
RECORD OF PROCEEDINGS

Minutes of the Special Meeting Of the Board of Directors Berry Creek Metropolitan District February 24, 2015

A Special Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on February 24, 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
- Mike Reisinger
- Dan Godec

Also in attendance were:

- Dan Carlson, Operations
- Ken Marchetti, District Administrator
- Cheri Curtis, Secretary to the Meeting

Call To Order

A Special Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Chairman Gregory, on February 24, 2015, at 4:30 p.m. noting a quorum was present.

Potential Conflicts

Of Interest Director Darby reported that she is the owner of Darby Architects, P.C., an architectural firm that has been engaged to provide architectural services to the District. Darby Architects provision of these services to the District could constitute a potential conflict of interest. The Board noted, for the record, that this disclosure is restated at this time with the intent of fully complying with laws pertaining to potential conflicts.

Agenda There were no changes presented.

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

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Minutes The minutes of the January 27, 2015 Special Meeting were reviewed. Director Budd reported the Senate has passed SB 15-064 that restricts the US Forest Service's ability to acquire water rights without paying appropriate compensation when water rights are acquired. Director Gregory provided additional clarification on the Bill that was approved by the Senate. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the January 27, 2015 Special Meeting minutes as revised.

**Sonnenalp
Golf Club**

The Sonnenalp Golf Course is proceeding with plans to construct a new athletic facility. R.A. Nelson has been chosen as the contractor. Construction is currently scheduled to begin in October 2015. Three golf memberships have been sold since the introduction of the new program.

**Community Center
Expansion**

Director Darby met with Directors Budd and Godec on proceeding with the improvements to the existing Community Center. The Committee discussed lighting for the existing facility with an option to tie the lighting into the security system. The new lighting design being considered for the community room will also enhance lighting during events.

The Committee recommended the District advertise the bid process for the project for the improvements to the existing facility on March 4, 2015 in the Eagle Valley Enterprise. Bid plans will be available on March 1, 2015 with bids accepted until March 20, 2015. The Board will review the bids at the March 24, 2015 Board meeting. Upon motion duly made and seconded it was unanimously

RESOLVED to advertise the project on March 4, 2015 and accept bids up to March 20, 2015 at 2:00 p.m. The contract will be awarded on March 31, 2015. The amount of the contract is not to exceed \$170,000.

**Meeting
Schedule**

Director Budd requested the Board move the April and May meetings to 4:30 p.m., which was approved by the Board. The election of officers for the upcoming year will be held at the May 26, 2015 meeting.

**Berry Creek
Filing 5**

Director Budd questioned whether the District receives property tax revenue from Berry Creek Filing 5. Mr. Marchetti reported that most land parcels located in Berry Creek Filing 5 are schools or government entities that are tax exempt. During the meeting he looked up parcels that are privately owned and reported

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that there is one small parcel owned by Sonnenalp Golf Club plus and the CME Parking Lot expansion into the Berry Creek 5th Filing.

SPOA Annual

Meeting Director Gregory discussed preparation for the District's presentation at the SPOA Annual meeting. Director Gregory will update the SPOA members on the projects completed by the District over the last several years, the plans for the Community Center expansion, and completion of the beautification process. It will be noted the 1992 bonds will be retired in 2015, which will reduce the property taxes collected by the District.

Operations Mr. Carlson has been replacing burned out light bulbs. Once a light bulb is burned out, it can negatively affect the ballast, shortening the life of the ballast. Mr. Carlson is working to replace the bulbs before the ballast is affected.

The walkways are clear due to lack of snow. Mr. Carlson is working with SHC Landscaping to avoid ice building up around Community Center and on the recreation path in the future.

January 31, 2015

Financial

Statements The January 31, 2015 financial statements were presented. Director Budd questioned the other income and increase in insurance in the statement of revenues and expenditures. Ms. Curtis clarified the \$15,000 in other income was for the vacation of the access easement on Lot 35, Block 2, Filing 4 (MacKechnie). The Board acknowledged receipt of the January 31, 2015 financial statements.

Accounts

Payable The Board reviewed the revised accounts payable list for February 2015. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the revised February 2015 accounts payable list as presented.

SPOA SPOA is planning to amend their Bylaws to reduce the number of Board members from nine to five. Director Budd questioned if the proposed amendment to change the bylaws was properly noticed and discussion ensued that the Association's attorney could respond to that question.

UERWA The next UERWA meeting will be held this Thursday, February 26, 2015. Three Board members will be meeting with Glen Porzak on March 3, 2015 at 10:30 a.m. to obtain additional information on the UERWA Agreement. The meeting will be noticed to the public.

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ECA There has been no ECA meeting since November.

Open Items

List The Board reviewed the Open Items List. The No Overnight Parking signs are ready to be installed when the ground thaws. The concrete pans on the corners will be completed in conjunction with the Eagle County Road overlays.

The committee of Director Reisinger, Ms. Martinez-Johnson, and Ms. Curtis will present the revisions to the Community Center Rental Contract at the March meeting.

Director Godec suggested inviting the new County Manager to a future Board meeting.

Mr. Carlson suggested issuing cards or key fobs to enter the Community Center main entrance and community room. This would allow the District to change the codes regularly and would prevent exercise room and Community Center users from sharing codes. The Board requested that Mr. Carlson bring a proposal to the March 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 Special Meeting of the Berry Creek Metropolitan District Board of Directors this 24th day of February, 2015.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting