
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District June 23, 2009

A Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on June 23, 2009 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.

Attendance The following Directors were present and acting:

- Don Cohen
- Doris Dewton
- George Gregory

The following Directors were absent and excused:

- Heather McInerny
- Mike Budd

Also in attendance were:

- Eileen Jacobs, 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 June 23, 2009, at 3:00 p.m. noting a quorum was present.

Minutes By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the May 26, 2009 Regular Meeting as revised.

Public Input

There was no public input.

Community Center Reports

Ms. Jacobs expressed concern regarding weeds on District properties and roadways. Mr. Carlson has indicated most of the District properties have been sprayed for weeds. Since the roads in Singletree are owned and maintained by Eagle County, the District has no control over when the County sprays the weeds adjacent to the roads. The Board agreed the weeds on District property and

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roadways need to be controlled before Ms. Jacobs contacts individual property owners regarding weeds on private property.

Ms. Jacobs reported that covenant enforcement issues are consuming 80% of her time.

The exercise bike has been ordered for the exercise room. Ms. Jacob continues to research installing ear buds on the exercise equipment prior to buying two televisions for the exercise room. Ms. Jacobs is working on a maintenance contract with Maximum Comfort for the exercise equipment.

With over 600 email addresses, Ms. Jacobs is planning to send the July 15 newsletter via e-mail to those residents. Director Cohen suggested in the future sending a smaller monthly update as opposed to a quarterly newsletter.

Ms. Jacobs suggested the Board move the meeting time in the fall to 9:00 a.m. as opposed to 8:30 a.m. to avoid conflicts with the Community Center usage.

Winslow Road

Construction Construction was completed on June 19 allowing the road to be opened to traffic. Based on requests from residents, Director Cohen received a bid of \$3,200 to install a ramp and curb cut on the south end of the sidewalk on the Charter School side. The County agreed to approve the improvements as original approval of the project. The Board agreed to install the ramp and curb cut outside of the project.

A walk-through of the project is scheduled for June 23 at 1:00 p.m. Directors Cohen and Budd will be representing the District.

Beautification

Committee The Board reviewed the contract documents provided by Mr. Dunn for the first phase of the landscaping bidding process. In order to comply with State statutes, Mr. Marchetti will assist in providing the necessary attachments to complete the bid documents so they can be provided to interested contractors.

The committee has determined the curb and gutter included in the original plans was not feasible and it was removed from the project.

The County is willing to accept a letter of credit from the District to obtain construction permits, which is a legally acceptable option. Mr. Marchetti suggested an alternative would be for the District to put funds in a bank CD that would be held by the County. The Board agreed a letter of credit would be the preferable option.

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The landscaping plans for this year may be scaled down to remain within the approved budget. The plans include a raised crosswalk but raised crosswalks are a maintenance issue and the Committee is considering an at-grade crosswalk in a different color as a more cost effective option. The District will need a road cut permit from the County to install the new crosswalk.

Dunn + Kiley has scheduled July 13 as the deadline to receive bids with the bids to then be reviewed by the Beautification Committee prior to approval by the Board at the July Board meeting.

New Special District Disclosure Requirements

Director Cohen questioned the new disclosure requirements adopted in the last legislative session. Mr. Marchetti indicated his office is monitoring the requirements and will make sure the District adheres to all requirements. Discussion followed on providing budget information to residents.

Long Range Financial Plan

There was discussion regarding the 2010 and 2012 assessed value forecasts. The Board discussed capital projects, focusing on the I-70/Spur Road roundabout project. The Board anticipates budgeting \$250,000 for landscaping at the west entrance in 2011.

Director Gregory encouraged the Board to be sympathetic to the economic conditions that are affecting the community by continuing to consider a temporary mill levy credit to hold the tax level consistent with 2009 tax collections. Director Gregory encouraged the Board to communicate the mill levy decisions to taxpayers. The Board will discuss budget communication in more detail at upcoming meetings.

Financial Report

The May 31, 2009 Financial Statements were included in the Board packet. By motion duly made and seconded it was unanimously

RESOLVED to accept the May 31, 2009 financial statements as presented.

Accounts Payable

The Board reviewed the June 2009 accounts payable lists. By motion duly made and seconded it was unanimously

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RESOLVED to approve the June 2009 accounts payable list as presented.

UERWA

Report

Director Dewton reported that The Ginn Development has executed a contract with the Town of Pueblo to purchase the Columbine Ditch water rights. Authority members continue to discuss options to guarantee water storage for future calls for the Shoshone power plant.

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 June, 2009.

Respectfully submitted,



Cheri Curtis
Secretary for the Meeting