
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on January 26, 2021

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held January 26, 2021, 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. The meeting was held virtually via GoToMeeting.

VIRTUAL 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
- Dan Godec
- George Gregory
- Jennie Longville May
- Karen Zavis

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Carlson, Facilities Manager
- Kathy Mikolasy, Owner

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on January 26, 2021, at 3 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

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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.

EXECUTIVE SESSION

By motion duly made and seconded, it was unanimously

RESOLVED to move into executive session pursuant to §24-6-402(4)(f), C.R.S, for discussion of the personnel matter of 2021 compensation for BCMD contract employee and employee and pursuant to §24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators concerning ERWSD in-basin storage discussion.

The Board adjourned from executive session at 3:55 p.m. and the SPOA Board joined the regular joint meeting at 4:00 p.m.

PUBLIC INPUT

Kathy Mikolasy, Singletree resident, shared her reports to Eagle County Animal Control regarding her duplex neighbor. She has had issues with her neighbor and his dogs for at least 8 years. The dogs are not on leashes, defecate everywhere and it is not cleaned up. The SPOA Board agreed to cooperate with Animal Control and address the stuff stored in front of the garage with the neighbor. The SPOA will send a letter to the owners and Ms. Mikolasy will be copied on it as well.

Ms. Mikolasy left the meeting.

DECEMBER 8, 2020 MEETING MINUTES

The Board reviewed the December 8, 2020, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the December 8, 2020, meeting minutes.

OPEN ITEMS STATUS REPORT

- There was a request to get additional information about the camera bid, specifically how many additional cameras are included in the bid and if the licenses need to be renewed every 3-years.

2021 RESOLUTION DESIGNATING LOCATIONS TO POST NOTICES

The Board reviewed the 2021 resolution, and it was noted that it is the same as the 2020 resolution and that physical posting of notices will only occur if the internet is down. By motion duly made and seconded, it was unanimously

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RESOLVED to adopt the 2021 resolution designating locations to post notices.

OPERATIONS

- There was a frozen pipe in Building B due to the cleanout being knocked over and reduced use of the building. In the spring Dan Carlson will reconfigure the exposed cleanout to prevent this from happening in the future.
- The pressure reducing valve blew in Building B due to hard water conditions. The plumber recommended adding a water softener in the building to preserve the plumbing fixtures. Based on typically water usage in the building, a bid from Aqualogic to install an appropriately sized water softener was included in the packet. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to engage Aqualogic to install the specified water softener.

- Snow accumulation is an issue on the expanded pavilion at Chip Ramsey Park. A bid to install snow stops was included in the packet. Based on the bid price, the Board requested additional bids be obtained for the work.
- In 2020, Solitude Lake completed work to improve the water in the Charolais Circle Pond. They have proposed continued monthly monitoring and work beginning in May and lasting through September. The Board reviewed the proposed scope and cost. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to engage Solitude Lake for the 2021 proposed scope of work at the Charolais Circle Pond.

2020 YEAR END FINANCIAL REPORT

BCMD ended 2020, with \$1.273 million in fund balance. It was noted this included paying for one-half of the two new pieces of playground equipment that will be installed this spring. It was generally a positive year financially. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the 2020 year-end financial statement as presented.

PAYMENT OF DECEMBER AND JANUARY INVOICES

By motion duly made and seconded, it was unanimously

RESOLVED to approve the December 2020, and January 2021, invoices for payment.

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REAL FIRE GRANT FROM EAGLE COUNTY

BCMD received a \$10,000 RealFire grant from Eagle County. BCMD and SPOA Boards have discussed contributing additional dollars for wildfire mitigation in Singletree. The June Creek drainage has been identified as a high-risk area and a proposal was received from Vail Valley Tree Service to reduce the wildfire risk in the drainage. The proposal includes recommendations from Eagle County's Wildfire Coordinator. The scope of work will require cooperation with the adjacent private property owners and the Sonnenalp Golf Course. This expense is not in either Boards' budgets and could come from contingency funds. Due to the expense the Boards requested a second bid for the work as well as a bid to complete mitigation in the drainage north of Singletree Road. Additionally, Colorado Parks & Wildlife should be engaged to ensure the wildlife habit is maintained.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

Water quality issues persist at the Edwards Trailer Park. ERWSD is contributing to cloud seeding efforts this winter, additional funds for this are needed. ERWSD successfully completed all their backflow preventer tests.

COMMUNITY MANAGER'S REPORT

- A claim has been filed with BCMD's insurance company for the Winslow underpass accident. Repairs have been scheduled.
- Edwards Metro District will likely be requesting funds to provide pedestrian lighting along the Miller Ranch Road bike path.
- SPOA's annual meeting is scheduled for March 9, at 6 PM. It will be virtual this year.

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 January 2021.

Respectfully submitted,

Nina Timm