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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 February 27, 2024**

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held February 27, 2024, 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, Virtually
- Melissa Nelson, Virtually
- Trevor Broersma

SPOA Directors in attendance:

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

Also, in attendance were:

- Tom Boyd, Resident
- Joanna Kerwin, Edwards Metro District, Virtually
- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager

#### **CALL TO ORDER**

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order on February 27, 2024, at 4:00 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 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.

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**AGENDA**

There were no changes to the agenda.

**PUBLIC INPUT**

Tom Boyd, resident, thanked the BCMD Board for their continued support of outdoor ice rinks in Edwards. This year there were two rinks at Freedom Park, and they are well used by kids and adults. Tom Boyd also asked for residents' support in his run for Eagle County Commissioner. He is a life-long Eagle County resident and is the only candidate that lives in Edwards.

**WILDFIRE MITIGATION UPDATE AND CHIPPING PROGRAM OVERVIEW**

Hugh Fairfield-Smith, Eagle Valley Wildland, introduced the Fire Department's new Residential Coordinator, Tim Swaner. Eagle County has provided funding for a new county-wide chipping program and Singletree is invited to participate in it. Tim Swaner will coordinate the chipping program. A question was asked about helping property owners with the actual mitigation efforts and that is not a service Eagle Valley Wildland is able to provide. They can provide a list of service providers. Eagle County also provides cost share rebates for property owners completing mitigation as part of their REALFire assessment.

Habitat enhancement work on USFS property north of Singletree will begin this year. The work will take place between Red Canyon and June Creek and is another piece of the county-wide wildfire risk mitigation effort.

**JANUARY 23, 2024, MEETING MINUTES**

The Board reviewed the January 23, 2024, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the January 23, 2024, meeting minutes.

**OPEN ITEM STATUS REPORT**

Zehren and Associates is working on a proposal for a landscape design for Chip Ramsey Park to replace lost trees as well as add more shade for the playground. The proposal will also include a planting program to replace trees at the entry along Berry Creek Road.

**OUTSIDE ENTITIES' FUNDING REQUESTS**

- The roof repainting project at the Edwards Field House has been put on hold and will be removed from the list.
- The final cost for the Hard to Recycle event will be determined by the amount of recycling that is dropped off during the event. It will be held on a Friday in May, depending on vendor availability.
- Edwards Metro did not contribute to the Conservation District's campaign funding request. Instead they contributed funding to the Conservation District in support of providing information and assistance to area property owners. This is

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something BCMD could consider as residents look for help in making their lawns more sustainable.

- The completion of the Vail Trail is contingent on developing a viable plan to construct the trail between Wolcott and Edwards. Requested additional information about the status of the trail for BCMD's review.

**RESOLUTION SUPPORTING PASSAGE OF THE BOLTS DITCH ACT**

Information from ERWSD was included in the packet. As mentioned previously, ERWSD believes that the new Bolts Lake Reservoir is essential to providing a reliable water supply to their customers in the future. The existing agreement exclusively allows for the Town of Minturn to maintain and repair the Bolts Ditch headgate that is in the Holy Cross Wilderness area. ERWSD and UERWA are seeking to amend the agreement to allow them to also maintain and repair the Bolts Ditch headgate in the Holy Cross Wilderness area. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the resolution supporting passage of the Bolts Ditch Act.

**OPERATIONS REPORT**

Dan Carlson was at the doctor. There was a question about the cost and feasibility of switching to solar powered streetlights as another light is out. The reliability and cost of solar powered streetlights do not make financial sense currently. Repairing what exists is most efficient.

Trevor Broersma recommended that protective covers, in compliance with the Design Guidelines, should be installed on both air conditioning units on the north side of the Community Center before there is significant damage from snow falling off of the roof.

**JANUARY 2024 FINANCIAL STATEMENT**

It was noted that the interest rate at ColoTrust is a variable rate, and it may be advantageous to purchase additional Certificates of Deposit to lock in higher rates. Ken Marchetti will provide more information at the March meeting. There was a question about how the value of Fixed Assets is established and Ken responded that the Historical Costs method is used. There is a complete list of assets that can be provided. McMahan and Associates has begun the 2023 audit. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the January 2024 financial statement as presented.

**PAYMENT OF FEBRUARY 2024 INVOICES**

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

**RESOLVED** to approve the February 2024 invoices for payment.

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**UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)**

- Meeting summary was included in the packet along with information about the Shoshone Water Right Preservation plan.

**COMMUNITY MANAGER'S REPORT**

- The Edwards Area Hard to Recycle event will be on a to be determined Friday in May. The goal is to provide free recycling for hard to recycle items to Singletree residents at the event.
- Eagle County has reached out regarding damage to MPH signs throughout Singletree. This is atypical in Eagle County but has been prolific in Singletree.
- Many people have remarked on the Sonnenalp's phenomenal winter grooming on the golf course.

Joanna Kerwin, Ken Marchetti, and Nina Timm left the meeting at 4:45 p.m.

**EXECUTIVE SESSION**

By motion duly made and seconded, it was unanimously

**RESOLVED** the BCMD and SPOA Boards move into a joint executive session to discuss personnel matters related to the Community Manager's annual review C.R.S. 24-6-402(4)(f).

The Boards adjourned the joint executive session at 5:35 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 Regular Meeting of the Berry Creek Metropolitan District Board of Directors this 27<sup>th</sup> day of February 2024.

Respectfully submitted,

Nina Timm