
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District February 23, 2017

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held on February 23, 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
- Ralph Merritt
- Melissa Nelson

Also in attendance were:

- Katie Rothenberg, Owner
- Nina Timm, Community Manager
- Dan Carlson, Operations
- 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 February 23, 2017, 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 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.

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Public Input There was no additional public input.

Minutes The January 26, 2017, meeting minutes were reviewed. By motion duly made and seconded it was unanimously

RESOLVED to approve the January 26, 2017, minutes.

**Open Items
List**

Concrete Pans – Director Gregory and Dan Carlson will meet on this topic and create a scope of work to get bids this spring.

Golf Course Crossings – Director Gregory and Dan Carlson will meet on this topic and create a scope of work to get bids this spring.

Community Center Promotion – A mock-up of a new brochure was shared. A professional photographer will be engaged to take pictures of the new building and outside areas. The rate card will be separate so it can be updated annually.

Intergovernmental Agreement with Eagle County for I-70 Access Road Maintenance – George Gregory has spoken with Jim Collins and Holly Strablizky, Eagle County Attorney's Office, to finalize the agreement. The indemnification language was amended, to the extent it is permitted by law.

**Resolution on
IGA with Eagle
County**

Following discussion about the amended language contained in the Intergovernmental Agreement between Eagle County and Berry Creek Metropolitan District for I-70G (Edwards Access Road) Maintenance a motion was duly made and seconded, it was unanimously

RESOLVED to approve the Intergovernmental Agreement between Eagle County and Berry Creek Metropolitan District for I-70G (Edwards Access Road) Maintenance.

Director Darby's

Resignation It was noted that Director Ann Darby submitted her immediate letter of resignation dated February 23, 2017. The Board thanked Director Darby for her service. Katie Barnes Rothenberg, an Owner, was attending the meeting and expressed interest in serving on the Board. Katie and her husband have lived in Singletree since 2013, and are raising their three children here. Katie would like to serve on the Board and represent the interests of young families that live here.

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Appointment of Kathleen Barnes Rothenberg to fill

Darby's Term The Board discussed the importance of having diverse perspectives represented on the Board and that Kathleen (Katie) represented a demographic that is not currently represented on the Board. Katie meets the requirements of an eligible elector of the District authorized to be appointed to the Board because she is a registered to vote in the State of Colorado and she is a resident and property owner within the District. Following the discussion a motion was duly made and seconded, it was unanimously

RESOLVED to accept Director Ann Darby's immediate resignation and appoint Kathleen Barnes Rothenberg to serve the remainder of Director Darby's term.

George Gregory administered the Oath of Office and new Director Rothenberg will participate in the March meeting as a member of the Board.

Operations The operations report was included in the Board packet. Discussion was had about the need to reinforce the pavilion at Chip Ramsey Park. The solution should take into account the length of time before a major renovation of the pavilion is anticipated. Shaw Electric will begin replacing BCMD's lights with new LED lights. Eagle County will be consulted on cost sharing prior to any road striping being commenced. At the moment no work should be commenced on the Community Center parking lot. Dan Carlson will follow up with Steven's Home Care about the cost and life expectancy of the LED holiday lights.

Financial Report

The preliminary January 31, 2017, Financial Statements were included in the Board packet and reviewed. Ken Marchetti, CPA, let the Board know that the 2017 Budget shows \$162,589 rolling forward for the completion of the new Community Center building. The Community Center open house was not anticipated, consequently the Community Activities line item is over budget. Again, it was noted that a reduction in assessed valuation should be anticipated in 2018. 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.

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Payment of Invoices

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

Updates

RESOLVED to approve the February 2017 list of payments as submitted.
BCMD Board Work Session – The Board will meet on Thursday, March 16, from 1 to 5 pm. The work session is to create a 1, 2 and 5-year strategic work plan.

UERWA – Business as usual. Discussion was had about the estimated \$5 million cost to install new water supply lines in the Edwards Trailer Park and funding to pay for the work or if there are alternative solutions there. It was also noted that the drought in California will be very difficult to recover from because many of the aquifers are so depleted that they have collapsed and are no longer there to be replenished.

Unowned Auto Coverage – The Board will look at adding unowned auto coverage as well as other insurance efficiencies that may available with SPOA.

Community Manager Report – The report was included in the packet. It was also discussed that a plan to reduce the echo in the classroom is being developed. Highway cleanup is scheduled for Saturday, May 6. There will also be a Singletree cleanup that day too. The Sonnenalp Club will send out information about the golf course cleanup day in April. There was a suggestion to deliver five dog poop bags and a friendly reminder to every Property to clean up after their pets.

Singletree Community Center Construction Update – Director Godec updated the Board on the status of the construction process. \$100,000 is held as retention. Flowers, landscaping and the fire pit will all be addressed in the spring as weather permits.

Water Color Society and Art Guild Update – There will be 16 to 23 students attending the water color classes in September. The instructor will be paid \$5,000, BCMD will be paid \$600 and \$1,700 will go to the Colorado Water Color Society.

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 February, 2017.

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Respectfully submitted,

Nina Timm