
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Berry Creek Metropolitan District January 23, 2007

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on January 23, 2007 at 3:30 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:

- Don Cohen
- Doris Dewton
- Sandy Donnelly
- Heather McInerny

The following Director was absent and excused

- Evelyn Pinney

Also in attendance were:

- Ken Marchetti, CPA, Robertson & Marchetti, PC
- Cheri Curtis, Secretary for the Meeting
- Mike Budd, SPOA

Call To Order

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Cohen, on January 23, 2007, at 3:30 p.m. noting a quorum was present.

Minutes

The Board reviewed the minutes of the November 28, 2006 Regular Meeting. By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the November 28, 2006 Regular Meeting with changes.

Agenda

A discussion related to the County hiring Jerry Shapins and Associates to perform a design charrette for the Edwards area was added to the agenda.

Public Input There was no public input.

Community Center

The Board reviewed the maintenance reports from Dan and John Carlson. There has been noted minor damage/vandalism in the building. Discussion followed on the issue with minor children having access to the Community Center at any time because parents provide them the front door combination.

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Director Cohen had a discussion with Mr. Dan Carlson regarding the streetlight that is out at the corner of Singletree and Winslow. Shaw Electric has determined there is a broken wire to the pole and Holy Cross Electric will need to make the repairs. Depending on the cost due to the ground condition, the repairs may wait until the frost is out of the ground this spring.

The Board discussed signing the maintenance contracts at the February meeting. Robertson and Marchetti's office was directed to check the contracts to make sure there are no discounts and deadlines that need to be addressed prior to the February meeting.

The Charolais Circle pond aerator was turned off by a resident. Director Cohen notified area neighbors that the aerator should be left on because it is necessary for algae control.

Shapins Discussion

Mr. Marchetti and Mr. Todd Williams from Edwards Metropolitan District spoke with Mr. Simonton from the Eagle County Community Development department regarding hiring Jerry Shapins Firm to perform the design charrette for the Edwards area. Mr. Shapin's firm is providing similar services for other areas in the County and the County requested proposals from local firms as well as Mr. Shapins firm. The County determined that Mr. Shapins was the best qualified to provide the services being requested.

The cost of the design charrette is estimated to be \$35,000 and the proposal is that the County fund 40% with the Edwards area districts funding the remaining 60%. At this time, Edwards Metro has agreed to contribute \$17,000 if Berry Creek will contribute \$6,000 and Lake Creek \$1,000. If Arrowhead and Cordillera participate in funding, then these contributions will be proportionately reduced.

RESOLVED to approve contributing up to \$6,000 toward the cost of Shapin's design charrette.

Carter Burgess Proposal

SPOA and Berry Creek representatives have been meeting with representatives from Carter Burgess to discuss redesigning the underpass at Winslow Road and I-70. SPOA requested revisions to the agreement to name the Metro District as the party to the contract in lieu of SPOA along with other minor changes. The Board reviewed the revised contract, noting that although the contract will be in the name of the District, SPOA will provide funding and input. By motion duly made and seconded it was unanimously

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RESOLVED to engage Carter Burgess to redesign the Winslow Road underpass. Director Cohen executed the contracts on behalf of the District.

Meeting Dates and

Posting

Locations

The Board established the fourth Tuesday of each month at 3:30 p.m. as the designated meeting date in 2007. By motion duly made and seconded it was unanimously

RESOLVED to approve the posting locations resolution, a copy of which is incorporated herein by this reference.

Financial

Report

The December 31, 2006 Financial Statements were reviewed by the Board. By motion duly made and seconded it was unanimously

RESOLVED to accept the December 31, 2006 financial statements as presented.

Accounts

Payable

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

RESOLVED to approve the accounts payable list as presented.

The Board further

RESOLVED to ratify approval of the December payable list pending no concerns.

UERWA

The next meeting for the UERWA is scheduled for January 25, 2007. Director Dewton reported that the Authority is continuing to devote its attention to continuing issues with the Flat Tops water purchase.

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 January 23, 2007.

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Respectfully submitted,

Cheri Curtis
Secretary for the Meeting