

---

## RECORD OF PROCEEDINGS

---

### Minutes of the Regular Meeting Of the Board of Directors of Berry Creek Metropolitan District July 28, 2016

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held on July 28, 2016 at 3:00 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. The Board met in joint session with the members of the Executive Board of Singletree Property Owners Association (SPOA). These minutes are the minutes of the BCMD portion of the meeting and separate minutes record the SPOA portion of the meeting.

**Attendance** The following BCMD Directors were present and acting:

) George Gregory  
) Karen Kern  
) Ann Darby  
) Dan Godec  
) Mike Reisinger

SPOA Directors in attendance:

) Ralph Dockery  
) Ralph Merritt  
) Jennie Longville  
) Mike Budd

Also in attendance were:

) Kathryn Regjo, Colorado Mountain College  
) Tracy Walters, Colorado Mountain Express  
) Larry Rodgers, DRC Architect  
) Nina Timm, Community Manager  
) Dan Carlson, Operations  
) 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 July 28, 2016, at 3:00 p.m. noting a quorum was present.

#### **Disclosure Matters**

Pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member disclosed his conflicts of interest, stating the fact and summary nature of any matters as

---

---

## RECORD OF PROCEEDINGS

---

---

### Berry Creek Metropolitan District July 28, 2016 Meeting Minutes

---

---

required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the member's present was necessary to obtain a quorum or otherwise enable the Board to act.

Director Darby reported she is the owner of Darby Architects, P.C. which provides architectural services to the District. This disclosure is associated with approval of items on the agenda, which may affect her interests.

Written disclosures of these interests were filed with the Secretary of State and the Board prior to the Board meeting.

#### **CMC Parking**

**Lot** Kathryn Regjo with Colorado Mountain College (CMC) presented a proposal to amend the PUD on the Berry Creek 5th Filing to allow businesses to contract with CMC to use the parking lot when not being used by CMC students. Colorado Mountain Express (CME) would be the major user of the CMC parking lot and they would pay CMC for parking. Those funds would be used to provide additional CMC programs. The Board expressed concerns with approving an amendment to the PUD that was carefully negotiated and crafted when the PUD was approved. They believe nothing has changed that would warrant a PUD amendment. While it was noted the District had previously supported additional parking "tucked under I-70" those circumstances were different and didn't establish a precedent for this PUD amendment. Tracy Walters with CME informed the Board CME plan would be to lease out the lot in Eagle-Vail where the vehicles are currently being housed with the hope to have all the CME vehicles in one location. The Board agreed the parking of CME vans would be unsightly for the area.

Discussions followed on options for additional funding and reasons for and against the Plat amendment. A motion to support for the PUD amendment was voted down unanimously by the Board.

Ms. Regjo and Mr. Walters left the meeting at 3:25 p.m.

**Agenda** There were no changes to the agenda.

**Public Input** There was no additional public input.

**Minutes** The June 23, 2016 Regular Meeting minutes were reviewed. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the June 23, 2016 Regular Meeting minutes as presented.

---

## RECORD OF PROCEEDINGS

---

---

### Berry Creek Metropolitan District July 28, 2016 Meeting Minutes

---

#### **Speed Control**

**Request** Steven Sanders who lives at 1860 Winslow Road requested a speed display sign on Winslow road to slow uphill traffic. Ms. Timm reported she also receives many complaints on speeding on Winslow Road. Eagle County is not willing to put in speed bumps and the general perception is that permanent speed limit signs do not work. Eagle County Sheriff's Department has increased their presence on Winslow Road. The Board agreed to install another speed display sign post on the northbound side of Winslow Road and rotate the existing speed display signs on a regular basis.

#### **Open Items**

**List** Road Overlay –Eagle County will overlay certain roads in Singletree beginning in August, 2016.

Community Center Promotion – Promotion of the Community Center is pending until the new facility is completed.

Golf Course Crossings – Will be addressed in 2017.

Website Design – The new web site should be live by September 7, 2016.

Exercise Classes Fees – Will be reviewed after the building is completed.

Eagle County IGA – The draft agreement for maintenance services on the north side of the Edwards I-70 interchange has been reviewed by Mr. Collins and has been sent to Eagle County for approval.

No Parking Signage – Completed.

**Operations** Mr. Carlson reported the basketball hoop backboard was shattered by an unknown person. The cost to replace the backboard is \$800 plus \$600 for installation labor. There was vandalism in the Chip Ramsey bathrooms the day after the basketball backboard was broken.

The Charolais Circle new beach sand has been installed. Brush Creek Landscaping is removing five to six Aspen trees on the north side of the Community Center. Dying trees on Winslow Road will be removed if it is determined they are on District property.

---

## RECORD OF PROCEEDINGS

---

---

### Berry Creek Metropolitan District July 28, 2016 Meeting Minutes

---

#### **Financial Report**

The preliminary June 30, 2016 Financial Statements were included in the Board packet and reviewed by the Board. By motion duly made and seconded it was unanimously

**RESOLVED** to acknowledge receipt of the financial statements.

#### **Payment of Invoices**

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

**RESOLVED** to approve the July 2016 list of payments as submitted.

#### **Updates**

##### **UERWA**

Director Gregory reported a great deal of work has been completed on the Eagle River MOA. ERWSD is planning to streamline operations.

Eric Kune with the Colorado River District and Steve Bushong attended the meeting to explain the reason it is so expensive to maintain water with the new unfunded mandates. They explained the long term effects of the upper basin versus the lower basin. Colorado Springs and Aurora are encouraging residents to allow landscaping to die, stating the water is simply not available. The Governor approved a study to look into building a 400,000 to 500,000 acre foot reservoir in Northeastern Colorado to retain water that is currently going to Nebraska. Additional potential water storage locations are being explored. The cost to build a reservoir could reach \$57,000 per acre foot. Lake Mead currently has a 1.2 million acre foot deficiency.

##### **ECA**

ECA met and agreed to refund the remaining funds to the participating entities based on the percentage contributed. The estimated construction costs for the Spur Road improvements are continuing to escalate but the engineering team is continuing to pursue value engineering alternatives.

#### **Community Manager Report**

Ms. Timm has received 175 RSVPs for the annual party. With the Community Center being under construction, Ms. Timm recommended leasing a 40' x 80' tent for \$2,800, which includes setup and tear down. The SPOA Board approved the cost for the tent.

Late fees were recently sent to property owners owing the annual assessments. Several property owners have paid the annual assessments but not the late fees.

---

## RECORD OF PROCEEDINGS

---

---

### Berry Creek Metropolitan District July 28, 2016 Meeting Minutes

---

Ms. Timm recommended leaving the late fees of the owner's accounts but not pursuing collection efforts on the late fees.

#### **Singletree Community Center**

##### **Construction**

**Update** The project continues to be on budget and on time. The windows and water lines have been installed.

##### **Other**

**Business** Sonnenalp employees are parking on the grass at the Sonnenalp even though there are spaces available in the parking lot, which is a violation of the Covenants. This would indicate there is not enough parking for the new facility. Ms. Timm will send a letter to the Sonnenalp Golf Course notifying them of the covenant violation by parking on the grass.

**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 28th day of July, 2016.

Respectfully submitted,



Cheri Curtis  
Secretary for the Meeting