
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on August 23, 2018

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on August 23, 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
- Mike Reisinger
- Katie Rothenberg, by phone

SPOA Directors in attendance:

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

Also in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities
- George Gregory, BCMD Representative to UERWA
- Ariana Burkley, Resident
- Chuck Powers, Resident
- Cara Turner, Resident

CALL TO ORDER

Director Godec called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on August 23, 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

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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 public input.

PROPOSED JUNE CREEK ROAD WINTER ACCESS PARKING IN WILDRIDGE

Noting that BCMD and SPOA sent letters to the town of Avon and the United States Forest Service (USFS) regarding their opposition to the proposed winter access parking lots in Wildridge, the board heard from residents Cara Turner and Chuck Powers regarding the recent USFS meeting and proposals. Ms. Turner suggested the proposed parking lot move to the top of Wildridge to provide snowmobilers the most direct access to the trails as well as limit disturbance to wildlife. Chuck Powers reminded the board, currently there is no legal snowmobile access out of Wildridge. Berlaimont Estates may eliminate snowmobile access from USFS Rd. 774.1. The proposed Wildridge parking lot would increase snowmobile activity closer to Wildridge and Singletree as well as increase the wildlife impacts. Singletree has been working to improve winter wildlife habitat by seasonally closing some trails and removing old barbed wire fences that affect winter wildlife habitat. Mr. Powers expressed concern that the USFS is not following their protocol for vetting these types of proposals either. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to send a letter to the USFS, the town of Avon, and the Vail Daily strongly opposing the proposed parking lots in Wildridge and ask the USFS to follow the appropriate protocol for vetting this type of proposal.

BERLAIMONT ESTATES PROPOSED CHANGES TO LOWER USFS ROAD 774 PEDESTRIAN ACCESS

Chuck Powers presented Berlaimont Estate's proposed amended pedestrian access for lower USFS Road 774. The plan would take the lower pedestrian access off the existing road and would move it to the west, up the more steep portions of the hillside. This would reduce the developer's requirements to expand the width of the existing road. The proposed steep path would reduce accessibility for many. Some believe the proposed steep path should be created in addition to maintaining the more accessible pedestrian access along the existing road. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to send a letter to the Board of County Commissioners and Colorado Parks and Wildlife from both boards requesting that Berlaimont Estates be required to have two points of access due to increasing fire

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danger in the area and that both the proposed steep and existing pedestrian path are maintained along lower USFS Road 774.

JULY 26, 2018 MEETING MINUTES

The Board reviewed the July 26, 2018, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the July 26, 2018, minutes.

AUGUST 16, 2018 MEETING MINUTES

The Board reviewed the August 16, 2018, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the August 16, 2018, minutes.

POSSIBLE DE-GALLAGHARIZATION QUESTIONS FOR NOVEMBER 2018

The Board discussed the pros and cons of a ballot measure in November 2018, and that November 2019, would be the next opportunity to add a measure to the ballot. Following the discussion the Board opted to take no action this year. Give notice to Eagle County that BCMD will not have a measure on this year's ballot.

OPERATIONS

Drove around with Neil Tretter identifying locations to reduce water use. Asked about what services the Board would like to bid for 2019. Request for bids to paint the Winslow Road underpass, concrete corner pans, and repaint road striping.

OPEN ITEM LIST

Pavilion Repair and Expansion – underway in September.

JULY FINANCIAL REPORT

The preliminary July 2018, Financial Statements were included in the packet and reviewed. Need to anticipate \$200,000 for capital expenditures this fall. Spent more this spring on tree care than budgeted. Budget work session in October. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the July 2018, financial statements as presented.

PAYMENT OF AUGUST INVOICES

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

RESOLVED to approve the August 2018, list of payments.

UPDATES

UERWA – Formally adopted the Water Efficiency Plan. Water use dramatically reduced following notices to high water users. Commercial water users most responsive to water

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use reduction requests. Concerned about CDOT protecting riparian areas and water quality as part of the proposed I-70 expansion from Mile Marker 190 to MM180.

Community Manager Report – Summer party RSVPs nearly 700 residents. New soccer goals on field paid for by Vail Valley Soccer Club. Applied for a \$10,000 Neighborhood Partnership Grant from Eagle County for the pavilion. Mesquite Trail workday scheduled for September 12. Had good turnout at August 15, trail workday.

Future Scheduling - Plan on executive session at September meeting and budget work session in October.

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 August 2018.

Respectfully submitted,

Nina Timm