. A lot of cottonwood trees have had to been removed in Eagle County due

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to this fungus. There are also trees with scale. Certain trees around the Community Center will be removed.

Director Budd noted there are a lot of cottonwood runners sprouting throughout the Community. Mr. Carlson will continue to work with Brush Creek Landscaping on the tree issues.

Mr. Carlson continues to replace and recess stones in the landscaped corners. \$800 has been spent on replacement rocks to date. After reviewing the cost to maintain the corners, Director Godec questioned whether the Board should be looking at permanent improvements for the landscaped corners that will reduce maintenance costs. The Board asked Mr. Carlson to obtain bids for concrete swales on all corners, to protect the landscape improvements. Mr. Carlson suggested putting in stakes on the landscaped corners to discourage drivers from driving through the landscaping. A notice will be included in the next newsletter asking residents to avoid driving on the landscaped corners.

Rawhide Road

Screening The Board tabled the discussion on the views of the Charter School until a representative from the Rawhide Road community is present.

Winslow Road

Speeding Bob Jamar requested a speed bump to slow down traffic on Winslow Road. Director Gregory will respond to Mr. Jamar. The Board will look at solutions, including possibly installing a temporary MPH digital signs that could be moved around the community.

Landscape

Corners The Board is pleased with the landscape maintenance provided by Garden Creations this year. The Board continued the debate of mowing native grass on the road shoulders. No decision was made.

District Roads

The Board discussed hiring an engineering firm to perform an evaluation of the asphalt condition of the roads in Singletree. Mr. Carlson recommended using Dale Decker to provide a study. The Board discussed contacting Bruce Yanke with A-Peak to obtain a report from a contractor. After discussion, Director Gregory agreed to contact Alpine Engineering to obtain an engineering report on the roads in Singletree that will include a recommendation for when road overlays will be necessary. Upon motion duly made and seconded it was unanimously

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RESOLVED to approve up to \$2,000 for an engineer's study of the District's roads with a recommendation on when an overlay would be necessary.

Landscaping

Maintenance With the Board being please with the quality of work provided by Garden Creations, Director Gregory suggested it was not necessary to solicit additional landscaping bids for 2014 as long as Garden Creation's prices are remaining relatively consistent. Director Budd requested the District obtain a second bid to make sure the District is being financially responsible to the District taxpayers.

The contract for the 2013 west entrance landscape maintenance has been executed. The Board will need to determine if maintenance of the west entrance landscaping needs to be provided by RMCL in 2014, due to warranty issues.

Community Survey

The Board suggested conducting a community survey in 2014. Director Budd reported there was a good planning meeting held earlier this month for the Edwards community with ECA and several community services providers. Information on the next meeting for the Edwards Area Master Plan Update will be distributed to all Singletree residents.

Community Manager Job

Description Discussion on the community manager job description was tabled until Director Luhman is present. Director Gregory presented information on the duties of the previous code enforcement officer hired by the Association.

Community Center

Request The Board received a letter from Doris Dewton requesting use of the Community Center at no cost for the Vilar Guild, a local non-profit. Upon motion duly made and seconded it was unanimously

RESOVLED to allow the Vilar Guild to use the Community Center for an event in August 2013 at no charge.

Financial Report

The June 30, 2013 financial report was included in the Board packet. Mr. Marchetti answered questions as presented.

The Board discussed the use of non-treated irrigation water for Howard and Hereford Parks and terminating the domestic water account. Upon motion duly made and seconded it was

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RESOLVED to acknowledge receipt of the June 30, 2013 financials.

**Accounts
Payable**

The Board reviewed the accounts payable list for June. Clarifications were provided for invoices in question. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the July 2013 accounts payable list as presented.

SPOA

The SPOA Board is in the process of reviewing different variances of the CCR's over the years. SPOA is encouraging property owners to attend the Edwards Area Community Plan Update meetings.

The Bec Tri triathlon will be held again in 2013, using many streets throughout Singletree on August 3, 2013.

Lee Rimel is working on improvements to the Knob Hill Trail.

UERWA

A meeting was held with ERWSD to discuss the UERWA agreement. ERWSD, who manages UERWA, would like each entity in UERWA to convey their water rights (which are currently leased to UERWA) to UERWA. The State Water Engineer maintains that UERWA cannot represent the water rights since they do not own them. After the UERWA meeting, Director Gregory is more comfortable with conveying the District's water rights to UERWA with a reverter clause in the event UERWA ever stops providing treated water to Singletree.

Director Budd is concerned that in the future if UERWA decides to change representation, it might negatively affect the District. Director Gregory believes the agreement needs to be updated to address those unaddressed issues.

Director Budd is not comfortable conveying water rights. Director Gregory suggested having the Authority Water Rights attorney make a presentation to the Board so the Board fully understands the issues.

ECA

ECA is waiting for information on whether they have been approved for the CDOT RAMP application. In lieu of the July meeting, ECA members met with other service providers and County staff to initiate the Edwards Sub Area Community Plan update process.

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Open Items

List The Board reviewed the Open Action Items List. Mr. Carlson reported a camera for the Community Center parking lot would cost \$1,500 dollars. Upon motion duly made and seconded it was unanimously

RESOLVED to approve up to \$1,500 for installation of new camera at the Community Center parking lot.

Ms. Curtis reported the District has funds available through the Colorado Special District Property and Liability Pool that can be used to match 50% of expenses for safety items.

Other

Business Director Godec would like to make a presentation for the proposed Eagle County Senior Care Center. The Board agreed to schedule the presentation at a future meeting.

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 July, 2013.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting