
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on December 7, 2017

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held on December 7, 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
- Karen Kern
- Mike Reisinger
- Katie Rothenberg

SPOA Directors in attendance:

- Melissa Nelson
- Mike Budd
- Jennie Longville May
- Karen Zavis

Also in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities

CALL TO ORDER

Director Gregory, called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on December 7, 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 public input.

OCTOBER 26, 2017 MEETING MINUTES

The Board reviewed the October 26, 2017, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the October 26, 2017, minutes.

RESOLUTION CALLING FOR THE 2018 REGULAR DISTRICT ELECTION AND APPOINTING A DESIGNATED ELECTION OFFICIAL

There was discussion about the three (Gregory, Reisinger and Rothenberg) terms that expire in May 2018. As contemplated in the resolution, the election will be a polling place election, Cheri Curtis from Marchetti & Weaver will be the Designated Election Official and Self-Nomination and Acceptance forms are due by Friday, March 2, 2018. The election, if needed, will be on Tuesday, May 8, 2018, at the Singletree Community Center. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to adopt the Resolution Calling for the 2018 Regular District Election and Appointing a Designated Election Official as presented.

OPEN ITEM LIST

Repair and Expand Pavilion at Chip Ramsay Park – The soils test completed on November 30. Continue pushing the engineer and architect for final drawings.

Service Agreement between BCMD & SPOA for Manager Services – Attorneys for both boards will need to work out Service Agreement details.

Maintenance and Replanting at the North Roundabout – Update at the next meeting.

Long-Term Maintenance Plan and Budget for Existing Assets – Update at the next meeting.

OPERATIONS

The warmer oven in the kitchen needs repair. Replacement parts will ship next week. Ordered a warming oven from Alpine Party Rentals for this weekend's event.

NOVEMBER FINANCIAL REPORT

The preliminary November 30, 2017, Financial Statements were included in the packet and reviewed. Following the discussion, by motion duly made and seconded, it was unanimously

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RESOLVED to acknowledge receipt of the financial statements.

PAYMENT OF NOVEMBER AND DECEMBER INVOICES

The Board reviewed the November and December list of payments to approve. Now utilizing Bill.Com. Everyone agreed to add Reisinger and Rothenberg as Approvers on the account. By motion duly made and seconded, it was unanimously

RESOLVED to approve the November and December 2017, list of payments.

UPDATES

UERWA – Rates will remain flat in 2018. Traer Creek water tank litigation continues. Traer Creek's expert has determined it is possible to repair the tank, but the question of insurability remains. The cash-in-lieu amount for summer water will dramatically increase.

Community Manager Report – The report contained the 2018 joint meeting schedule. Installed two sets of TRX straps in the classroom for approximately \$1,600. BCMD will cover the \$100 cleaning fee for the VFW party on December 3, 2017. Owners will need to renew their key cards to the gym in January 2018. The 2018 renewal fee is \$25.

2018 MEETING CALENDAR

Reviewed the 2018 meeting calendar with the joint BCMD / SPOA meeting occurring on the fourth Thursday of each month at 3 PM. The November meeting scheduled on Thanksgiving and the December meeting is at Christmas. Everyone agreed to combine the November and December meetings on Thursday, December 6, 2018, at 3 PM. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to hold joint BCMD / SPOA meetings on the fourth Thursday of every month at 3 PM and the combined November and December meetings is Thursday, December 6, 2018, at 3 PM.

VOLUNTEERS FOR OUTDOOR COLORADO

Volunteers for Outdoor Colorado will host another fence removal project in Singletree. They requested a \$500 donation to provide meals for volunteers on the workday. BCMD and SPOA agreed to split the expense as the fence removal project benefits all residents. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED that in 2018, BCMD will donate \$250 to Volunteers for Outdoor Colorado for volunteer's meals for the Singletree fence removal workday.

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SERVICE AGREEMENT WITH SPOA

The Board's joint discussed the Service Agreement and it was acknowledged that the attorney for each board would need to work out the mechanics of the Agreement. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to direct BCMD's and SPOA's attorneys to work together to resolve the differences between each board's draft Service Agreement.

FAMILY FOCUS GROUP ON NOVEMBER 4, 2017

Katie Rothenberg presented the results of the family focus group held with a number of residents with children. They requested ice-skating at Charolais Circle Pond. There was concern about the safety of skating there as well as the lack of parking. An ice rink at Chip Ramsey Park makes more sense. Confirmation of insurance for this is required. With more information, will consider a movie projector and ping-pong along with other ideas.

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 7th day of December, 2017.

Respectfully submitted,

Nina Timm