
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on September 27, 2022

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held September 27, 2022, at 4:00 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
- David Viele, virtually
- Katie Rothenberg
- Melissa Nelson
- Trevor Broersma

SPOA Directors in attendance:

- Ariana Burkley
- Dan Godec
- Jennie Longville May
- Karen Zavis
- Lorry Prentis

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Carlson, Facilities Manager
- Ron Rubinoff, Owner, virtually
- Hugh Fairfield-Smith, Eagle Valley Wildland Coordinator
- Karl Bauer, Eagle River Fire Protection District Chief, virtually
- Mary Lamb Lucas, Resident
- Larry Peterson, Resident
- David Karpas, Resident
- Kim Tofferi, Resident
- George Gregory, Resident

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order on September 27, 2022, at 4:05 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 members present was necessary to obtain a quorum or otherwise enable the Board to act.

AGENDA

There were no changes to the agenda.

PUBLIC INPUT

Larry Peterson, resident, spoke about the proposed Wildridge emergency access road at the June Creek trailhead. He requested more information about it and that it be shared with the community. It was noted that it is in the early stages of discussion and BCMD is waiting for additional information from the town of Avon.

Mary Lamb Lucas, resident, commented that she had the same questions and expressed concern that this information has not been shared with the whole community.

EAGLE VALLEY WILDLAND WILDFIRE MITIGATION PROPOSAL

Hugh Fairfield-Smith, Eagle Valley Wildland (EVW) Coordinator, and Chief Karl Bauer, Eagle River Fire Protection District, presented updated Singletree wildfire mitigation project maps and cost estimates for the work. The areas have been prioritized based on likelihood of fire moving there, burn probability, burn severity, and containment issues. The proposed fuel breaks would be 30' to 50' wide. Singletree's wildfire risk mitigation committee has been meeting with Fairfield-Smith and Bauer and recommend both boards look to complete at least some of the recommended work in 2022, with the remainder completed in 2023. It was noted that it is unlikely that all the work could be completed this year due to weather conditions.

BCMD has approximately \$60,000 available in its 2022 capital budget to complete a portion of the work. It was noted that there may be matching fund grants available and sending a Letter of Intent to fund the work would be beneficial prior to October 15, 2022, for on-going discussions with the Colorado Forest Service. The fire department is also working with Senator Bennet's and Congressman Neguse's office to secure additional federal funding for wildfire risk mitigation projects. There is likely more grant funding available in 2023 as a result of the Inflation Reduction Act passed in August 2022.

Project prioritization is:

1. Fuel Break 2 (1.5 miles long) along Singletree's eastern boundary with the West Avon Preserve. Estimated cost of \$28,500.

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2. Unit 5 (4 acres) in the June Creek drainage north of I-70. Estimated cost of \$7,125.
3. Berry Creek Fuel Break (1 mile long) east of USFS Road 774 and west of Charolais Circle properties. Estimated cost of \$3,420.
4. Unit 1 (18 acres) Roughly north of Mesquite Drive and west of Winslow Road and Anvil Circle. Estimated cost of \$20,700.
5. Unit 2 (8.5 acres) East of Palomino Road and near the water tank. Estimated cost of \$9,975.
6. Unit 3 (26 acres) North of Singletree Road in the June Creek drainage. Estimated cost of \$31,500.
7. Unit 4 (10 acres) North of Singletree Road and east of Las Vistas. Estimated cost of \$13,500.
8. Fuel Break 1 (0.8 mile long) South of Charolais Circle Pond and north of Hackamore Road. Estimated cost of \$11,400.

The cost estimate for all 8 treatment areas is \$126,000.

Fuels treatment projects target removing 60% to 80% of the vegetation, reduce ladder fuels, remove dead or dying trees, and remove brush in healthy tree stands in the identified areas to create a fuel break. The work in Singletree will primarily be mastication with hand work in a small number of areas due to topography. This is similar to the work completed in the June Creek drainage area previously. There is a benefit to completing the work in the fall; the seed bank that is then available makes for good springtime re-growth in the area.

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

RESOLVED to authorize up to \$50,000, cost to be shared with SPOA, to complete identified wildfire risk mitigation priorities 1 through 3 in 2022, as weather permits. Any work not completed in priority areas 1 through 3 will be completed in 2023.

On behalf of BCMD and SPOA, EVW will act as the general contractor for this work. Prior to any work commencing the areas will be marked, an education campaign will be shared with residents as well as via EVW social media, and on-site meetings will be held with adjacent residents to confirm the work. BCMD and SPOA have been regularly communicating with residents this summer about wildfire risk mitigation and this is the next step in the risk mitigation process.

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Recognizing the importance of grant funding and possible outside dollars there was discussion about sending a Letter of Intent to fund wildfire risk mitigation projects in 2022 and 2023. Following this discussion, by motion duly made and seconded, it was unanimously

RESOLVED to send a Letter of Intent to spend an additional \$85,000 in 2023 on wildfire risk mitigation projects in Singletree, subject to annual appropriation.

