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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 April 23, 2024**

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

- David Viele, Virtually
- Katie Rothenberg
- Melissa Nelson, Virtually
- Trevor Broersma

SPOA Directors in attendance:

- Dan Godec
- Karen Zavis
- Lorry Prentis
- Ron Rubinoff, Virtually

Also, in attendance were:

- Charlie Dawson, Resident
- Chris Neuswanger, Resident, Virtually
- George Gregory, Resident
- Tom Boyd, Resident
- Joanna Kerwin, Edwards Metro District, Virtually
- Dan Carlson, Facilities Manager
- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager

#### **CALL TO ORDER**

Director Broersma called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order April 23, 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

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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**

Chris Neuswanger is disappointed that the boards decided not to record BCMD nor SPOA board meetings. He also believes the Zehren and Associates landscape work proposed for Chip Ramsey Park is unnecessary.

Tom Boyd is running to represent District 2 on the Eagle County Board of County Commissioners. He requested everyone's vote in the June Democratic Primary race. There will not be a Republican challenger in the November election.

Joanna Kerwin let everyone know that areas in the Edwards Metro District are now a designated Firewise USA community based on the mitigation work that has recently been completed. The Shift E-bikes have been put out for the season in Edwards. The Edwards area hard-to-recycle event will be from 4 pm to 7 pm on Friday, June 14, at Freedom Park.

**APRIL 23, 2024, MEETING MINUTES**

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

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

**OPEN ITEM STATUS REPORT**

The website is now ADA compliant.

**OUTSIDE ENTITIES' FUNDING REQUESTS**

No changes to this report.

**OPERATIONS REPORT**

- ✓ The deck behind the Community Center needs some boards to be replaced where they are not covered; the deck boards under the overhang are in good shape. This should happen prior to painting the building.
- ✓ Spring cleanup is starting throughout the community.
- ✓ Spring tree feeding is underway.

There was a discussion about the desire to build an enclosure of some kind for the compost bin next to the trash enclosure or possibly move it to another location because of its unattractiveness. It is a service to residents to have one located at the Community Center.

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**ZEHREN AND ASSOCIATES PROPOSAL FOR A NEW LANDSCAPE PLAN FOR CHIP RAMSEY PARK**

As part of the Community Enhancement Plan, the community has requested more shade and landscaping at Chip Ramsey Park. Zehren and Associates has submitted a proposal to provide a new landscape plan for Chip Ramsey Park. The cost for the proposed scope of work is \$5,800. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept Zehren and Associates proposal for Chip Ramsey Park.

**MARCH 2024 FINANCIAL STATEMENT**

Marchetti & Weaver have received the 2023 draft audit report and are reviewing it prior to the audit committee's review. It was noted that ColoTrust is not an FDIC insured institution, rather it is a state insured institution for government entities. Following the discussion, by motion duly made and seconded, it was unanimously

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

**PAYMENT OF APRIL 2024 INVOICES**

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

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

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

- Per the Traer Creek settlement, ERWSD is building the replacement tank.
- The Shoshone Water Right permanency will cost \$99 million. ERWSD & UERWA are contributing \$500,000 toward the cost and locally Eagle County is contributing \$2 million towards it.
- Eagle Park Reservoir is expected to be filled this year.
- Bolts Lake Reservoir construction is on track.

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**COMMUNITY MANAGER'S REPORT**

- This is the first year that all 18 holes of the golf course were adopted for cleanup by residents. The Sonnenalp Club was appreciative of the effort.
- Looking for more volunteers for I-70 and Singletree street cleanup day.

**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 23<sup>rd</sup> day of April 2024.

Respectfully submitted,

Nina Timm