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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 25, 2020**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held June 25, 2020, at 3:00 p.m., 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:

- Courtney Holm
- Katie Rothenberg
- Melissa Nelson
- Mike Reisinger
- Trevor Broersma

SPOA Directors in attendance:

- Ariana Burkley
- Courtney Holm
- Karen Zavis

Also in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities
- Lee Rimel, Trails Committee

#### **CALL TO ORDER**

Director Rothenberg called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on May 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**

There were no changes to the agenda.

**PUBLIC INPUT**

There was no public input.

**SINGLETREE AVON CONNECTOR TRAIL UPDATE**

Lee Rimel, Trails Committee, presented an update on the work that Holy Cross Energy has completed on BCMD owned property at the Singletree Avon Connector Trail. Holy Cross Energy upgraded their equipment and, in the process, installed a road across BCMD's trailhead and much of the West Avon Preserve trail system. It is estimated that it will cost \$75,000 to rebuild and rehab the trails. Vail Valley Mountain Trails Alliance (VVMTA) will take the lead on the trail rehab process, the work will be contracted out and is expected to be complete in October 2020. In 2003 the BCMD purchased the trailhead lot on June Creek Road for \$325,000. Holy Cross Energy did not install the road in their easement on the lot and Lee recommends that Holy Cross Energy reconstruct their equipment access road within their easement or compensate the BCMD for the loss of development potential due to the current location of the road. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to request Holy Cross Energy restore the road, replace the trailhead, and take access in the future through their easement.

Lee requested that both the SPOA and BCMD donate an additional \$1,000 to VVMTA for their extra effort and commitment in Singletree this year. VVMTA operates exclusively on donations from local entities. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to donate an additional \$1,000 to VVMTA.

**MAY 28, 2020 MEETING MINUTES**

The Board reviewed the May 28, 2020, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the May 28, 2020, meeting minutes.

**BCMD OFFICERS ELECTION**

Nominations were taken for the role of BCMD President. Courtney Holm and Melissa Nelson expressed interest in serving as president. A secret ballot was cast, and it was

**RESOLVED** that Courtney Holm will serve as the BCMD President.

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Melissa Nelson expressed interest in serving as BCMD Secretary/Treasurer. Following the discussion, it was unanimously

**RESOLVED** that Melissa Nelson will serve as the BCMD Secretary/  
Treasurer.

Katie Rothenberg expressed interest in serving as BCMD Assistant Secretary/  
Treasurer. Following the discussion, it was unanimously

**RESOLVED** that Katie Rothenberg will serve as the Assistant Secretary/  
Treasurer.

Director Holm took over control of the meeting.

**OPEN ITEM STATUS REPORT**

- Develop an asset report that includes the year installed and remaining useful life of existing BCMD assets

**2019 AUDIT REPORT**

The Audit Review Committee, Karen Zavis and Dan Godec, recommend audit report acceptance be delayed to July 25, to allow for additional information from UERWA/ERWSD. The auditors have issued a clean opinion for the BCMD. Thanks was given to Dan and Karen for their diligent review of the draft audit.

Mike Reisinger updated the board that the monthly operations book is up to date through May. The book includes essential operating information for the BCMD.

**OPERATIONS**

- Dan Carlson reported that the gutter on the front of Building A was cut during construction and needs to be replaced.
- Several trees at pocket parks need to be trimmed or removed. An inventory will be developed.
- The deck at the Community Center has soft joists and it was suggested that sanding down the deck boards was not worthwhile due to repairs needed to the structure.
- Dan will prepare a park bench inventory for the community.

An email should be sent to residents about speeding on roads in Singletree and highlight the “shark’s teeth” that were painted to slow traffic down on Berry Creek Road.

**MAY FINANCIAL REPORT**

A question was asked about the Comcast bill. Comcast provides TV, Wi-Fi and telephone service at the Community Center. Outdoor fitness classes have been added for July. Following the discussion, by motion duly made and seconded, it was unanimously

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**RESOLVED** to accept the May 2020 financial statement as presented.

**PAYMENT OF JUNE INVOICES**

By motion duly made and seconded, it was unanimously

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

**UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE**

There has been one case of COVID-19 at ERWSD and their protocols were effective in dealing with the situation. ERWSD is preparing to issue \$40 million in bond for infrastructure replacement projects.

Drought conditions persist. April and May had 50% of typical precipitation and stream flows peaked on June 9. Residents should be encouraged to monitor and adjust their outdoor water use.

**COMMUNITY MANAGER REPORT**

- ERWSD continue working on the Mesquite Pump Station project and anticipates being done about July 13.
- Black Hills Energy work has been delayed in the development review process. Their goal is to still complete the work in 2020.
- Holy Cross Energy completed their work in the West Avon Preserve. In the process they destroyed the Singletree Avon Connector trailhead and adjacent trails. Vail Valley Mountain Trails Alliance is working with all parties on a repair and replacement plan for the area.
- Request to identify “Singletree’s Park Bench” that would be used to replace benches as needed throughout the community and would be used when benches are added in new locations. Ideally the bench could be personalized to honor residents.
- Due to the COVID-19 pandemic it is unlikely that the SPOA will be able to host the summer party in 2020.
- Edwards Metro District continues to work on plans to add pedestrian lighting along Miller Ranch Road.

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**OTHER BUSINESS**

There was a request to move the joint meeting day to the fourth Tuesday rather than Thursdays, when there are multiple other meetings in which board members need to participate. It was noted that the joint meetings were previously held on Tuesdays. Following discussion, by motion duly made and seconded it was unanimously

**RESOLVED** to move the joint board meetings to 3 PM on the fourth Tuesday of the month, beginning on July 28.

**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 25<sup>th</sup> day of June 2020.

Respectfully submitted,

Nina Timm