

---

## RECORD OF PROCEEDINGS

---

### **Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on January 23, 2020**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on January 23, 2020, 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
- Katie Rothenberg
- Karen Kern
- Melissa Nelson
- Mike Reisinger

SPOA Directors in attendance:

- Ariana Burkely
- Courtney Holm
- George Gregory
- Jennie Longville May
- Karen Zavis, by phone

Also in attendance were:

- Jim Collins, BCMD's Attorney
- Wendell Porterfield, SPOA's 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 January 23, 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

---

**RECORD OF PROCEEDINGS**  
Berry Creek Metropolitan District

---

the member's present was necessary to obtain a quorum or otherwise enable the Board to act.

**AGENDA**

There was no change to the agenda.

**PUBLIC INPUT**

Oliver Griffin and Yvonne Dawsey expressed their concerns about coyotes in Singletree. They requested the District change its policy of moving animals killed by cars from the road into the adjacent ditch and reduce the number of coyotes living here.

**JOINT EXECUTIVE SESSION**

Pursuant to, CRS 24-6-402(4)(b) the boards moved into joint executive session to receive legal advice regarding requested changes to Singletree Community Center rental policy. By motion duly made and seconded, it was unanimously

RESOLVED to move into executive session at 3:20 p.m. to receive legal advice.

The boards adjourned from executive session at 4:35 p.m.

Jim Collins and Wendell Porterfield left the meeting.

**PUBLIC INPUT**

Doris Dewton expressed her concern about low gas pressure issues in some portions of Singletree. Jim Collins wrote a letter to the Public Utilities Commission regarding this issue and it was noted that Black Hills Energy responded but failed to provide a solution. Doris requested the District continue to pressure Black Hills Energy to provide a solution and time frame for implementing the solution, so this problem does not continue.

George Gregory Arrived.

**EDWARDS FIELD HOUSE UPDATE**

Janet Bartnik, Mountain Recreation District, provided an update on proposed improvements to the Field House. The goal is to provide a facility that meets the needs of adults as well as kids as well as provide space for health and community resources. It is not feasible to add an indoor nor outdoor pool at the facility. Mountain Recreation is hoping to raise money from public and private sources and will likely need to go to the voters too. It was requested that Mountain Recreation look at adding a tween/teen space to the plans.

**JANUARY 23, 2020, MEETING MINUTES**

The Board reviewed the January 23, 2020, meeting minutes. By motion duly made and seconded, it was unanimously

---

**RECORD OF PROCEEDINGS**  
Berry Creek Metropolitan District

---

**RESOLVED** to approve the January 23, 2020, meeting minutes.

**OPEN ITEMS LIST**

The District's arborist will present a plan for the entrance along Berry Creek Road at the February meeting. The 10-year plan kick off meeting should be moved from March 17 to March 24.

**RESOLUTION DESIGNATING LOCATION TO POST NOTICES**

Following review of the resolution, by motion duly made and seconded, it was unanimously

**RESOLVED** to designate [www.singletree.com](http://www.singletree.com) as the posting location for notices of public meetings.

**COMMUNITY CENTER RENTAL POLICY**

Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to require amplified sound shall be turned off by 9:30 p.m. for all new Community Center rentals.

**OPERATIONS**

- Posted two warning signs at Charolais Circle Pond.
- Repaired digital M.P.H. sign on June Creek Road.
- Toured the community with Tim Lipman, an arborist.
- Working on light at intersection of Rawhide and Longhorn Roads.

**DECEMBER FINANCIAL REPORT**

Expenses were under budget for 2019 and revenue was generally as forecasted. Community Center Rental Income was below budget. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the December 2019 financial statement as presented.

**PAYMENT OF JANUARY INVOICES**

The Board reviewed the January 2020, list of invoices for approval. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the January 2020, invoices for payment.

**UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE**

Singletree residents should all have Pearl Water Meters by the end of 2020. This helps residents understand their water usage and potentially realize they have water leaks, etc. more quickly. ERWSD will present future projects and rate increases at the

---

**RECORD OF PROCEEDINGS**  
**Berry Creek Metropolitan District**

---

February meeting. The pump replacement project on Mesquite Drive continues, with major challenges behind them now.

**COMMUNITY MANAGER REPORT**

As of January 1, there is a banner on the website announcing SPOA's Annual Meeting. A dozen residents participated in the January snowshoe tour and Starting Hearts will be teaching Call. Push. Shock. classes on February 11.

**EDWARDS METRO DISTRICT BOARD MEETING UPDATE**

The West End development will be conducting a traffic study shortly to determine the feasibility of taking access off the spur road, with a loop around the Gas House. Eagle County is encouraging the highest density possible at the West End and the developers are studying the possibility of three high density buildings with first floor commercial and residential development above.

The relocation of the Edwards Recycling facility to the west side of the Field House has been delayed.

**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 23<sup>rd</sup> day of January 2020.

Respectfully submitted,

Nina Timm