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## RECORD OF PROCEEDINGS

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### Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District March 23, 2010

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on March 23, 2010 at 9:00 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:

- Don Cohen
- Doris Dewton
- Heather McInerny
- Mike Budd
- George Gregory

Also in attendance were:

- Eric Johnson, SPOA
- Kim Ahmad, Community Manager
- Ken Marchetti, Robertson & Marchetti, P.C.
- 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 Cohen, on March 23, 2010, at 9:00 a.m. noting a quorum was present.

**Minutes** The Board reviewed the minutes from the February 23, 2010 Regular meeting. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the minutes of the February 23, 2010 Regular Meeting as revised.

**Changes to the  
Agenda**

There were no changes to the agenda.

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

**Community  
Reports**

The SPOA clean-up day is scheduled for May 1, 2010. Ms. Ahmad updated the Board on the Edwards I-70 interchange project. The trees at the entrance need to be relocated. Ms. Ahmad informed the Board she, Dan Carlson, and Neil Tretter

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## RECORD OF PROCEEDINGS

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### Berry Creek Metropolitan District March 23, 2010 Meeting Minutes

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met with Eagle County and CDOT officials and have determined locations near the entrance where the trees will be relocated.

CDOT will be removing the rock wall and the tree at the entrance. The Board discussed salvaging the Singletree sign and the Pinion tree. The sign will be stored at the Chip Ramsey Park until a permanent location is determined. It was determined the tree may not be salvageable.

John Perkins has designed a sign for the Community Center. Ms. Ahmad questioned whether the Board wanted her to obtain pricing for the sign. Director Gregory stated the location and size has not been determined so the Board will wait on pricing.

Mr. Carlson suggested installing a bike rack at the Community Center. The Board gave unanimous approval.

#### **Beautification**

##### **Phase II**

Scott Sones presented the Phase II Landscaping plans at the SPOA Annual meeting. The Board questioned whether the project has been advertised for bids. Ms. Curtis will work with Scott Sones to get the project advertised for bids to follow the State construction project bidding statutes.

Director Dewton has not received a response from Chris Dunn as to why the plants were planted in the road right-of-way. It is anticipated the District will need to replace some of the plants in the right-of-way.

Mr. Tretter has expressed concerns with the water usage for Phase II of the landscaping project due to the current low snowpack. The message will be conveyed to Mr. Sones by the Beautification Committee.

#### **I-70 Edwards**

##### **Interchange**

Director Budd reported he questioned Martha Miller with CDOT why there was not a requirement to install anchor bolts for the I-70 Edwards Interchange project since they were required on the Winslow Road project. The geological study was questioned and Director Budd cautioned the Board that if it is determined anchor bolts are required, it will add time and cost to the project.

Traffic detour drawings showing road closures during construction of the roundabouts are available for distribution. The significant detour impact is the closure of Berry Creek Road from July 6 to July 27.

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## RECORD OF PROCEEDINGS

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### Berry Creek Metropolitan District March 23, 2010 Meeting Minutes

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#### **May 2010**

#### **Election**

The May 2010 Election was cancelled. Michael Budd, Tony O'Rourke, and Herb Luhman will begin their terms on the Board at the May 26, 2010 meeting.

#### **Financial**

#### **Report**

The February 28, 2010 Financial Statements were included in the Board packet. By motion duly made and seconded it was unanimously

**RESOLVED** to accept the February 28, 2010 financial statements as presented.

#### **Accounts**

#### **Payable**

By motion duly made and seconded it was unanimously

**RESOLVED** to approve the March 2010 accounts payable list as presented.

#### **Edwards**

#### **Community**

#### **Authority**

Edwards Community Authority continues to monitor legislation related to funding options for road and transportation improvements.

Scott Sones was chosen as the landscape architect for Edwards I-70 Interchange landscaping plans.

#### **SPOA**

Mr. Johnson reported the SPOA Board is primarily a new Board. Committee representatives were established at the March meeting.

#### **UERWA**

Ms. Dewton reported the UERWA meeting is scheduled for this Thursday. UERWA was able to issue bonds at a favorable rate and will revisit the water rates being charged.

UERWA will be drilling for future wells on the District property. Snowpack continues to be lower than normal.

**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 March, 2010.

Respectfully submitted,

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**RECORD OF PROCEEDINGS**

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**Berry Creek Metropolitan District March 23, 2010 Meeting Minutes**

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Cheri Curtis



Secretary for the Meeting