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## RECORD OF PROCEEDINGS

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### **Minutes of the Regular Meeting Of the Board of Directors of Berry Creek Metropolitan District January 26, 2017**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held on January 26, 2017, 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:

- Dan Godec
- George Gregory
- Karen Kern
- Mike Reisinger

SPOA Directors in attendance:

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

Also in attendance were:

- Nina Timm, Community Manager
- Dan Carlson, Operations
- Larry Rodgers, SPOA Design Review Committee
- Ken Marchetti, Marchetti & Weaver

### **Call To Order**

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Gregory, on January 26, 2017, at 3:00 p.m. noting a quorum was present.

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#### **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 their conflicts of interest, stating the fact and summary nature of any matters as required under Colorado law, to permit official action 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.

##### **Agenda**

There were no changes to the agenda.

##### **Public Input**

There was no additional public input.

##### **Minutes**

The December 8, 2016, Special Meeting minutes were reviewed and it was noted that Singletree is not part of Eagle County Commissioner District No. 1. By motion duly made and seconded it was unanimously

**RESOLVED** to approve the December 8, 2016, Special Meeting minutes with the amendment that Singletree is not part of Eagle County Commissioner District No. 1.

#### **Open Items**

##### **List**

Concrete Pans – George and Dan Carlson will meet on this topic.

Golf Course Crossings – Move to 2018.

Community Center Promotion – No new update. There will be an update for the February meeting.

Exercise Classes Fees – Complete and will be removed from the list.

Singletree Community Center Sustainability – Update at February meeting. Currently working with Walking Mountains.

Intergovernmental Agreement with Eagle County for I-70 Access Road Maintenance – George Gregory has spoken with Jim Collins and will arrange to meet with Holly Strablizky, Eagle County Attorney's Office, to finalize the agreement.

Snow Removal - Premiere Snow Removal will be asked to step up snow removal at the roundabouts and at the Singletree Community Center.

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#### **Administrative**

**Resolution** The 2017 Administrative Resolution was presented to the Board for approval. The Singletree Community Center, 1010 Berry Creek Road, Edwards, CO, was designated as the 24-hour posting notices location. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the 2017 Administrative Resolution.

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

#### **Financial Report**

The preliminary December 31, 2017, Financial Statements were included in the Board packet and reviewed. Ken Marchetti, CPA, let the Board know that he anticipates a reduction in the Assessment Rate in 2018 that would result in an approximately 4% (\$25,000) reduction in the general fund annual revenues. To increase transparency a footnote should be added to the financial reports about the current water rights valuation and the fact that they are leased to Upper Eagle River Water Authority. The 2016 Budget and Actuals were on target. The Debt s-Service mill levy rate may need to increase to 5.583 mills in 2018 and will be evaluated in fall 2017. More information will be available in May when Eagle County sends out property tax statements. Marchetti & Weaver will provide a comparison of other community's mill levy rates in the next Board packet.

By motion duly made and seconded, it was unanimously

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

By motion duly made and seconded, it was unanimously

**RESOLVED** to move \$162,589 from 2016 into the 2017 budget to complete the construction of the new Community Center Building.

#### **Payment of Invoices**

The Board reviewed the January list of payments to approve. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the January 2017 list of payments as submitted.

#### **Updates**

**January 26, 2017**, An Eagle County snowplow had a significant hydraulic fluid leak. Follow-up with Road & Bridge about the cleanup should occur.

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**UERWA** – The State Legislature is considering a bill to cleanup already adjudicated water rights. Snow pack is currently at 140% of normal for this time of year. This does not change long-range drought predictions. The Traer Creek Water Tank situation does not appear to have an imminent solution, but mediation may be an option. The Water Authority will pay for the failed tank's removal and be reimbursed by the Guaranty Bond that is in place.

**Vail Valley Art Guild and Colorado Water Color Society Request to Use the Assembly Hall September 11 – 14 for a Water Color Class** – These two non-profit groups would like to host a water color class for up to 23 students at the Community Center. They would clean the room up daily. The Board agreed to allow the class to be held at the Community Center for a daily rental rate of \$150 / day, which includes a daily cleaning fee. The Board requested information about the fee each student was being charged to participate.

**Community Manager Report** – The report was included in the packet. Information about recent wildlife activity in the area was added at the meeting.

**Singletree Community Center Construction Update** – Director Godec updated the Board on the status of the construction process. The costs are within the adopted budget, with a slightly delayed completion date. There was a request to add jump ropes to the gym and the possibility of Pilates classes moving back into the Assembly Hall.

**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 January, 2017.

Respectfully submitted,

Nina Timm