
RECORD OF PROCEEDINGS

Minutes of the Special Meeting Of the Board of Directors Berry Creek Metropolitan District October 17, 2008

A Special Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on October 17, 2008 at 8:30 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
- George Gregory
- Heather McInerny
- Mike Budd

Also in attendance were:

- Dan Carlson, Parks and Community Center Maintenance
- Eileen Jacobs, Community Manager
- Ken Marchetti, CPA, Robertson & Marchetti, P.C.
- Cheri Curtis, Secretary to the Meeting
- Misha Moritz (for the SPOA report)

Call To Order

The Special Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Cohen, on October 17, 2008, at 8:38 a.m. noting a quorum was present.

Minutes

By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the September 23, 2008 Regular meeting as revised.

Public Input

No public present.

Staff Reports

The Board reviewed the staff report.

Lights Proposal

It was noted the Board approved the proposal to install the Christmas Lights and the Snowplowing contract at the Budget Work Session.

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I-70 Traffic

Noise

The Singletree Property Owners Association reviewed and approved the letter prepared by Ben Gerdes with Eagle County to the Singletree Owners who requested CDOT revisit the I-70 Noise Study in connection with the Edwards Spur Road Improvement Project. SPOA suggested the letter should indicate the reason CDOT, Eagle County, and the Boards of the Berry Creek Metropolitan District and the Singletree Property Owners Association are endorsing the letter. The Board approved the letter with changes and Mr. Marchetti forwarded the revised letter to Mr. Gerdes.

WECMRD

Field Usage

The Board reviewed the Memorandum of Understanding (MOU) that was provided by WECMRD related to the field usage. The Board questioned whether there should be a charge for use of the Chip Ramsey Park. Ms. Jacobs stated WECMRD usually charges a field usage fee to participants and retains a percentage to cover administrative costs.

The Board discussed the parking issues. It was suggested to add the verbiage "Users are informed of policies and parking instructions by the owner" under item 2. By motion duly made and seconded, it was unanimously

RESOLVED to approve the MOU with WECMRD and consent to the WECMRD fee schedule for the use of the park provided WECMRD will agree to adhere to the parking policies of the District.

It was noted the agreement addressed RV parking and it was agreed to amend the MOU to not allow RV's in the Community Center parking lot.

Speed Awareness

Sign

The Board directed Ms. Jacobs to purchase one Speed Sentry speed awareness sign with a solar panel to be installed on Charolais Circle.

Winslow

Road

Director Cohen reviewed the e-mail from Sara Flick regarding the progress on the Winslow Road underpass project. The General Contractor, Concrete Works, has commenced construction.

Trails

The Trails Committee members continue to work with the Sonnenalp Golf Course for an easement across the Golf Course to the Forest Service trails. Mike Larson has maps that can be used for the exhibits to the agreement.

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**Edwards
Community
Authority** No report.

**2009 Budget
Hearing** The 2009 Budget hearing was opened to public input. There was no public input. The public hearing was continued to the November 25, 2008 Regular Meeting. The Board agreed to publish the proposed 2009 budget on the website.

**Financial
Report** Director Budd questioned the expenses for the SPOA annual function. The September 30, 2008 Financial Statements were included in the Board packet. Discussion followed on the preliminary 2009 budget and projections. By motion duly made and seconded it was unanimously

RESOLVED to accept the September 30, 2008 financial statements as presented.

**Accounts
Payable** The Board reviewed the October 2008 accounts payable lists. Director Cohen questioned paying the rental on the Post Office Box. Ms. Curtis agreed to confirm payment would be due prior to releasing the check. By motion duly made and seconded it was unanimously

RESOLVED to approve the October 2008 accounts payable list as presented.

**UERWA
Report** Director Dewton reported water usage rates will be increasing in 2009. UERWA is researching the possible issuance of bonds. The depletion case discussions continue.

Director Budd questioned the progress on the proposed Wolcott reservoir. Discussion followed on the advantages and disadvantages of the location of the reservoir.

SPOA Misha Moritz gave the SPOA report to the Board. The SPOA Board reviewed the survey results and will address the items during their 2009 budget process. Director Budd suggested the Board adopt a consistent survey process that would provide ability for residents to grade the community.

SPOA will be publishing the newsletter on the web-site along with mailing to property owners. Director Cohen reported the web-site product, Association

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Voice, has the ability to meet the needs of the community and will work with Mr. Moritz to implement the desired features.

SPOA discussed concerns with CDOT's delays in constructing the wildlife fence along I-70 and the 75 MPH speed limit on I-70 adjacent to Singletree. With the increased school population and youth drivers traveling to the High School in 2009, SPOA believes this could trigger the need to reconsider lowering the speed limit to 65 mph on that portion of I-70.

2008 Budget

Amendment It was noted the meeting was published as a hearing to consider amending the 2008 budget related to the refinancing of the District's bonds. The meeting was opened to public input. There was no public input and the public hearing was closed. By motion duly made and seconded it was unanimously

RESOLVED to approve the amended 2008 budget, a copy of which is incorporated herein by this reference.

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 17th day of October, 2008.

Respectfully submitted,

/s/ Cheri Curtis

Secretary for the Meeting