
RECORD OF PROCEEDINGS

Minutes of the Special Meeting Of the Board of Directors Berry Creek Metropolitan District May 26, 2015

A Special Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on May 26, 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:

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

Also in attendance were:

- Karen Kern
- Johannes Faessler
- Terri Martinez-Johnson, Community Manager
- Dan Carlson, Operations
- Cheri Curtis, Secretary to the Meeting

Call To Order

The Special Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Gregory, on May 26, 2015, at 4:30 p.m. noting a quorum was present.

Agenda There were no changes to the agenda.

Public Input There was no public input.

Sonnenalp Update

Johannes Faessler was present to update the Board on the plans for the Sonnenalp Golf Club and Sports facility. Sonnenalp has conducted outreach meetings and a Community meeting was held on Saturday, May 23, 2015. Seventy-five sports membership have been sold in the first phase of membership sales with twenty-one names on the waiting list for the next phase. Sports memberships will be capped at 300 members, due to the constraints of the swimming pool.

Planning for the facility is on schedule. The Sonnenalp will obtain the permit with Eagle County in August with construction planned in early fall, 2015. The Sonnenalp is currently working through the Singletree DRC approval process. Mr. Faessler reported five to six golf memberships have been sold with another

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three to four people expressing interest in purchasing a golf membership. The Sonnenalp's goal is to increase golf memberships by eleven more members in 2015. The golf membership will be capped at 390. There are currently 235 golf members.

Minutes The April 28, 2015 Special Meeting minutes were reviewed. Upon motion duly made and seconded it was unanimously

RESOLVED to approve the April 28, 2015 Special Meeting minutes with revisions.

UERWA Agreement

Per Director Budd's request, Director Gregory distributed an opinion letter from Jim Collins recommending the District approve the Upper Eagle Regional Water Authority Agreement Amending and Restating the Agreement Establishing the Upper Eagle Regional Water Authority and the Master Service Contract and indicated the Agreement would not negatively affect the District's water rights. By motion duly made and seconded it was unanimously

RESOLVED to approve the Upper Eagle Regional Water Authority Agreement Amending and Restating the Agreement Establishing the Upper Eagle Regional Water Authority and the Master Service Contract as presented based on the recommendation from legal counsel.

Buckboard Intersection

Landscaping Garden Creations provided an estimate of \$12,480 at the April meeting to landscape the corner at Buckboard Road and Berry Creek Road in front of the Villas at Singletree. The Board discussed the need to work with the Villas at Singletree on the irrigation and maintenance responsibilities. The discussion was tabled to the June meeting.

Community Center

Remodel The remodeling of the Community Center is substantially completed. Director Gregory reported the cost to refinish the front deck is approximately \$2,500. Mr. Carlson distributed an estimate to refinish the concrete floor with color options between \$20,603 and \$22,476. The Board agreed to a natural finish for the concrete floor at approximately \$20,603. By motion duly made and seconded it was unanimously

RESOLVED to approve up to \$25,000 to refinish the front deck and the concrete floor in a natural finish.

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Director Godec commended Directors Gregory and Darby on the time and energy they both have contributed to the project.

SPOA Directors Budd and Gregory attended the SPOA meeting and received a commitment for \$50,000 from SPOA for the Community Center remodel. The Board discussed the possibility of scheduling a meeting between SPOA and the District Boards.

Community Center

Expansion The Board discussed considering whether to move forward on the construction of the Community Center expansion project at the July Board meeting.

Board

Organization The Board agreed to keep Director Gregory as the Board President and Director Godec as the Secretary/Treasurer. Director Godec suggested revisiting the representatives on committees. Director Godec would like to be appointed as the Edwards Community Authority (ECA) representative. Director Budd stated he would like to remain as the ECA representative if Nancy Alexander remains as the ECA President. Mr. Marchetti reported that a change of officers in ECA is not scheduled at this time.

The Board questioned the status of the ECA President position and the ability to have non-Board members represent a participating District. Mr. Marchetti agreed to review the bylaws and the terms of the President. Director Gregory added he would like the District to continue participating on the ECA Board but set a cap for the amount the District is willing to contribute to continue as a participant with ECA.

Board Meeting

Times The Board agreed to move the meetings to 4:30 p.m. on the fourth Tuesday of each month for the remainder of 2015. The Board discussed holding a work session to discuss ECA and directed Ms. Curtis to establish a date for a work session.

Operations The bathrooms at Chip Ramsey Park have been opened. The bathroom doors required repairs due to children throwing rocks at the doors.

The tree stakes were removed at Charolais Circle and the main entrance. The temporary irrigation system was removed at the Charolais Circle Park. More plants will be planted at the main roundabout near the metal ribbon.

The treadmill at the Community Center exercise room required costly repairs.

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Mr. Carlson suggested installing a gutter on the north side of the Community Center to prevent the run-off from running into the air conditioning units. The Board agreed to only place the gutter where required for this purpose.

Mr. Carlson reported that historically there has only been one bike lane on Winslow Road under the underpass but that by narrowing the auto lanes a bike lane can be placed on both sides of the road. He has met with Ben Gerdes from the County Engineering Department and they are supportive of this solution and the new bike lanes are scheduled for striping.

A slurry seal on the black top at the entrance of the Community Center will cost \$300, which was approved.

Mr. Carlson worked with Climate Control on the complexity of the thermostats at the Community Center. Climate Control recommended setting the heat at 68 degrees and air conditioning at 74 degrees since the thermostats are so complex and there is no real cost savings in adjusting the thermostats because energy is required to bring the rooms to the correct temperatures. Director Darby stated she would like Mr. Carlson to work with the sub-contractor to adjust the temperature at night to conserve energy.

Director Darby suggested replacing the carpet runner in the entrance area. Mr. Carlson will work with Director Darby to find a replacement carpet.

Mr. Carlson is working on moving the boulders on the June Creek Trail and obtaining additional information on the Community Center door locks.

2014 Draft Audit

The draft 2014 audit report was distributed in the Board packets. Director Budd questioned the government wide statements indicating the District has a net negative balance because of the Winslow Road bonds that were issued in 2008. Director Budd stated the combination of all of the District bonds are the reason the District has a negative net value. Director Budd requested more ECA financial information be included in the footnotes. By motion duly made and seconded it was unanimously

RESOLVED to approve the 2014 audit with the revisions provided by Director Budd.

Financial Report

The preliminary April 30, 2015 Financial Statements were included in the Board packet. Director Darby requested the line item "air conditioning" be changed to "HVAC" and the forecast increased to \$48,000. Director Reisinger wants

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“Specific Ownership Tax” changed to “Automotive Ownership Tax”. By motion duly made and seconded it was unanimously

RESOLVED to accept the April 30, 2015 financial report as presented.

**Payment of
Invoices**

The Board reviewed the May accounts payable list. By motion duly made and seconded it was unanimously

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

UERWA No additional update.

ECA Director Budd reported the estimates for the Spur Road improvements have increased to \$10 million. Currently \$3.6 million has been committed for construction.

Open Items

List The list was reviewed, with no additions.

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 26th day of May, 2015.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting