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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 October 27, 2020**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held October 27, 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

SPOA Directors in attendance:

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

Also, in attendance were:

- Chuck Powers, Resident
- Mike Budd, Resident
- Dan Carlson, Facilities
- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager

#### **CALL TO ORDER**

Director Holm called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on September 22, 2019, at 3:00 p.m. noting a quorum was present.

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**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.

**AGENDA**

There were no changes to the agenda.

**PUBLIC INPUT**

There was no public input.

**BERLAIMONT ESTATES ACCESS UPDATE**

Chuck Powers, resident, presented an update on the United States Forest Services (USFS) draft Environmental Impact Statement (EIS) and their recommended access route. The proposed access road contains multiple switch backs, requires recreation path mitigation, and the road must follow a design review process. A couple of locations will also require large retaining walls. Chuck suggested this a favorable decision for Singletree. He also suggested that Singletree work with Eagle County to ensure the road is paved in one phase starting at the bottom of the road and is wide enough to accommodate a fire truck and vehicular traffic moving in opposite directions. The County's variance for one point of access does not seem safe as local wildfire danger is increasing. The County should require a perpetual bond to ensure the road is always properly maintained as well as reconsider the variance for one point of access. Additionally, if the proposed road crosses BCMD property that is a concern.

**SEPTEMBER 22, 2020 MEETING MINUTES**

The Board reviewed the September 22, 2020, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the September 22, 2020, meeting minutes.

**OCTOBER 21, 2020 MEETING MINUTES**

The Board reviewed the October 21, 2020, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the October 21, 2020, meeting minutes.

**OTHER BUSINESS**

- Develop a consistent rental rate for boards and groups that would like to rent the Assembly Hall during the COVID-19 Pandemic. Ensure groups comply with the current Public Health Order.

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- The Town of Avon has approached the BCMD to evaluate options to create an emergency only exit from Wildridge via the June Creek Trail. Based on recent wildfire activity a second emergency exit is being sought. Avon is currently in the very early stages of studying the viability at the June Creek Trail.
- Based on recent wildfire activity the boards discussed Singletree's wildfire preparedness and the need to create a mitigation plan as well as evacuation plan. It was agreed the Winslow Underpass is a significant enhancement for Singletree. The FireWise program is a good resource for residents.

**OPERATIONS**

- Dan Carlson will get bids for crack sealing and painting the Community Center parking lot in spring 2021.
- Confirm the streetlights are working following Black Hills Energy work.
- Add a pet pickup station at base of Charolais Circle trailhead and move a trash can there to make it as easy as possible for people to use.
- Consider only replacing the Community Center deck and stairs where they are exposed to the weather.

**SEPTEMBER FINANCIAL REPORT**

Questions were asked about the Holy Cross Electric refund and if BCMD was eligible for GOCO grants for Singletree's parks. Following the discussion, by motion duly made and seconded, it was unanimously

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

**PAYMENT OF OCTOBER INVOICES**

There were no questions about the invoices presented for payment. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the October 2020 invoices for payment.

**2020 AUDIT ENGAGEMENT LETTER**

Chadwick, Steinkirchner, Davis & Co, PC, submitted an engagement letter to complete BCMD's 2020 audit. This is the same firm that has done the audit the past couple of years and the cost remains unchanged from last year. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept Chadwick, Steinkirchner, Davis & Co, PC's, audit engagement as presented.

**2021 BUDGET HEARING, CONTINUED**

The 2021 Budget Hearing was re-opened. It was noted that the BCMD held their initial budget hearing on October 21, 2020, to discuss the 2021 budget. The Budget Hearing

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was properly noticed, pursuant to Colorado Statute. There was no public input. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to adopt the 2021 Budget, Set Mill Levies, and to Appropriate Sums of Money Resolution as presented.

**The 2021 Budget Hearing was closed.**

**UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE**

Working with customers to complete annual Backflow Preventer Testing. Beginning a campaign to inform users about the 9% rate increase. The Water Authority is currently out of water for new irrigation projects.

**COMMUNITY MANAGER'S REPORT**

- Charolais Circle trailhead work underway.
- ERWSD work complete at Tank 2 (Palomino Drive). Turned out to be much less extensive than anticipated.
- Black Hills Energy continues working and anticipates being done end of October.
- Working with Momentum Trails on re-alignment West Avon Preserve access trail on June Creek Road.
- Small, but mighty group of volunteers cleaned up I-70. Look forward to more volunteers in the spring.
- The cost to re-open the gym is approximately \$200 per day. That is not consistent with the self-serve model the gym is based on and current COVID-19 rates are not favorable for relaxing the Public Health Order.

**REALFIRE GRANT MONEY REQUEST**

Mike Budd, resident, made a presentation about Eagle County's RealFire grant program. He suggested a request be submitted to the County and any amount granted be matched by each board. A "Singletree fund" program could then be established for specific wildfire mitigation projects identified through RealFire Assessment(s).

**OTHER BUSINESS**

There was no other business.

**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 27<sup>th</sup> day of October 2020.

Respectfully submitted,

Nina Timm