
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on March 23, 2021

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held March 23, 2021, at 2:00 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
- George Gregory
- Jennie Longville May
- Karen Zavis

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Carlson, Facilities Manager
- Linn Brooks, ERWSD
- Diane Johnson, ERWSD
- Jason Cowles, ERWSD
- Bill Simmons, UERWA
- Beth Reilly, Edwards Metropolitan District Board

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on March 23, 2021, at 2:00 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

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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

The agenda was amended to accommodate ERWSD's presentation finishing early and Public Input being noticed at 3 PM.

ERWSD WATER SUPPLY MASTER PLAN UPDATE

Linn Brooks, Diane Johnson, and Jason Cowles, ERWSD, presented Eagle River Water & Sanitation District's Water Supply Master Plan. Planning has been underway for a couple of years and models wet and dry years. In Singletree wastewater services are provided by ERWSD and water is provided by Upper Eagle Regional Water Authority (UERWA.) In the area, rain and primarily snow are the sole source of water. There is little ground water, consequently in-basin storage is essential. Water is stored in Black Lake, Eagle Park and Homestake Reservoirs. ERWSD has senior water rights for summer and junior water rights for winter use. Out of basin storage protects senior water rights in the winter. In-basin reservoirs protect stream health. ERWSD operates three water and three wastewater treatment plants. This allows for very efficient water usage, as wastewater is cleaned and returned to the waterway and reused downstream.

Future water supply requires water conservation by all customers. Outdoor water use/irrigation is the most expensive and wasteful to the system, as approximately 25% of the water used is returned to the waterway. Approximately 95% of indoor water used is returned to the waterway to be used again. Good news is that water use by customers has been decreasing for the past 20 years. ERWSD is seeking to develop a strategic water reserve to protect against multi-year and/or severe drought. ERWSD encourages resident education to further reduce water use and encourages communities, such as Singletree, to amend regulations so that water efficient landscaping is encouraged. ERWSD is targeting specific customers with unsustainable water use, changing the use of customers with high summer use is part of the long-term solution. "Water Smart" is an online service that customers can use to monitor their water use.

ERWSD is keeping a close eye on stream flows, particularly from mid-July on. Currently ERWSD has approximately a 10-year supply of water and UERWA is nearing the end of its water supplies.

Linn Brooks, Diane Johnson, Jason Cowles, and Bill Simmons left the meeting at approximately 2:45 PM.

AGENDA

Since Public Input was not noticed until 3 PM the Board moved consideration of the February 23, 2021, meeting minutes and the Open Items Status Report up on the agenda.

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FEBRUARY 23, 2020 MEETING MINUTES

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

RESOLVED to approve the February 23, 2020, meeting minutes as amended.

OPEN ITEMS STATUS REPORT

- Security cameras have been replaced. There was a miscount and the camera inside the gym has not been replaced. The cost for the additional camera is \$938, and Dan Ward has offered to install it at no cost because of the miscount. The Board authorized the \$938 purchase of the final camera.
- The two final pieces of playground equipment have been replaced at Chip Ramsey Park.
- Chip Ramsey Park irrigation system replacement project will be added to the list. After interviewing multiple firms, the Sonnenalp Club engaged Irrigation Technologies of Littleton, CO to redesign their irrigation system. Irrigation at Chip Ramsey Park is connected to the golf course system, consequently it needs to be redesigned. Irrigation Technologies submitted a \$12,900 proposal to redesign the irrigation system at Chip Ramsey Park. The design work will also include an estimate of probable cost.

Due to the time, the Board returned to SPOA Public Input.

OPEN ITEMS STATUS REPORT, CONTINUED

The BCMD Board returned to the Open Item Status Report and following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to authorize \$12,900 for Irrigation Technologies to provide a new irrigation system design for Chip Ramsey Park, as part of the Sonnenalp Club's new irrigation system design.

