
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District July 24, 2007

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on July 24, 2007 at 3:30 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:

- Doris Dewton
- Sandy Donnelly
- Don Cohen
- Evelyn Pinney

The following Director was absent and excused:

- Heather McInerny

Also in attendance were:

- Rick Cook
- Ken Marchetti, CPA, Robertson & Marchetti, PC
- Chuck Powers, Singletree Property Owners Association
- Cheri Curtis, Secretary for the Meeting

Call To Order

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Cohen, on July 24, 2007, at 3:30 p.m. noting a quorum was present.

Minutes By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the June 26, 2007 Regular Meeting as presented.

Agenda The I-70 Speed Limit was added to the agenda.

Public Input Rick Cook presented plans to add a half-pipe to the existing skateboard park and a basketball court at Freedom Park. The Board questioned lighting and Mr. Cook informed the Board there would be no permanent lights planned for the skate park site. Usage and parking were discussed.

Mr. Cook is hoping to receive contributions from various funding partners to complete the additions at the Freedom Park skate park. If Mr. Cook receives initial support from the community, a follow-up presentation is planned in the fall

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with estimated costs and specific funding request. The Board stated although they are supportive of the project, budget constraints may not allow the Board to contribute as much as in the past.

SPOA SPOA is requesting \$2,000 from the Metro District to re-seed the Moto-Flats area during the re-vegetation of Forest Service land adjacent to the District. By motion duly made and seconded it was unanimously

RESOLVED to fund an amount not to exceed \$2,000 for re-seeding the Moto-Flats area.

Mr. Powers reported the State of Colorado Department of Transportation is working through the bidding process to commence the construction of the Wildlife Fence along I-70.

The Annual Singletree Property Owners Party will be held on August 25, 2007. Mr. Powers presented the 2006 cost for the annual Singletree Resident's party. SPOA is reviewing the costs and planning to reduce the costs per person for the 2007 function. SPOA is estimating the function will cost approximately \$16,000 with the District contributing 50% of the cost. Discussion followed on the serving of alcohol at the function and the liability issues. The Metro Board agreed to fund the food for the function and will take responsibility for paying the invoice.

Singletree residents will be required to have bear-proof trash cans by April 1, 2008. Mr. Powers questioned whether Singletree should ask for a variance. The Board agreed to not address the issue unless it becomes a problem.

Winslow Road

Underpass Carter-Burgess provided a cost estimate of \$3.5 million for the expansion improvements to Winslow Road at the I-70 underpass. The estimate includes a contingency for any unforeseen items that might arise. The design drawings were distributed to the Board for discussion purposes. It was noted the Board will need voter approval to issue bonds to fund the Winslow Road improvements.

I-70 Speed Limits

SPOA Board has passed a resolution to support Mr. Powers and the Eagle County Public Safety recommendations to reduce the speed limit on I-70 to 65 mph. By motion duly made and seconded it was unanimously

RESOLVED that Berry Creek Metropolitan District requests the State of Colorado and the Colorado Department of Transportation to reduce the speed limits throughout Eagle County to a maximum of 65 mph on I-70.

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Staff Update The Charolais Park odor has been identified as a problem with the re-circulating pump pulling up silt off the bottom of the pond. The problem is being rectified. Director Cohen has communicated the problem to residents near Charolais Circle Park.

Director Cohen has been working with residents and the contractor to ensure the speed bumps on Stetson Drive are driver friendly and are successful at reducing the speed of vehicles traveling on Stetson Drive.

**Newspaper
Racks**

It was reported the Vail Daily is planning to pour concrete where the newspaper boxes are located at the entrance to improve the aesthetics at that location.

**Bond
Election**

Mr. Marchetti presented the June 30, 2007 Financial Statements with scenarios for the 2008 budget showing the District both with issuing bonds and not issuing bonds. Capital projects without a bond issue are budgeted at \$100,000 per year. The Board reviewed the scenarios for issuing bonds and the effect the bonds would have on District mill levies with the increased assessed values for the year 2008. The Board also reviewed the estimated cost to property owners if the debt service mill levy is not reduced with the increased assessed value to support the bond issue, if voters approve.

The Board discussed the advantages and disadvantages of holding a November election. The Board agreed to proceed with a November election asking voter approval to retain the debt service mill levy and to issue bonds for the proposed capital projects. There would be a minimum of two bond questions on the ballot since the Winslow Road underpass project would be for roads and the Community Center expansion would be under the District's recreation power. Mr. Dalton opined the District could include the question to bury the power lines under either roads or recreation, although it could be put on the ballot as a separate issue.

**Community
Center
Expansion**

Director Cohen presented the updated plans for the Community Center expansion. It was noted that although the construction cost are expected to be covered by the bond issue, there will also be increased operating cost to maintain the facility. The Board is anticipating possibly hiring a staff person to maintain the building, provide covenant enforcement, and represent the community.

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**Financial
Report**

Mr. Marchetti presented the June 30, 2007 Financial Statements and a very preliminary version of the proposed 2008 budget.

**Accounts
Payable**

The Board reviewed the July 2007 accounts payable lists. By motion duly made and seconded it was unanimously

RESOLVED to approve the July accounts payable list as presented.

2006 Audit

The draft financial report was provided to the Board. By motion duly made and seconded it was unanimously

RESOLVED to approve the 2006 audit report with changes presented by Director Dewton.

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 24th day of July, 2007.

Respectfully submitted,

Cheri Curtis
Secretary for the Meeting

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Put Rick Cook on the October agenda.