
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District April 22, 2008

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on April 22, 2008 at 3:30 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.

Attendance The following Directors were present and acting:

- Don Cohen
- Doris Dewton
- Evelyn Pinney
- Mike Budd

The following Director was absent and excused:

- Heather McInerny

Also in attendance were:

- Sam Ecker, Gore Range Surveying, LLC
- Dan Carlson
- Kathleen Stephanoff, Sonnenalp of Vail Fine Gardens
- Ken Marchetti, CPA Robertson & Marchetti, P.C.
- Cheri Curtis, Secretary for the Meeting

**Call To
Order**

The Regular Meeting of the Board of Directors of Berry Creek Metropolitan District was called to order by Director Cohen, on April 22, 2008, at 3:38 p.m. noting a quorum was present.

Minutes

By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the March 25, 2008 regular meeting as revised.

**Public
Input**

There was no public input.

**Easement
Access**

Sam Ecker presented plans for a property owner on Mustang Road that would like to change the access for their corner property from Mustang Road to Bronco Drive. A landscaping tract exists on Bronco Drive that is owned by the District and the property owner has requested the Board grant an easement for access from Bronco Drive. Director Cohen questioned the benefit to the District by

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granting the easement. The impact on neighboring properties was discussed. It was noted the properties on the other side of Bronco Drive have driveways with an extreme grade, making their access difficult. The Board requested that Mr. Ecker get input from the DRB before the Board would render a decision.

Staff Reports

Parks Kathleen Stephanoff with Sonnenalp Fine Gardens prepared a design for the Board to review that would move the perennial plants at the west entrance of Singletree to the area east of the Community Center, creating a "backyard environment" for the Community Center. Ms. Stephanoff gave a presentation on adding pots, baskets, and annual plantings for the area.

SPOA has created a Beautification Committee to generate ideas to improve the public landscaping through out Singletree. The estimated cost to improve the entrance area and the Community Center gardens is approximately \$96,000. The estimated cost for annual maintenance of the Community Center gardens is approximately \$15,000. The Beautification Committee is requesting \$5,000 to develop a landscaping plan for the public areas in Singletree.

After discussion and by motion duly made and seconded it was unanimously

RESOLVED to authorize Sonnenalp Fine Gardens to proceed with the project but subject to a capital expenditure cap of \$100,000 to create a perennial garden at the Community Center by relocating the perennials from the west entrance, and

FURTHER RESOLVED to authorize up to \$20,000 for maintenance of the Community Center beds and the west entrance.

The Board recommended Ms. Stephanoff work with Dan Carlson and Shaw Electric for the necessary electrical improvements. Mr. Carlson will get samples of pots for Board approval.

Community Center

The community center report was included in the Board packet and reviewed at the meeting.

Community Manager

Director Cohen informed the Board that they are in the process of interviewing candidates for this position.

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OSAC Mr. Marchetti reported that Ellen Eaton and Joe LeBeau are being considered for the OSAC committee member position.

**Edwards
Community
Authority** No report.

**Winslow Road
Project** Director Budd is working with Eva Wilson, Eagle County Engineer, and Sara Flick from Carter Burgess on the bidding process to expand Winslow Road under I-70. CDOT has indicated the IGA could take three months to approve. Director Budd is working with CDOT to expedite the IGA process to be able to bid the project in May and start construction in July 2008 to complete the project in 2008.

**Edwards
Skate Park
Expansion** The expansion of the Edwards skate park is anticipated to cost \$300,000. Edwards Metropolitan District has agreed to contribute \$40,000 towards the project. The Board expects to use a portion of the tap fee from Battle Mountain High School for this project. The Board agreed to wait to commit funds until Mr. Cook presents updated funding plans for the project.

**Financial
Report** The March 31, 2008 financial statements were included in the Board packet that included the 2008 bond issuance information. By motion duly made and seconded it was unanimously

RESOLVED to approve the March 31, 2008 financial statements as presented.

**Accounts
Payable** The Board reviewed the April 2008 accounts payable lists. By motion duly made and seconded it was unanimously

RESOLVED to approve the April 2008 accounts payable list as presented.

**2007
Audit** The 2007 audit report was included in the Board Packet. By motion duly made and seconded it was unanimously

RESOLVED to approve the 2007 audit report prepared by McMahan and Associates as presented.

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**SPOA
Report**

No report.

UERWA

Director Dewton reported she will be representing the Authority for an ongoing lawsuit.

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 22nd day of April, 2008.

Respectfully submitted,



Cheri Curtis

Secretary for the Meeting