MILLER RANCH ROAD PEDESTRIAN LIGHTING PROJECT

Beth Reilly, Edwards Metropolitan District, explained that the Miller Ranch Road pedestrian lighting project came out of the Family Leadership Training Institute based on concerns expressed by people from Colorado Mountain College to Eagle County Charter Academy and the uses in between. The proposed lighting project is mostly within BCMD boundaries, with a portion of it in Edwards Metro District. Edwards Metro District is prepared to fund most of the project costs with its sales tax, part of which is paid by BCMD residents while they shop in "downtown Edwards." Total installation cost is estimated at \$1,200,158 and Edwards Metro is looking for a 5% cost contribution from BCMD. This equates to approximately \$20,000 for each of the three phases. Other funding partners include: Eagle County, Miller Ranch POA, Mountain Rec, Eagle County School District, and Colorado Mountain College. Eagle County School District has committed \$30,000 to the project. Edwards Metro will pay the on-going electric

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costs. If there were only funding commitments for Phase I, Freedom Park to Winslow Road, that may be ok because that is the darkest part of the path. The plans have not gone out for bidding and may change, but without funding commitments they cannot go out to bid.

The project will increase pedestrian safety and may benefit the environment by providing a safer non-vehicle option. The plan has received the appropriate Design Review Committee approval and is dark sky compliant. It was noted that BCMD will need to approve any construction of the lighting project.

The Board identified that it needs additional input from Singletree residents prior to any funding decisions. There was a request to get a cost to add additional lighting from Miller Ranch Road and Winslow Road intersection up Winslow Road to Berry Creek Road. It was noted that lighting already exists at the Winslow underpass and it may not be appropriate to bring the lighting further up Winslow Road.

Beth Reilly left the meeting.

OPERATIONS

- Trashcan refurbishment will take place in Eagle, CO rather than Grand Junction, saving lots of drive time. The cost will be \$300 - \$350 per can. The cans will all be gone for 10 to 14 days.
- Two bids included in packet to have new wood chips added at Chip Ramsey Park.
- Will start installing new benches throughout community and moving existing benches to more remote locations. Due to their condition, some benches may be trashed.
- Will remove deck boards on the Community Center deck to determine the condition of the supports and what can be done to extend the life of the existing deck for a couple of years.
- Weather permitting, will paint the repaired concrete at the Winslow Underpass.
- The leaking irrigation pipe in Chip Ramsey Park playground has been repaired.
- Will have bids for street lines and stop bars at the April meeting.

FEBRUARY 2021 FINANCIAL STATEMENT

Nothing significant to report. Capital Projects continue to be adjusted based on information. Will update irrigation system replacement costs as information comes available. Currently showing \$75,000 for wildfire risk mitigation, with \$10,000 from Eagle County, \$30,000 from BCMD and \$20,000 from SPOA. There was discussion about Edwards Metro District's request for Miller Ranch Road pedestrian lighting and Mountain Recreation's request for contributions for improvements at the Edwards Field House. Following the discussion, by motion duly made and seconded, it was unanimously

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RESOLVED to accept the February 2021, financial statement as presented.

PAYMENT OF MARCH INVOICES

It was noted that the payables include costs for the Winslow Underpass repair that will be reimbursed by insurance, pending final invoices being received. By motion duly made and seconded, it was unanimously

RESOLVED to approve the March 2021, invoices for payment.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

Focus on water conservation, snowpack is at 77% of historical average. ERWSD is seeing real environmental benefits from their focus on using renewable resources. The Avon wastewater plant work remains on time and on budget.

COMMUNITY MANAGER REPORT

- Vail Valley Tree Service is working with Eric Lovgren, Eagle County Wildfire Mitigation Coordinator, to develop a \$60,000 scope of work for the June Creek drainage area.
- Winslow Underpass repair is complete except for pedestrian lights, which had to be custom fabricated. The nearly \$27,000 in expenses have been submitted to insurance for reimbursement.
- Received emails from 6 owners expressing their concern and 3 owners expressing their support for SPOA's contributions to The Community Market and Swift Eagle Charitable Foundation.

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 23rd day of March 2021.

Respectfully submitted,

Nina Timm