
RECORD OF PROCEEDINGS

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

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held on March 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 Board of Directors of the 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, arrived at 3:45
- Karen Kern
- Mike Reisinger
- Katie Rothenberg

SPOA Directors in attendance:

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

Also in attendance were:

- Nina Timm, Community Manager
- Dan Carlson, Operations
- Ken Marchetti, Marchetti & Weaver
- Larry Rogers, Owner
- Karen Zavis, Owner

Call To Order

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Godec, on March 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.

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- Agenda** There were no changes to the agenda.
- Public Input** There was no additional public input.
- Minutes** The February 23, 2017, meeting minutes were reviewed. By motion duly made and seconded it was unanimously

RESOLVED to approve the amended February 23, 2017, minutes.

**Open Items
List**

Concrete Pans – Director Gregory and Dan Carlson met on this topic and have identified the intersection of Singletree Road and Winslow Road as well as June Creek Road and Berry Creek Road. Dan Carlson will get bids for the work.

Golf Course Crossings – Moved to 2018.

Community Center Promotion – A new brochure mock-up was shared. A professional photographer will take photos of the new building and outside areas in the spring.

Repair and Expand Pavilion at Chip Ramsay Park – John Perkins has been retained to prepare a conceptual plan to repair and expand the pavilion at Chip Ramsay Park. Repair and/or replacement of the bathrooms will also be considered, budget dependent. In addition to the pavilion work, opportunities to increase the amount of shade provided at the park will be evaluated.

Bocce Ball and Pickle Ball Courts – There is space to add up to three pickle ball courts on the existing black top west of the basketball court and add bocce ball on existing turf area. Costs will be obtained to level the black top and purchase pickle ball nets and fencing as well as the cost to install a bocce ball court. This may be an opportunity to collaborate with SPOA.

New Sand at Chip Ramsay Park – Dan Carlson noted that new or additional sand is needed in the play equipment area.

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Volunteers For

Outdoor CO Volunteers for Outdoor Colorado (VOC) have requested \$500 to provide lunch for their volunteers that will be working to remove the barbed wire on USFS property around Singletree in the summer. In February, SPOA approved a \$250 donation to VOC. A request to leave the existing wood fence posts was made, particularly along the east side of Singletree.

By motion duly made and seconded, it was unanimously

RESOLVED to donate \$250 to Volunteers for Outdoor Colorado to provide lunch for volunteers working in Singletree this summer.

Edwards Community

Authority Ken Marchetti noted that Edwards Community Authority (ECA) no longer exists as a formal entity. Members were reimbursed unspent funds in August 2016. There was an ECA meeting this week to pass an Exemption From Audit Resolution. ECA will meet, as there are items of importance to all of the metro districts in Edwards. There will not be funds to cover the administrative costs and the hope is that each metro district will share in any administrative tasks.

The design for the Edwards Spur Road improvements are approximately 30% complete. A major hurdle is Union Pacific's requirement to raise the rail road bridge height to meet their new standards. This has a ripple effect on the rest of design and cost. A variance from this requirement was requested. Union Pacific should be issuing a decision in the next 60-days. The total projected cost is between \$12 and \$24 million. Edwards Metro District has a voter-approved sales tax to help fund a portion of the costs.

Financial Report

The preliminary February 28, 2017, Financial Statements were included in the packet and reviewed. Ken Marchetti, CPA, noted that BCMD's audit identified that one month of reimbursement for the Community Manager were not paid in 2016. There are no variances of note. The County will make the first property tax payment to BCMD in March; consequently, cash on hand is at its lowest in February.

There is a Certificate of Deposit at Colorado Bank & Trust that matures in June 2017. Ken anticipates recommending reinvesting those funds. There was a request to consider at a shorter time horizon as it seems likely interest rates will continue to rise.

The capital budget includes fund to complete the new building and landscaping as well as \$75,000 for parking lot improvements.

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By motion duly made and seconded, it was unanimously

RESOLVED to acknowledge receipt of the financial statements.

Payment of Invoices

The Board reviewed the March list of payments to approve. Thanks was given to Marchetti & Weaver for their flexibility during the transition of some work to the Community Manager. By motion duly made and seconded, it was unanimously

RESOLVED to approve the March 2017, list of payments as submitted.

Operations

The operations report was included in the Board packet. Dan suggested replacing the table at the Buckboard Park with a metal table, as has been done at other Singletree parks. Installation of the new pump in the Charolais Circle pond happening this summer. Street sweeping is scheduled by Eagle County, but Dan will be sweeping the parking lots as weather permits. Dan also recommended adding more/new sand at Chip Ramsay Park.

There was a request to have BCMD's electronic speed signs flash at drivers who are going over 25 MPH rather than at 35 MPH.

Updates

UERWA – January water sales were down 7%. Traer Creek tank litigation appears to be moving in a positive direction. All homes are required to have backflow preventers. This may effect homes built before 1995. Currently snow pack is at 90% of historical average. March and April are typically high snow months so this may change. The Old B&B property has submitted a sketch plan to Eagle County showing 400 units. The West End development application has been withdrawn by East West Resorts.

Dan Godec has been the appointed alternate to the UERWA, but more recently Mike Reisinger has been attending the meetings in lieu of Director Godec. By motion duly made and seconded, it was unanimously

RESOLVED to appoint Mike Reisinger as BCMD's alternate representative to UERWA.

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Community Manager Report – The County will be installing the correct speed limit signs along Berry Creek Road and Winslow Road. These will show 25 MPH and an email will go out to residents pointing this correction out to them. The Sonnenalp Club has scheduled golf course cleanup for Wednesday, April 12, at 3 pm. The golf course will open for business on Friday, April 14. Contacted the Sherriff's Office for increased on-street parking enforcement.

Singletree Community Center Construction Update – Director Godec updated the Board that the construction team is currently working on a solution for some HVAC issues and with that resolved the construction would be complete except for landscaping, some exterior painting and the fire pit, which will be addressed in the spring as weather permits.

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 March, 2017.

Respectfully submitted,

Nina Timm