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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 on June 28, 2018**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on June 28, 2018, 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
- Karen Kern
- Melissa Nelson
- Katie Rothenberg

SPOA Directors in attendance:

- Mike Budd
- Courtney Holm
- Melissa Nelson
- Karen Zavis

Also in attendance were:

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

#### **CALL TO ORDER**

Director Godec called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on June 28, 2018, 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.

**MAY 24, 2018 MEETING MINUTES**

The Board reviewed the May 24, 2018, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the May 24, 2018, minutes.

**RESOLUTION PROVIDING FOR THE INDEMNIFICATION OF DIRECTORS, OFFICERS AND EMPLOYEES OF THE DISTRICT**

Following discussion about the scope of the indemnification contemplated in the Resolution, by motion duly made and seconded, it was unanimously

**RESOLVED** to approve and adopt the resolution providing for the indemnification of directors, officers and employees of the District.

**OPEN ITEM LIST**

Update Bathrooms at Chip Ramsay Park – The work will be complete by July 4.

Repair and Expand Pavilion at Chip Ramsay Park – Contractors are currently in the process of bidding the plans. Working to complete the work this fall.

Removal of Dead & Dying Trees at North Roundabout – Dan Carlson removed the dead or dying trees at the north roundabout.

**OTHER BUSINESS**

The BCMD and SPOA boards discussed the noise complaint at the June 21 concert. Concluded the music was not unreasonably loud, everyone in Singletree was invited and it was over at 8 PM. The next concert is July 10.

Looking forward, projections anticipate the Gallagher Amendment of the Colorado State Constitution will reduce the BCMD's revenues in 2020. Without commercial real estate in the BCMD service area, the impacts are greater. If the BCMD chooses to go to the voters in November 2018, must give notice to Eagle County by July 27, 2018. Marchetti & Weaver estimates \$10,000 to hold the mail-in election. November 2019, would be next opportunity for the election.

**OPERATIONS**

Dan Carlson did a drive through the community with Dan Godec to identify areas for improvement. Cutting down a 2' swath along the roads and bike path. Request to cut

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down grasses around the trailheads to clean them up, replace faded street signs and a no parking sign below the trailhead on June Creek Road.

**MAY FINANCIAL REPORT**

The preliminary May 2018, Financial Statements were included in the packet and reviewed. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the May 2018, financial statements as amended.

**PAYMENT OF JUNE INVOICES**

The Board reviewed the June 2018, list of payments for approval. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the June 2018, list of payments.

**2017 FINANCIAL STATEMENT AND REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS**

The Board reviewed the 2017 Financial Statement and Report of Independent Certified Public Accountants. No areas of concern were identified in the Report. By motion duly Made and seconded, it was unanimously

**RESOLVED** to accept the 2017 Financial Statement and Report of Independent Certified Public Accountants.

**UPDATES**

UERWA – CDOT is in the planning stages to add additional lanes from the top of Vail Pass to East Vail. ERWSD is concerned about the expansions impacts on water quality in the area. Our Community Foundation continues to work with Edwards Mobile Home Park owners on providing water from ERWSD rather than the existing well. Stocking Black Lakes just after July 4. Revaluing the District's water rights fall 2018.

Community Manager Report – Recommend upgrading the camera system server and hard drive, estimated cost \$1,600. One bathroom at Chip Ramsey Park will be operational for July 4. Next concert on July 10, from 6 to 8 PM.

The Board discussed the camera security system and the potential to add more cameras. By motion duly made and seconded, it was unanimously

**RESOLVED** to authorize \$1,600 to upgrade the camera system server and hard drive.

**ADJOURNMENT**

There being no further business to come before the Board, by motion duly made and seconded it was unanimously

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**RESOLVED** to adjourn the Regular Meeting of the Berry Creek Metropolitan District Board of Directors this 28th day of June 2018.

Respectfully submitted,

Nina Timm