
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District June 28, 2005

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on June 28, 2005 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
- Heather McInerny
- Evelyn Pinney
- Doris Dewton

The following Director was absent and excused:

- Sandy Donnelly

Also in attendance were:

- Ken Marchetti, CPA, Robertson & Marchetti, PC
- Bethany Palmer, 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 Cohen, on June 28, 2005, at 3:30 p.m. noting a quorum was present.

Minutes

The Board reviewed the minutes of the May 24, 2005 Regular Meeting. By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the May 24, 2005 Regular Meeting as revised.

Staff SCC

The Board discussed Mr. John Carlson's request and Beck Building Company's proposal to change the glass on the board room door and take the Venetian blinds down due to the valence preventing the door from opening 180 degrees for a cost of \$504. The Board agreed that the glass should be changed but requested that Mr. John Carlson shop for other prices.

Staff Parks

The Board discussed the recent occurrence of vandalism in the park bathrooms. The Board requested that Staff find out if the park bathrooms have electric locks that automatically unlock in the morning and relock at night and report back to the Board via email. The Board discussed the option of installing security cameras but felt that option is too expensive at this time but might find more justification for it in the future.

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Speed Limit

Signs

Director Dewton reported that various speed limit signs in Singletree still have not been corrected. Director Cohen stated he will instruct Mr. John Carlson to follow up and manage the status of this longstanding issue.

New Business

Foal Circle

Trail Head

Easement

Director Cohen reported that Mr. Charlie Dolan bought Filing 4 Block 2 Lot 35 which is located on Foal Circle. The District previously purchased this lot and placed a trail head easement on the property and agreed to landscape the trail through the property. The Board will need to meet with Mr. Dolan to coordinate the landscaping and establish rules and regulations regarding the use of the easement. Director Cohen stated he will contact Mr. Dolan and ask him to attend a board meeting in the near future.

Balata's

Noise

Level

Director Pinney reported that Chris Neuswanger, a Berry Creek resident, has been adversely affected by the high noise levels at Balata and is going to distribute a letter to various Singletree residents that urges them to voice any concerns regarding the noise levels to the Eagle County Code Enforcement Office. The Board suggested that a friendly letter be written to the owner of Balata, Johannes Faessler, to remind him to be respectful of neighboring Singletree residents while hosting the major events scheduled this summer.

Old Business

Playground

Equipment

Director McInerney reported that she is waiting to get finalized estimates for the proposed climbing structures that could be installed on the playground in Chip Ramsey Park. She stated she would research the arches that are installed at Cordillera and take digital pictures for the Board to review.

Speed

Bump

Director Cohen reported that he has received very few complaints regarding the new speed bump and it seems to be welcomed by most of the community. Director Dewton stated that various residents have reported that they are pleased with the new speed bump.

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Eagle River

Preserve

Mr. Marchetti reported that Vail Valley Foundation is continuing their fundraising efforts and they recently announced they have raised \$11 of the \$12 million purchase price. The Foundation is continuing to work with Eagle Valley Land Trust on the specific terms of the conservation easement and as those terms are finalized, copies will be provided to interested parties.

WECMRD

The Board decided to not fund \$2,500 of the cost for WECMRD to conduct a recreation survey because a similar survey was conducted by the District recently.

Long Range

Community

Plan

The Board discussed organizing a meeting in August to begin the brainstorming for a long term community plan for Singletree and decided to discuss the proposed meeting in more detail at the next board meeting.

Legal

Water

Lease

Mr. Marchetti reported he has not concluded the research related to the supplemental water lease and requested that this item be tabled until next month.

2004

Preliminary

Audit

Mr. Marchetti presented a brief explanation of the 2004 Preliminary Audit Draft noting that currently the District is financially sound and that the auditors are expressing an unqualified or "clean" opinion on the District's financial statements. After discussion and my motion duly made and seconded it was unanimously

RESOLVED to approve the 2004 audit report as presented.

Financial

Report

The May 31, 2005 Financial Statements were reviewed by the Board. By motion duly made and seconded it was unanimously

RESOLVED to accept the May 31, 2005 financial statements as presented.

Accounts

Payable

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

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RESOLVED to approve the June 28, 2005 accounts payable list as presented.

UERWA Director Dewton reported that the western slope water boards have tentatively agreed to meet July 13, 2005 to celebrate the new working relationship between Western Slope counties and water providers and the Front Range counties.

The ERWSD has decided not to proceed with the East Fork Pump Back because it is too expensive.

Director Dewton also reported that Mr. Porzak informed the town of Minturn that it does not have enough water and must obtain sufficient water in order to operate the planned Ginn Development Golf Course and Ski Mountain.

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 28th day of June 2005.

Respectfully submitted,

Bethany Palmer
Secretary for the Meeting