
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on September 26, 2019

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on September 26, 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
- Katie Rothenberg

SPOA Directors in attendance:

- Ariana Burkley
- George Gregory
- Jennie Longville May, by phone
- Karen Zavis

Also in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities
- Jim Collins, Attorney for ERWSD & BCMD

CALL TO ORDER

Director Godec called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on September 26, 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

Agenda items reorganized to accommodate schedules.

PUBLIC INPUT

There was no public input

AUGUST 22, 2019 MEETING MINUTES

The Board reviewed the August 22, 2019, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the August 22, 2019, meeting minutes.

SEPTEMBER 20, 2019 MEETING MINUTES

The Board reviewed the September 20, 2019, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the September 20, 2019, meeting minutes.

PLAYGROUND EQUIPMENT REPLACEMENT AND ADDITIONS

Janet Bartnik, Mountain Recreation, toured the playground at Chip Ramsey Park and determined it is in good condition except for the teeter-totter and climbing tubes. She recommend replacing those two pieces, removing the planter and adding a piece of climbing equipment there as well as adding a piece of toddler equipment in the sand area that is shaded by trees. Summit Recreation presented a proposal for four new pieces of equipment that will update the playground and offer expanded play options. They can install the two replacement pieces in October. New equipment installed spring 2020. Total cost for removal of existing equipment and planter, new equipment and installation is \$40,764. One-half of the cost will be in 2019 and the second half spent in 2020. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to appropriate \$40,764 for four new pieces of playground equipment installed at Chip Ramsey Park.

ENCROACHMENT EASEMENT INTERGOVERNMENTAL AGREEMENT

Upper Eagle Regional Water Authority needs to replace the original water pump station located on Tract O, Berry Creek Ranch Filing 4. A portion of the work will take place in Eagle County's Road Maintenance Easement, consequently the Water Authority requires an Encroachment Easement from Eagle County to allow for a portion of the improvements to remain on a portion of the County Road Maintenance Easement, which is located on property owned by BCMD. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to approve the Encroachment Easement Intergovernmental Agreement, consenting to the actions of the Water Authority and Eagle County, as presented.

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WATER EASEMENT

Upper Eagle Regional Water Authority is replacing the original water pump station on Tract O, Berry Creek Ranch Filing 4. BCMD has previously conveyed all water facilities and water rights to the Water Authority. The proposed water easement allows the Water Authority to construct and maintain the water pump in perpetuity. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to approve the Water Easement, to allow for perpetual maintenance and construction of the water pump station and appurtenances, as presented.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

The Water Authority continues to work toward reconstructing the Bolts Lake Reservoir, which provides needed in-basin storage. If approved by voters, Proposition DD may contribute additional dollars annually for water projects. Developers of the Battle Mountain project requested de-annexation from Minturn and plan to submit for development approvals from Eagle County.

OPERATIONS

- Painted stop bars at intersection of Winslow and Singletree Roads.
- Had wasp nest removed from streetlight at Palomino and Winslow Roads. It is working again.
- Will meet with Keaton Industries to make a plan for Charolais Pond.
- Repairing and replacing screws at Chip Ramsey Park equipment and spreading out wood chips.

AUGUST FINANCIAL REPORT

The August financial reports reviewed at the September 20, budget work session. Waiting on an invoice from Colorado Vegetation Management for weed control. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the August 2019 financial statements as presented.

PAYMENT OF SEPTEMBER INVOICES

The Board reviewed the September 2019, list of invoice for approval. By motion duly made and seconded, it was unanimously

RESOLVED to approve the September 2019, invoices for payment.

UPDATES

Community Manager – The multi-year barbed wire removal project is complete. Design work continues for the proposed pedestrian lighting project on Miller Ranch Road. Eagle County is designing the project. There is no money allocated for installation of the lights.

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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 26th day of September 2019.

Respectfully submitted,

Nina Timm