
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on April 19, 2018

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held on April 19, 2018, at 3:00 p.m., at the Singletree Community Center, 1010 Berry Creek Road, Edwards, Eagle County, Colorado, 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:

- Dan Godec
- George Gregory
- Karen Kern
- Mike Reisinger
- Katie Rothenberg

SPOA Directors in attendance:

- Mike Budd
- Courtney Holm
- Jennie Longville May
- Melissa Nelson
- Karen Zavis

Also in attendance were:

- Diane Johnson, ERWSD
- Maureen Mulcahy, ERWSD
- Amy Schweig, ERWSD
- Katie Laughlin, Landscape Technology Group
- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities

CALL TO ORDER

Director Gregory called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on March 22, 2018, at 3:00 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

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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

There was no public input.

UERWA WATER EFFICIENCY PLAN PRESENTATION

Representatives from Upper Eagle Regional Water Authority presented their draft Water Efficiency Plan for comment. The goal of the plan is to reduce wasting water. It was Noted that users in the Berry Creek Metro District area has comparatively higher water usage than comparable areas. Focus may be on outdoor water efficiency. The UERWA will provide a complimentary irrigation consultation and/or smart water meter. They also recommend updating Singletree's Design Guidelines to encourage more water efficient landscapes. Presented information about current snowpack. Monitoring of the snowpack and future weather is constant.

Diane Johnson, Maureen Mulcahy, and Amy Schweig left the meeting.

MARCH 22, 2018 MEETING MINUTES

The Board reviewed the March 22, 2018, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the March 22, 2018, minutes.

ENCROACHMENT REQUEST ADJACENT TO FILING 2 BLOCK 5 LOT 14

The new Owners of Filing 2 Block 5 Lot 14, aka 0323 Longhorn Road, are requesting to encroach on BCMD property adjacent to their property for the purposes of building a 2' to 4' high berm with low grow native grasses and a sandset patio. Following revision of the Easement Agreement to allow only the uses presented in Exhibit A and review by the Board's legal counsel they was general support for the request. Request the item to be on the May 24, 2018, meeting agenda for final consideration.

Katie Laughlin left the meeting.

APPOINTMENT OF BCMD REPRESENTATIVE TO UERWA

The UERWA passed a resolution requesting the BCMD re-appoint George Gregory as the BCMD representative to the UERWA. There was discussion about the value of term limits and new people and perspectives being involved on boards. The Board recognized the value in having three qualified individuals interested in serving as their representative on the UERWA. Based on the UERWA's request to have continuity in the

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BCMD's representative due to the complexity of current issues a motion was made and duly seconded, it was (Reisinger Opposed and Gregory Abstaining)

RESOLVED to appoint George Gregory as BCMD's representative to the UERWA for 12-months, at which point in time the BCMD will review their appointment to the UERWA.

Mike Reisinger left the meeting.

OPEN ITEM LIST

Update Bathrooms at Chip Ramsay Park – The work will be underway shortly with the expectation of being complete by June 1, 2018.

Repair and Expand Pavilion at Chip Ramsay Park – Contractors are currently in the process of bidding the plans. The goal is to complete the pavilion projects in September and October 2018.

Relocate Gas Line for Fire Pit – Remove. Will test propane use this summer.

OTHER BUSINESS

Mike Reisinger and Katie Rothenberg will miss the May 26, 2018, meeting. Swearing in of Melissa Nelson, Mike Reisinger, and Katie Rothenberg to be between May 9, 2018, and June 8, 2018.

OPERATIONS

Dan provided his report in the meeting packet. He has received bids to place new FIBark at Chip Ramsay Park. Estimated cost of \$3,600. Bids to pave the area between the basketball court and parking lot, crack fill, seal coat and paint new lines in the parking lot range between \$13,000 and \$16,000. The work should be complete by May 18, due to use after that date. Following discussion, a motion was made and duly seconded, it was unanimously

RESOLVED that Dan Carlson will check references and hire someone to pave the area between the basketball court and parking lot, fill the cracks, seal coat the entire lot and paint new lines for an amount not exceed \$16,000.

MARCH FINANCIAL REPORT

The preliminary March 2018, Financial Statements were included in the packet and reviewed. There was conversation about the potential impact of the new tax laws and BCMD's ability to cost effectively refinance existing bonds. If it is cost effective, an RFP may be issued in September. Following the discussion, by motion duly made and seconded, it was unanimously

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RESOLVED to acknowledge receipt of the financial statements.

PAYMENT OF APRIL INVOICES

The Board reviewed the April 2018, list of payments to approve. By motion duly made and seconded, it was unanimously

RESOLVED to approve the April 2018, list of payments.

UPDATES

UERWA – Occurred with the Water Efficiency Plan presentation. Final Traer Creek water creek mediation scheduled for April 24, 2018. George Gregory will continue to provide monthly updates to the Board as their representative to the UERWA.

Edwards Metro District Meeting – C-Dot plans to begin and complete Phase II of the Spur Road improvements in 2019.

Pending Legislation – The state legislature is considering allowing Owners that do not live in Special Districts to vote in Special District Board elections.

Community Manager Report – Community Pride Cleanup and Singletree cleanup is scheduled for Saturday, May 5, at 9 AM. The office will close April 23 – 27.

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 19th day of April 2018.

Respectfully submitted,

Nina Timm