Hugh Fairfield-Smith and Karl Bauer left the meeting.

AUGUST 23, 2022, MEETING MINUTES

The Board reviewed the August 23, 2022, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the August 23, 2022, meeting minutes.

OPEN ITEM STATUS REPORT

It was noted that the standing seam roof replacement quote for Building A was being modernized. Active Energies is also preparing a solar installation quote for sufficient production to power the Community Center complex, including outside lighting. There was discussion about the ability to sell any tax credits that may be available as a result of installing solar.

RESOLUTION TO OPT OUT OF COLORADO'S PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM

Ken Marchetti noted that he has not seen a governmental entity that has opted into the program. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to adopt the Resolution to Opt Out of Colorado's Paid Family and Medical Leave Insurance Program.

OPERATIONS

New recreation path signs have been ordered and they will be installed in the next couple of weeks. Chip Ramsey Park bathrooms will be closed for the season in the next two weeks. Replacement parts for the mobile speed limit sign arrived and assembling the trailer is underway.

Kim Tofferi asked for a trash can to be placed on the south side of the Community Center parking lot where trash accumulates. A trash can will be placed there, and the trees will be trimmed.

AUGUST 2022 FINANCIAL STATEMENT

A 2023 budget work session needs to be scheduled before the October Board meeting. It was agreed the 2023 budget work session will be held on Tuesday, October 11, at 8

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AM, at the Singletree Community Center. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the August 2022, financial statements as presented.

PAYMENT OF SEPTEMBER INVOICES

The payables include a budgeted \$3,000 contribution to Mountain Rec for the two outdoor ice rinks at Freedom Park. Following review of the payments, by motion duly made and seconded, it was unanimously

RESOLVED to approve the September 2022, invoices for payment.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

- Siri Roman has been selected as the new General Manager.
- Lake Creek Village Apartments has replaced all their toilets with new low flow toilets which will save about \$20,000 per year in water bills. Savings to be passed along to residents.
- UERWA & ERWSD will combine their reporting to Colorado Department of Public Health and Environment.
- 2023 water rates will increase 10%.
- Employee pay will be increased approximately 12% across the board. The costs to hire and train new and/or replacement employees is significantly higher.
- 85% of water used outdoors is lost to the water system.
- Drought conditions continue and Lake Mead and Lake Powell have not benefited from rains this summer.
- ERWSD is regularly held up as a model of excellence in water and sewer services.

COMMUNITY MANAGER REPORT

- To address speeding and failure to stop at stop signs, Eagle County is willing to reduce the speed limit on Berry Creek Road from the roundabout to Winslow Road from 35 MPH to 25 MPH. They will also move the stop signs at Winslow and Berry Creek Roads to the correct location. This may help with speeding and failure to stop at the intersection as well as help reduce parents “commuting” through Singletree rather than down Miller Ranch Road to get their students to school. There was a request to remove all old posts and signs at the intersection. A brief discussion about the value or lack thereof of adding speed bumps occurred. One resident suggested very steep speed bumps to dramatically impact speeding drivers. Speeding is a top concern expressed by residents and has been for years.
After discussion, the Board agreed to ask Eagle County to post new 25 MPH speed limit signs and move the stop signs to the correct locations.
- Options to install either a “Bulb Out” or “Raised Intersection” were presented to further impact traffic stopping at the Winslow & Berry Creek Roads intersection.

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Based on the long-term community concern around this issue, the raised intersection option will be further explored.

- In 2023, Community Gym Cards will increase to \$50. They have not increased since 2017, and the cost of maintenance and new equipment regularly increases.
- 2023 Community Center Rental Rates were reviewed, and it was agreed that a proposed rate increase is needed due to increasing expenses associated with operating the space. The Board will review and approve new rental rates via email.
- Chip Ramsey Field will be closed October 3 – 7, 2022, for irrigation system replacement.

COMMUNITY ENHANCEMENT PLAN UPDATE

- Many residents have responded that everything is great in Singletree, and nothing needs to be changed.
- At the Charolais Circle open house there was a sentiment that nothing should be changed and that there was a concern that changes would increase park usage and it should remain a natural and passive space.
- The Chip Ramsey Park open house included a much better community dialogue and there was lots of positive input.
- Pickle ball courts is a top request, except no one wants them near their home.
- Traffic calming is an issue in the community.
- The trails open house resulted in a request for digital trail maps and possibly trailhead signs with QR codes to access maps that include distances, topography, etc.
- A follow-up survey will be sent out to the community to confirm what has been heard so far. There was a request to confirm why people don't want to see change.
- Wrap up open house will be held on October 27, from 5 PM to 7 PM at the Singletree Community Center, with anticipated presentation of findings and recommendations to the Boards at the December 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 27th day of September 2022.

Respectfully submitted,

Nina Timm