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## RECORD OF PROCEEDINGS

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### **Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on September 18, 2023**

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held September 18, 2023, at 1:00 p.m., in accordance with the applicable statutes of the State of Colorado. The meeting was held virtually via Zoom.

#### **ATTENDANCE**

The following BCMD Directors were present and acting:

- Courtney Holm
- David Viele
- Melissa Nelson
- Trevor Broersma

Also, in attendance were:

- Kathryn Winn, BCMD's Attorney
- Nina Timm, Community Manager

#### **CALL TO ORDER**

Director Holm called the Special Meeting of the Board of Directors of the Berry Creek Metropolitan District to order September 18, 2023, at 1:05 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 official action to 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.

#### **EXECUTIVE SESSION**

By motion duly made and seconded, it was unanimously

**RESOLVED** to move into executive session to confer with the District's attorney per C.R.S. 24-6-402(4)(b) regarding the town of Avon's request for an emergency only access easement on Berry Creek Metropolitan District owned land located at Berry Creek Ranch Filing 3 Tract D, generally located at the June Creek trailhead.

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The Board adjourned the executive session at 1:53 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the Special Meeting of the Berry Creek Metropolitan District Board of Directors this the 18<sup>th</sup> day of September 2023.

Respectfully submitted,

Nina Timm