
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on May 23, 2023

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held May 23, 2023, 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

SPOA Directors in attendance:

- Dan Godec
- Jennie Longville May, virtually
- Karen Zavis
- Lorry Prentis

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Carlson, Facilities Manager
- George Gregory, Resident
- Joanna Kerwin, Edwards Metro District Board
- Gina McCracken, Climate Action Collaborative
- Will Barror, Climate Action Collaborative

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order May 23, 2023, at 4:00 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 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

Joanna Kerwin, Edwards resident, spoke about property owners being compensated by ERWSD to eliminate turf lawn area and expressed concern about owners using products such as Roundup and the negative impact those types of chemicals have on the environment and the cost to clean those chemicals up. She encouraged the boards to support banning the use of Roundup and those types of chemicals to eliminate turf lawn areas.

CLIMATE ACTION COLLABORATIVE EV INFRASTRUCTURE PLAN OVERVIEW

Gina McCrackin, Climate Action Collaborative (CAC) Manager, explained the CAC's goal is to reduce greenhouse gas emissions in Eagle County by at least 50% by 2030. Increasing the number of electric vehicles (EV) used by 2% each year will reduce greenhouse gas emissions by 17%; that is a goal of 5,542 EVs on the road by 2030. This requires sufficient public and private EV charging stations. There are potential opportunities to add EV charging stations at multi-family developments as well as at the Sonnenalp Club. Looking forward, planning for the infrastructure to install future EV charging stations is also important. Holy Cross Energy offers programs to help and incentivize their customers install EV charging stations at personal residences. This information is available on their website.

EDWARDS METROPOLITAN DISTRICT REQUEST FOR DONATION TO THE MILLER RANCH ROAD PEDESTRIAN LIGHTING PROJECT

Joanna Kerwin, Edwards Metro District Board Member, let everyone know the roundabout planned at Hillcrest Road is being delayed to 2024. Edwards Metro District is also funding its own traffic study. You may notice the counters throughout Edwards. They are also flashing lights at all crosswalks.

Edwards Metro is looking to complete the pedestrian lighting project on Miller Ranch Road. The total cost for all three phases is \$1.4 million. Phase 1 is partially located in the BCMD service area. The cost for Phase 1 is approximately \$550,000 and Edwards Metro is requesting that BCMD contribute \$60,000 in 2024, for this phase of work. This is the only funding request Edwards Metro plans to make of BCMD. Other funding

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partners include Eagle County, Mountain Rec, Colorado Mountain College, and they are in the process of asking Vail Health for a contribution too.

APRIL 25, 2023, MEETING MINUTES

The Board reviewed the April 25, 2023, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the April 25, 2023, meeting minutes as amended.

OPEN ITEM STATUS REPORT

- The Board proposed a joint meeting with Edwards Metro District and Eagle County officials to discuss approved and anticipated developments in Edwards. The plan is tentatively to meet during Edwards Metro’s regular meeting at Noon on Thursday, June 15. Awaiting confirmation from Eagle County.
- The existing 51 streetlights are approximately 25 years old. There was a discussion about replacing every light bulb and sensor, waiting for them to go out and replace them then, and/or replacing the light fixtures and poles entirely. Dan Carlson will get more pricing information on the options for future discussion.

OPERATIONS

- Dan Carlson noted that someone “butchered” four evergreen trees at the Community Center. The trees were poorly limbed up approximately 5’ and the branches were left. The branches have been cleaned up and the trees will also be cleaned up where large branch stumps were left.
- Bathrooms at Chip Ramsey Park are open for the season.
- Moving the digital MPH trailer to new locations each week. Taking suggestions for locations to place the trailer.

APRIL 2023 FINANCIAL STATEMENT

The variance in property tax revenue is simply a function of timing. It is expected to collect all property taxes due. It was noted that the assessed value in Singletree was reduced in 2022 due to changes made by the Colorado legislature.

There is a placeholder in the budget report showing projected 2024 budget dollars and the impact of a potential 3 mills credit in 2024, based on projected new assessed property valuations and anticipated property taxes generated. Based on operations and anticipated capital projects the BCMD Board will need to determine how much revenue is necessary to cover budgeted expenditures. The Community Enhancement Plan will provide the Board with the community’s wish list and the Board will need to determine what is feasible in 2024. The timing of the 2024 budget adoption process will be different than previous years because the deadlines have been changed. The goal is to adopt the 2024 budget in December 2023.

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

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RESOLVED to accept the April 2023, financial statement as presented.

PAYMENT OF MAY INVOICES

Following review of the payments, by motion duly made and seconded, it was unanimously

RESOLVED to approve the May invoices for payment.

APPOINTMENT OF BCMD 2022 AUDIT COMMITTEE

Karen Zavis, Courtney Holm, and Melissa Nelson have previously served on BCMD's Audit Committee. Based on their willingness to serve on the Audit Review Committee, by motion duly made and seconded, it was unanimously

RESOLVED to appoint Karen Zavis, Courtney Holm, and Melissa Nelson to BCMD's 2022 Audit Committee.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- ERWSD is moving to disconnect service for non-payment after 90 days.
- There is a small corner of Eagle County that is currently experiencing drought conditions.

APPOINTMENT OF A DIRECTOR AND ALTERNATE DIRECTOR TO UPPER EAGLE REGIONAL WATER AUTHORITY (UERWA) BOARD OF DIRECTORS

Currently George Gregory serves as BCMD's Director on the UERWA Board of Directors and Melissa Nelson serves as the Alternate Director. Following discussion, by motion duly made and seconded, it was unanimously

RESOLVED to appoint George Gregory as BCMD's Director and David Viele as BCMD's Alternate Director on the UERWA Board.

George Gregory suggested that the BCMD Board encourage him to oppose the use of Roundup and similar chemicals as a method to eliminate turf/grass areas as their representative to UERWA.

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COMMUNITY MANAGER'S REPORT

- Thanks to everyone that helped cleanup I-70. We had great turnout on a snowy day.
- Roof replacement on Building A will begin early, the first week of June.
- The Community Enhancement Plan with prioritization by the Singletree Community will be presented at the June meeting.
- Wildridge is now designated a Firewise USA community.
- Signage has been posted for the Eagle County Planning Commission hearing for Avon's request for an emergency only access road at the June Creek trailhead.
- Eagle County is currently in the process of updating the Community Wildfire Protection Plan (CWPP).

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 May 2023.

Respectfully submitted,

Nina Timm