
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on March 28, 2019

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on March 28, 2019, 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

SPOA Directors in attendance:

- George Gregory
- Courtney Holm
- Jennie Longville May
- Karen Zavis

Also in attendance were:

- Jim Collins, Attorney
- 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 March 28, 2019, 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

Agreed to move the scheduled executive session to the start of the meeting following the Miller Ranch Road lighting update.

PUBLIC INPUT

There was no public input.

MILLER RANCH ROAD PEDESTRIAN LIGHTING

Melinda Fitzcharles, representing the Family Leadership Program, advocated for the addition of pedestrian lighting along Miller Ranch Road from Colorado Mountain College to the “blue bridge.” There is lots of pedestrian and bike traffic in the area, including Singletree residents, that also head up Winsow Road under I-70. Ken Marchetti noted there is no funding allocated to this project by either the Edwards Metro District nor Eagle County and is expected to cost more than \$800,000. The Board requested Dan Carlson work with Shaw Electric to identify options and pricing to improve the lighting at the I-70 underpass.

ATTORNEY’S UPDATE

Jim Collins, board attorney, provided an update.

- Traer Creek Water Tank litigation settled and construction of new tank will begin.
- Eagle River Water & Sanitation District and Upper Eagle River Water Authority are exploring consolidation options.
- Legislation allowing out-of-state second homeowners to vote in special district elections died in committee.
- Legislation will allow required posting of meeting notices to occur online, pending the Governor’s signature.

EXECUTIVE SESSION

Pursuant to, (CRS 24-6-402(4) (b)) – For the purposes of conference with the Board’s attorney for the purpose of receiving legal advice on specific legal questions, by motion duly made and seconded, it was unanimously

RESOLVED to move into executive session at 3:25 p.m. to receive legal advice on specific legal questions.

The board adjourned from executive session at 4:10 p.m.

Jim Collins left the meeting.

FEBRUARY 28, 2019 MEETING MINUTES

The Board reviewed the February 28, 2019, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the February 28, 2019, meeting minutes.

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OPEN ITEM LIST

Will present pricing for spring projects at the April meeting. Added additional lighting at the I-70 underpass and will contact Vail Honeywagon for composting information.

OPERATIONS

- Starting to cleanup bike path with backpack blower.
- Shaw Electric fixed monument lights at Miller Ranch Road.
- Chip Ramsey Park bathrooms will open about May 15.
- Digital speed sign repaired and replaced on June Creek Road.
- Ordered replacement battery for digital speed limit sign on Charolais Circle Road.
- Will start painting 25 MPH on roads as weather permits.
- Charolais Pond aerator turned on the first week in April.
- Trees around Charolais Pond are dying.
- Will look at i-70 underpass lighting options and pricing.

FEBRUARY FINANCIAL REPORT

The preliminary February 2019 Financial Statements were included in the packet and reviewed. Still working with insurance company on a refund for the errantly billed machinery and equipment coverage. Life insurance for the manager is part of the District's insurance package. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the February 2019 financial statements as presented.

PAYMENT OF MARCH INVOICES

The Board reviewed the March 2019, list of payments for approval. Noted Shaw Electric's bill was for the monument light repairs/replacement. By motion duly made and seconded, it was unanimously

RESOLVED to approve the March 2019, list of payments.

UPDATES

UERWA – Lake Powell is only 45' above critical level. Completed study of Eagle Park and Black Lakes dams and they are top rated.

Community Manager Report –

- June 6, at 6 PM, BCMD will host an ice cream social and “grand opening” of the new pavilion at Chip Ramsey Park.
- I-70 and Singletree Community Cleanup are Saturday, April 27.
- BCMD will receive a \$1,800 grant from Colorado Special Districts Property and Liability Pool for the new security cameras in the pavilion. This is 50% of the total cost of the new cameras and installation.
- Resales in Singletree appear robust so far this spring.

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- Eagle County is reviewing the possibility of adding a four-way stop at the intersection of Berry Creek and Singletree Roads.
- Sonnenalp Golf Course would like a seat at BCMD's future planning committee. Irrigation replacement is approximately 3 – 5 years out. They would like to bid on BCMD's outdoor maintenance contracts.

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 28th day of March, 2019.

Respectfully submitted,

Nina Timm