
RECORD OF PROCEEDINGS

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

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

- Sandy Donnelly
- Doris Dewton
- Evelyn Pinney
- Heather McInerny

The following Director was absent and excused:

- Don Cohen

Also in attendance were:

- Chuck Powers, Singletree Property Owners Association
- Dan Carlson, Operations
- Ken Marchetti, CPA, Robertson & Marchetti, PC
- 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 October 23, 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 September 25, 2007 Regular Meeting as presented with Directors Dewton and Pinney abstaining from voting since they were not at the meeting.

Agenda

The Board discussed the budget work session scheduled on November 13, 2007. It was agreed to change the meeting to be held from 2:00 p.m. to 4:30 p.m. on November 13, 2007.

An Open Space Advisory Committee (OSAC) update was added to the agenda.

Staff

The Board reviewed the landscape contracts with Dan Carlson as follows:

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- X It was agreed to have the Mountain Valley Ventures tree maintenance bid revised to remove the cost of feeding older trees.
- X The Board approved the bid from SHC to install the Christmas lights for \$1,440.
- X The H&B Contract for snow removal does not specify that shoveling the walks is included in the bid. Mr. Carlson will follow up to confirm the bid includes shoveling. If the bid will be increased with shoveling, the Board will need to review the bid before approving.
- X The STI bid for park turf maintenance includes a 3% increase over last year and the Board approved the contract extension for 2008.
- X Additionally, the Board reviewed bids from STI for native area maintenance on Winslow Road, on June Creek Road and Singletree Road and agreed to have the native areas maintained once in 2008, with possibly a second time if needed.
- X The Board agreed to accept the 2008 bid from Sonnenalp Golf Club for park maintenance.
- X The bid for Sonnenalp Fine Gardens for flowerbed maintenance is increased from 2007, but less than the cost for 2006. Discussion followed on the display of colors and improving the entrance look. Mr. Carlson suggested requesting a reduced bid for plantings since the entrance is scheduled for reconstruction in 2009.

The Board discussed the plans for round-a-bouts construction at the west entrance to Singletree, which will require moving or losing the perennial plants. It was noted the rock sign will also need to be moved at the entrance.

Mr. Powers reported if the election question passes, the improvements to Winslow Road could start in the spring of 2008. It was noted the round-a-bout construction should not be done at the same time as the Winslow underpass construction.

Mr. Carlson will provide revised bids to the Board from the Sonnenalp Fine Gardens for beds and plantings, H&B Snowplowing, and the Brush Creek Landscaping for tree care. The Board agreed to review these bids at the November 13, 2007 budget work session. The other bids received were approved as presented.

The Board reviewed the report from John Carlson on the Community Center without comment.

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Speed Bump

Request

The Board reviewed the request from the Singletree residents to install speed bumps on Singletree Road. There are also verbal requests for speed bumps on Charolais Circle and June Creek Road. In the past, anyone requesting a speed bump needed to gather support from neighbors before the Board will consider budgeting for additional speed bumps.

Director Donnelly cautioned the Board to not budget for additional projects in light of the proposed round-a-bout at the entrance and the expansion of the Winslow Road Underpass if the election question passes. The Board discussed contacting the Sheriff Department to request increased patrols to reduce speeding in Singletree.

Knob Hill

Trail

A letter from Johannes Faessler to Singletree Property Owners Association regarding the access to Knob Hill Trail through the Golf Course easement was reviewed by the Board. It was noted the landscaping installed by the owner of the property adjacent to the easement has encroached into the Golf Course easement. Mr. Powers stated he is working with Mr. Faessler to keep the access to the Knob Hill Trail system and to address the landscape concerns.

Mr. Powers reported on the Town of Avon's attempts to acquire open space land adjacent to Singletree.

WECMRD

Director Dewton questioned the agreement with WECMRD that includes multi-year verbiage. It was noted there needs to be a clause that the multiple year obligation is subject to annual appropriation.

Director Dewton also wanted to know if the Singletree Residents would get the same benefits as residents within WECMRD boundaries. The Board discussed making a contribution of \$10,000 to WECMRD with the agreement that Singletree residents would be charged the same rate for participation in activities and offered the same availability as WECMRD residents. It was agreed that the Board's concerns will be clarified prior to making the contribution.

Election

Ms. Curtis updated the Board on the November 6, 2007 election process. Director McInerny and Christine Shipp agreed to sit on the canvas board.

2008 Budget

The meeting was published for public hearing on the 2008 Budget. The meeting was opened to public comment. Mr. Powers commented on the budget asking funds be allocated for a Community Administrator. SPOA will be funding a portion of the cost for this proposed position. The public input session for the

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2008 budget was continued to the budget worksession on November 13, 2007 at 2:00 p.m. and to the District's regular meeting on November 27, 2008.

Wildlife

Fence

Mr. Powers presented pictures of the proposed wildlife fence from CDOT that will be installed from Hole 6 to the Singletree west entrance. CDOT will be replacing the fence and Mr. Powers and Director Cohen have requested the ability to replace the fence with the less visible fencing for an additional cost of \$5 per linear foot. Pictures of the desired fence were displayed. Director Dewton questioned installing a fence at this time since the plans for the round-a-bout could relocate the fence. Mr. Powers reported CDOT plans to install the wildlife fence from Hole 6 to the entrance in the spring of 2008 regardless of the proposed round-about construction. By motion duly made and seconded it was unanimously

RESOLVED to approve increasing the budget allocation for the wildlife fence by \$10,000.

Financial

Report

The September 30, 2007 Financial Statements were included in the Board packet. Mr. Marchetti requested input from the Board for capital projects desired in 2008. By motion duly made and seconded it was unanimously

RESOLVED to approve the September 30, 2007 financial statements as presented.

Accounts

Payable

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

RESOLVED to approve the October accounts payable list as presented.

SPOA

Mr. Powers presented concerns with the County's proposed changes in the Water Use Regulations and how they could affect landscaping. Discussion followed.

UERWA

Director Cohen attended the October UERWA meeting in Director Dewton's absence. The next hearing on the lawsuit between UERWA and the City of Denver will be held on November 30 and December 1.

The UERWA continues to work on obtaining a water storage site on the Flat Tops. The additional storage at Eagle Park Reservoir will be completed in 2008.

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ERW&SD is working with Ginn Development for the potential construction of a wastewater treatment plant in Dowd Junction.

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 October, 2007.

Respectfully submitted,

/s/ Cheri Curtis

Cheri Curtis

Secretary for the Meeting