
RECORD OF PROCEEDINGS

Minutes of the Special Meeting of the Board of Directors of Berry Creek Metropolitan District on May 19, 2021

The Special Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held May 19, 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, by phone
- Dan Godec
- George Gregory
- Jennie Longville May, by phone
- Karen Zavis

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Carlson, Facilities Manager
- Chris Neuswanger, Owner
- Helen Burton, Owner

CALL TO ORDER

Director Holm called the Special Meeting of the Board of Directors of Berry Creek Metropolitan District to order on May 19, 2021, 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

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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

Chris Neuswanger questioned whether the property tax rebate that has been given to the Sonnenalp Club is appropriate. He questioned the value of what is received in exchange for \$17,000. He does not believe that the Sonnenalp Club could reasonably change the use of the golf course. He suggested the rebate no longer be given and the money be used for residents to implement FireWise plans, amend their landscaping to reduce water use and/or construct a sound wall along Hackamore. It is his belief that this is welfare for one of the wealthiest families in the valley.

The Board responded, noting the operating mill levy property tax rebate is not guaranteed every year and is reviewed as part of the budget process. The Sonnenalp Club adds value to every single residence in Singletree, regardless of its location. It adds to the overall ambiance of the community and many local communities subsidize their local golf courses. The Sonnenalp Club's debt service property tax payment is not rebated.

Additionally, the relationship with the Sonnenalp Club is thought to be collaborative and it adds value to every one's property in Singletree. The property tax rebate did not go to a family, it went to a business in Singletree. Local community's property values suffered significantly when their local golf courses stopped being maintained and operating.

Finally, the Board made a general comment that engaging in an online forum is different than attending a meeting and participating in the process.

Courtney Holm noted that Carol Trotter sent an email requesting the Board consider upgrading the playground equipment at Charolais Circle. This will be considered as part of a long-term planning and budgeting process.

Helen Burton left the meeting.

APRIL 27, 2021, MEETING MINUTES

The Board reviewed the April 27, 2021, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the April 27, 2021, meeting minutes as amended.

OPEN ITEMS STATUS REPORT

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- The refurbished trash cans look great and have been replaced throughout the community.
- The community was about to begin a long-term planning process at the start of the pandemic and the Board would like to re-engage the community and start the process. Katie Rothenberg, Melissa Nelson, Dan Godec and Ariana Burkley will serve as board representatives in the process. Goal is to have a kick-off meeting in late June.

AUDIT REVIEW COMMITTEE

The Audit Review Committee will provide a recommendation on the 2020 Audit Report to the BCMD Board at the June 22, meeting.

GYM RE-OPENING

The Board discussed re-opening the gym as the Eagle County Public Health Order will be expiring. Will work with the attorney's office on a release for users to sign and signage for inside the gym. Agreed that no under the age of 16 will be allowed in the gym. Users will be charged \$25 for the remainder of the year.

Outdoor stretching classes will begin again on June 1, at 4 PM.

OPERATIONS

- Trimmed up evergreens outside of Community Center for better sightlines for pedestrians and bikers on the recreation path.
- Going to begin taking off deck boards to determine how far it is water damaged.
- Pavilion bathrooms have been opened and new auto-shutoff sink faucets have been installed.
- Concerned about dogs in the woodchips at the playground.
 - Restock approximately 1,500 dog poop bags per week
 - Will add a waste station at the playground

APRIL 2021 FINANCIAL STATEMENT

It was noted that any cleaning revenue would be from forfeited event deposits. The other revenue is the insurance payment for the Winslow Underpass repair. Ken remarked that the BCMD is in good financial health and that current capital projects reserves meet expected repairs and replacement costs. BCMD's mill levies compare very favorably to similar communities. Following the discussion, by motion duly made and seconded, it was unanimously

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

PAYMENT OF MAY INVOICES

Commented that the irrigation system replacement plan and cost estimate should be ready by the June meeting. By motion duly made and seconded, it was unanimously

RESOLVED to approve the May 2021, invoices for payment.

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UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

Due to the timing of the meeting the ERWSD/UERWA meeting has not yet occurred for May. They do continue to present their master plan to local boards. Eagle County is in a severe drought condition, with western Eagle County being in exceptional drought, category D4.

COMMUNITY MANAGER REPORT

- The June Creek wildfire mitigation project is nearly complete and has come in under budget.

There has been a recommendation to expand the wildfire mitigation project to the east side of Latigo Circle. The work is expected to cost approximately \$10,000. Following discussion, by motion duly made and seconded it was unanimously

RESOLVED to authorize up to \$10,000 to expand the wildfire mitigation work on the east side of Latigo Circle.

- The DRC will provide the SPOA Board a recommendation on duplex roofing materials at the June meeting.
- After calling several local insurance providers it was confirmed that cedar shake roofs can be insured.

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 19th day of May 2021.

Respectfully submitted,

Nina Timm