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## RECORD OF PROCEEDINGS

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### Minutes of the Special Meeting Of the Board of Directors of Berry Creek Metropolitan District December 8, 2016

A Special Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held on December 8, 2016 at 3:00 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. The Board met in joint session with the members of the Executive Board of Singletree Property Owners Association (SPOA). These minutes are the minutes of the BCMD portion of the meeting and separate minutes record the SPOA portion of the meeting.

**Attendance** The following BCMD Directors were present and acting:

- Karen Kern
- Dan Godec
- George Gregory
- Mike Reisinger
- Ann Darby (By Telephone)

SPOA Directors in attendance:

- Ralph Dockery
- Mike Budd
- Melissa Nelson
- Jennie Longville

Also in attendance were:

- Jill Ryan, Eagle County Commissioner
- Nina Timm, Community Manager
- Dan Carlson, Operations
- Larry Rodgers
- Ken Marchetti, Marchetti & Weaver
- Cheri Curtis, Secretary to the Meeting

#### **Call To Order**

A Special Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Gregory, on December 8, 2016, at 3:00 p.m. noting a quorum was present.

#### **Disclosure Matters**

Pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board reviewed the agenda for the meeting, following which each Board member disclosed his conflicts of interest, stating the fact and summary nature of any matters as

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required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the member's present was necessary to obtain a quorum or otherwise enable the Board to act.

#### **County Commissioner**

##### **Update**

Jill Ryan was recently re-elected as the Eagle County Commissioner for Commissioner District 1. Commissioner Ryan updated the Board on the Eagle County Commissioners' goals, including plans for a building north of the WECMRD facility in Miller Ranch.

The County is preparing an updated master plan for the Edwards area. Director Gregory informed Commissioner Ryan he previously chaired the Edwards Area Master Plan Committee in 2002 and the existing Edwards Master plan has been ignored by Eagle County as new plans have been presented for approval.

Commissioner Ryan discussed the plans to make improvements to the Edwards Spur Road with the cooperation of the Edwards Metro District. The County is hoping to obtain a variance from the railroad in the spring of 2017. A portion of the County road impact fee is designated for the Spur Road improvements. Director Godec requested Eagle County keep the District informed on decisions related to improvements to the Edwards Spur Road.

Ms. Timm commended John Harris with Eagle County Road and Bridge on the success of the Winslow Road overlay. Ms. Timm requested to re-added back to the Mayors and Managers meeting list.

**Agenda** There were no changes to the agenda.

**Public Input** There was no additional public input.

**Minutes** The October 27, 2016 Regular Meeting minutes were reviewed. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the October 27, 2016 Regular Meeting minutes as presented.

#### **Open Items List**

Concrete Pans – Will be discussed in February 2017.

Golf Course Crossings – Will be discussed in February 2017.

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Community Center Promotion – No new update. The committee will meet after the Community Center grand opening.

Exercise Classes Fees – Ms. Timm proposed increasing the rate for exercise classes from \$5 to \$8 per class for all classes. Ms. Timm suggested a punch card system for classes that would be purchased from the Community Manager. Director Darby suggested offering a discount for purchasing multiple classes. The Board agreed to offer a ten-punch card for \$75 or \$8 per class.

Access Keys – The cost will be approximately \$4 per access card and there will be administrative time required for each card issued. Ms. Timm proposed charging \$25 per card that would be non-refundable. Ms. Timm suggested issuing a maximum of three cards per household. The Board unanimously agreed to the proposed charges.

The Community Center rates proposed for 2017 and 2018 by Ms. Timm were included in the Board packet. The Board unanimously approved the proposed rates.

Singletree Community Center Sustainability – No update.

**2016 Audit** Chadwick, Steinkirchner, Davis & Co. prepared the 2015 audit for the District. The 2016 audit engagement letter was presented. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the 2016 audit engagement with Chadwick, Steinkirchner, Davis & Co.

### **Office Equipment**

**Request** The Board reviewed the request from Ms. Timm for new computer equipment for the Community Center office. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the office equipment purchase as proposed at \$2,414, with the additional costs for a 11 x 17 paper tray option for the printer.

### **Landscaping**

**Proposals** Director Gregory requested the noxious weeds in the northwest quadrant of the I-70 interchange be sprayed in 2017. The Board agreed to approve the contract with Premier Landscaping for landscaping maintenance with the addition of five mowings for Miller Place Park. By motion duly made and seconded it was unanimously

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**RESOLVED** to approve the landscaping contracts as follows:

Premier Landscaping – Park Maintenance & Snowplowing  
Sonnenalp Golf Club – Park Maintenance (Parks adjacent to the golf course)  
Garden Creations – Flower Maintenance  
Brush Creek Landscaping – Tree Care  
SHC Landscaping – Holiday Lights

**Operations** The operations report was included in the Board packet.

**Financial Report** The preliminary November 30, 2016 Financial Statements were included in the Board packet and reviewed. The Board discussed certain income and expenses items. By motion duly made and seconded it was unanimously

**RESOLVED** to acknowledge receipt of the financial statements.

**2017 Budget Hearing** The October 27, 2016 Regular meeting was advertised as the public hearing of the 2017 budget and continued to today's meeting. The meeting was opened for public comment. Mr. Budd provided public comment on the percentage change being used for the assessed values in 2018. Hearing no additional public comment, the public hearing on the 2017 budget was closed. The Board reviewed the 2017 budget noting a portion of the accounting and administration functions being performed by Marchetti & Weaver will be transferred to Ms. Timm in 2017. Director Darby suggested budgeting to replace the existing roof on the Community Center in 2018. The Board agreed to hire a professional to evaluate the roof and make a recommendation on a timeframe to replace the roof. Ms. Timm and Director Darby will work with the DRC to obtain approval to extend the deadline for the roof replacement. By motion duly made and seconded it was unanimously

**RESOLVED** to adopt the 2017 budget subject to revising the Accounting and Administration for the work to be performed by Nina Timm; to set the debt service mill levy at 5.349 mills and the operating mill levy at 8.746 mills for a total net mill levy of 14.095 mills; and to appropriate funds for spending in 2017, all as documented in the formal budget resolution. A copy of the formal budget resolution is incorporated herein by this reference.

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#### **Payment of Invoices**

The Board reviewed the December list of payments to approve. There was an additional invoice from Viele Construction for the fire alarm system for the existing building. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the December 2016 list of payments as submitted.

The check to Viele Construction for the fire alarm invoice will be held subject to the Construction Committee review.

#### **Updates**

**UERWA** – There was discussion on the Vail Daily article, which was not completely accurate. It was noted the Mountain Star water tank was completed by ERWSD timely and under budget.

**Community Manager Report** – Ms Timm reminded everyone the first annual cookie exchange will be held on Sunday, December 11, 2016. January 8, 2017 will be the opening ceremony for the Community Center expansion grand opening. The Board authorized Ms. Timm to spend the amount necessary at her discretion for the opening ceremony.

**Singletree Community Center Construction Update** – Director Godec updated the Board on the status of the construction process. The costs are being held within the adopted budget. The building construction is proceeding with an end of December completion date expected.

Director Gregory suggested offering a bonus on future projects if a project is completed prior to the deadline and charging a penalty if the deadline is not met.

**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 8th day of December, 2016.

Respectfully submitted,



Cheri Curtis  
Secretary for the Meeting