
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors Berry Creek Metropolitan District June 26, 2007

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on June 26, 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:

- Doris Dewton
- Sandy Donnelly
- Heather McNerny

The following Directors were absent and excused:

- Don Cohen
- Evelyn Pinney

Also in attendance were:

- Ken Marchetti, CPA, Robertson & Marchetti, PC
- Chuck Powers, Singletree Property Owners Association
- Cheri Curtis, Secretary for the Meeting

Call To Order

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Dewton, on June 26, 2007, at 3:30 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 22, 2007 Regular Meeting as presented.

Agenda There were no changes to the agenda.

Staff Update A tree on Berry Creek Road was destroyed during a car accident and the Board discussed replacing it. Director Donnelly volunteered to examine the area and work with Mr. Dan Carlson if a replacement tree is necessary.

Mr. John Carlson reported the television in the exercise room should be replaced. Director Donnelly donated a used television for the room.

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Mr. John Carlson reported the security devices installed have reduced the vandalism at the Community Center. Director Donnelly reported the security lights and camera are not deterring the late night traffic at the Community Center.

Trail Improvements

Update Director McInerny reported Beth Boyst is leaving the area and the Forest Service will be hiring someone to replace her position. The trail construction is proceeding. Bids are being received on redesigning the Motorcycle Flats area. The trail entrance adjacent to the District is being redesigned.

Financial Report

The May 31, 2007 Financial Statements were reviewed by the Board. Mr. Marchetti noted the anticipated increased assessed value for the District in 2008 could force the District to reduce the debt service mill levy. Since the Board is considering asking for voter approval to issue bonds for capital improvements, the District could hold an election in November 2007 or May 2008. The advantages and disadvantages for both election timeframes were discussed. The Board directed Mr. Marchetti to prepare a financial model for the July 24, 2007 meeting with the District issuing an additional \$8 million in bonds to fund the proposed construction if voter approval is received.

By motion duly made and seconded it was unanimously

RESOLVED to accept the May 31, 2007 financial statements as presented.

Accounts Payable

The Board reviewed the June 2007 accounts payable lists. By motion duly made and seconded it was unanimously

RESOLVED to approve the June accounts payable list as presented.

Water Report

Director Dewton reported the Denver Due Diligence case is currently being heard in the Water Court system. The water rights held by the City of Denver have not been used in the last thirty years and there are no current plans to use that water. UERWA believes those rights have been abandoned. The water associated with the water rights is located in a Wilderness area, which would preclude the City from being able to receive a permit to perform diligence activity without receiving a presidential exemption. Eagle County has further passed legislation to not allow a permit in a Wilderness area.

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There have been discussions on being able to use the water in question at the proposed Wolcott reservoir for exchange purposes if the reservoir project is completed.

SPOA Mr. Powers reported site construction has commenced for the June Creek Elementary School in Miller Ranch. Although a grading permit has been issued, final plans have not yet been approved and traffic flows and traffic impacts are still being evaluated.

SPOA is working on installing a permanent speed display on Winslow Road north of Singletree Road.

There will be two or three opening on the SPOA Board and residents are encouraged to get involved on the Board.

**Wildlife
Fence**

Construction of the fence to keep wildlife off I-70 will begin in mid-July along the stretch of I-70 adjacent to Singletree.

**SPOA
Annual
Meeting**

The annual meeting will be held on August 15, 2007. The notice of the meeting will be mailed by July 16, 2007 and will include information from the Metro District Board prepared by Director Cohen. The annual members party is scheduled for August 25, 2007. The cost per person is being reduced and Mr. Powers will provide an estimate of total cost that will be e-mailed to each Board member.

**Winslow Road
Underpass**

Preliminary plans for the improvements on Winslow Road & I-70 underpass have been completed and will be presented to the SPOA Board at the July Board meeting. The current cost estimate is \$3 million for the proposed improvements.

**Community
Center
Expansion**

The Board discussed the plans for the Community Center expansion and presentation of the plans to residents. The Board questioned how the election questions for these improvements (including burying the power lines) will need to be presented to voters. [Subsequent to the meeting Matt Dalton advised that a minimum of two election questions will be needed, one for the road improvements and a second for parks and recreation improvements. Burying the power lines will be a parks and recreation function.]

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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 June, 2007.

Respectfully submitted,

Cheri Curtis
Secretary for the Meeting