
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on June 22, 2021

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held June 22, 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.

VIRTUAL ATTENDANCE

The following BCMD Directors were present and acting:

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

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
- Chris Neuswanger, Owner
- Mike Budd, Owner
- Casey Wolfington, Vail Health
- Chris Lindley, Vail Health
- Craig Cohn, Vail Health
- Kristen Kenney Williams, Vail Health
- Michael Holton, Vail Health
- Tom Braun, Vail Health

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on June 22, 2021, 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

Chris Neuswanger addressed the SPOA Board.

Mike Budd provided RealFire brochures to those in attendance.

VAIL HEALTH PROPOSED NORTHSTAR PUD AMENDMENT

Dan Godec disclosed that he serves on the board of Eagle Valley Behavioral Health.

Craig Cohn and Chris Lindley presented Vail Health's proposed Northstar PUD amendments. The design process began over a year ago as part of Vail Health's goal to develop a comprehensive community health campus on the property. The impetus for proposal is that on average, 14 Eagle County residents are sent out of the area for in-patient mental health care each month. In 2020, more patients were treated at Vail Health for mental health issues than COVID-19.

The proposed plan includes a three story +/- 45,000 sq ft behavioral health facility and would allow for future redevelopment of the existing two-story commercial buildings. Due to topography the three-story building would appear nearly as tall as the existing commercial buildings. The proposed new building would offer 28 short-term beds for stabilization care and 14 long-term care beds. The care beds would be on the second floor of the building and be in a locked down facility. Those patients would be brought in through a secure area via ambulance and be securely released to other on-site wrap around services to ensure continued patient care.

Currently United Way, Colorado Mountain Medical (outpatient behavioral health), and Eagle Valley Behavioral Health have been located there for over one year. There is the goal of providing more outpatient behavioral health services on-site. Efforts are underway to continue to recruit more behavioral health providers to Eagle County. It is anticipated that 90% of the patients receiving care on the campus will receive outpatient care.

The proposed plan exceeds County parking regulations, would not add extra lights or sirens to the property, and provide 24-hour security. Information on how to provide input on the proposed PUD amendment will be sent.

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Vail Health staff left the meeting.

MAY 19, 2021, SPECIAL MEETING MINUTES

The Board reviewed the May 19, 2021, special meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the May 19, 2021, special meeting minutes as amended.

OPEN ITEMS STATUS REPORT

- The Board requested that money be set aside for roofing and irrigation system replacement at the Community Center.
- The Board expressed support for Phase I of the Miller Ranch Road pedestrian lighting project. They would like additional information about the total cost of the project.
- Concern was expressed about the condition of the grill and amplifier at the Community Center. There was also a request for check-in and check-out sheet for Community Center users.

Following the discussion, by motion made and seconded it was unanimously

RESOLVED to authorize up to \$2,000 to purchase a new grill and amplifier for the Community Center.

There has been discussion about adding another trail user counter to the June Creek drainage trail. This information could be important in future conversations with the town of Avon regarding a secondary emergency access through that area.

Following the discussion, by motion made and seconded it was unanimously

RESOLVED to purchase a trail counter to be installed at the June Creek drainage trailhead.

SIM TABLE PRESENTATION FOR WILDFIRE SIMULATION

Mike Budd let the Board know that the owner of the company is willing to prepare a Singletree specific SIM Table presentation. The cost for the presentation is \$5,000. The information could allow for site specific mitigation plans to be implemented based on the wildfire modeling that would be shown. Multiple presentations could be scheduled to allow more residents to see the presentation in-person. This could be scheduled for July. The Sim Table presentation would identify specific properties in Singletree that would benefit from wildfire mitigation efforts.

Due to a scheduling conflict George Gregory provided the Water Authority Update.

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UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

- ERWSD was voted a 2020 Best Place to Work by Vail Valley Partnership.
- Work continues replacing the sanitary sewer line in Dowd Junction.
- The dam at Wolford Reservoir is need of repairs.
- Eagle Park Reservoir dam will be repaired this fall.
- ERWSD is once again assessing late fees, late fees were waived during the COVID-19 pandemic.
- There are extreme draught conditions and there is real concern about stream levels and water this year.

George Gregory left the meeting.

OPERATIONS

- Replaced 6 rows of decking on the patio and replaced them along with the glulam beam. Added a bench along the length of the deck.
 - It was noted that Dan Carlson did an excellent job the on the deck work
- Flowerpots have been relocated to the paver patio to extend the wood deck useful life.
- Went through the community with Colorado Vegetation Management to identify areas for noxious weed mitigation spraying.
- Worked with PSI on required backflow prevention testing.
- The parking lots have crack sealing complete. Next week they will slurry coat and restripe it.
- There was concern about the quality of the crosswalk painting this year.

MAY 2021 FINANCIAL STATEMENT

Expenditures and revenue are tracking on budget. Following the discussion, by motion duly made and seconded, it was unanimously

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

PAYMENT OF JUNE INVOICES

The payables were included in the packet, there were no questions or comments. By motion duly made and seconded, it was unanimously

RESOLVED to approve the June 2021, invoices for payment.

2020 AUDIT REPORT

The Audit Committee (Karen Zavis, Courtney Holm, & Melissa Nelson) unanimously recommended acceptance of the 2020 audit report as presented. By motion duly made and seconded, it was unanimously

RESOLVED to accept the 2020 audit report as presented.

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COMMUNITY MANAGER REPORT

- There has been a request by some local artists to paint Holy Cross Energy utility boxes in the community, like Riverwalk. There were questions about the type of paint, design, timing, and long-term maintenance of painted boxes as well determining who could paint which boxes. Melissa Nelson just worked with the town of Avon on a similar project and will provide that information. No decisions were made, and it was agreed to talk about it again in July.
- It was agreed to allow resident Zak Bocca to have one movie night at Chip Ramsey Park.
- Starting Hearts serviced all three automated external defibrillators (AEDs) at the Community Center. They recommend replacing the one AED that is almost 10 years old. It is approximately \$1,300 to replace it.

Following discussion, by motion duly made and seconded it was unanimously

RESOLVED to authorize the purchase of a replacement AED for the Community Center.

- Solitude reported that the Charolais Circle Pond is in excellent condition. The water is turbid and has a slight green color common for the system. Beneficial bacteria and a granular algaecide that is safe for goldfish was applied to proactively manage bottom growth algae.
- There was discussion about Singletree's Rules & Regulations and the requirement to use irrigation systems for landscaping. It was agreed this may not be appropriate this summer due to extreme draught and low stream flows. The SPOA Board will discuss this further during their meeting.

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 22nd day of June 2021.

Respectfully submitted,

Nina Timm