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## RECORD OF PROCEEDINGS

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### **Minutes of the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District on April 30, 2020**

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado held virtually on April 30, 2020, at 3:00 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:

- Dan Godec
- Katie Rothenberg
- Karen Kern
- Melissa Nelson

SPOA Directors in attendance:

- Ariana Burkely
- Courtney Holm
- George Gregory
- Jennie Longville May
- Karen Zavis

Also in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Carlson, Facilities
- Nate Walowitz, NWCCOG
- Trevor Broersma, Public

#### **CALL TO ORDER**

Director Godec called the Regular Meeting of the Board of Directors of Berry Creek Metropolitan District to order on April 30, 2019, at 3:05 p.m. noting a quorum was present.

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**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 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.

**PROJECT THOR – NORTHWEST COLORADO COUNCIL OF GOVERNMENTS,  
NATE WALOWITZ**

Nate Walowitz, NWCCOG, pointed out that during the Stay-At-Home orders the benefits of Project Thor were never more apparent. Project Thor allows communities to be better connected with affordable, high speed, resilient broad band service. The NWCCOG has worked to establish a regional network across nine counties and 12 rural towns. The service is intentionally looped so that one cut will not take out service to an area. The service is government owned and managed and operates like a co-op. This also allows for buying in bulk which reduces costs and improves quality. Due to government ownership there is open access and no prioritization of content. Currently one-half of the funding has come from the Department of Local Affairs (DOLA). DOLA has allocated a total of \$2.6 million for the project. The remaining funding comes from the local communities that are served. To date, the project has come in under budget and has the potential to provide more savings to users as the network grows.

Phase I of Project Thor was complete on March 30, 2020, with a fully operational network in place. Eagle County was prepared to begin the Phase II needs assessment in Eagle County. The goal was to have this work complete by December 2021. The work has been placed on hold due to the COVID-19 pandemic.

In Singletree, the community could choose to connect to a “meet point” that would be established along I-70, where the fiber already exists. Singletree could build it or partner with a service provider to provide broad band service to every residence. The next step could be to engage an engineering firm to understand the cost to build the “meet point” and provide the service to residences. Service can be provided wirelessly or by fiber laid throughout the community. As a reference, 8 miles of fiber cost approximately \$1.5 million, there may be an opportunity to get a 50% match from DOLA.

In Singletree this could impact residents by:

- Improved service reliability that is not impacted by one line being accidentally cut
- May cause improved cell service

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- Local ISPs may enter the market and provide less expensive and better service
- Holy Cross Energy is building a more intelligent network and could put in smart meters at residences using the new fiber line
- The benefits of putting in a fiber line throughout the community rather than a wireless network are:
  - Faster speed
  - Future proofing for increased capability

A potential next step is engaging a consultant to complete a study of the community that includes a community survey to determine resident's interest level in the service and associated costs with a potential local project. The cost of the study could vary from \$15,000 to \$40,000, with a potential for DOLA matching funds.

Legal Requirements would include:

- A local ballot measure to exempt BCMD from Senate Bill 152 (2005). This could be done sooner rather than later.
- The cost of the project could be paid for with a dedicated mill levy or monthly bills to owners.

Locally the town of Eagle is the only community to be participating and they have very engaged residents as they look to expand. Nate is available to answer any follow up questions the board may have.

Nate Walowitz left the meeting.

### **MARCH 26, 2020 MEETING MINUTES**

The Board reviewed the March 26, 2020, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the March 26, 2020, meeting minutes.

### **OPERATIONS**

- Dan Carlson presented proposals for re-painting the street lines. He also got bids to have "shark's teeth" painted in areas. The cost is \$70 per lane. Consider experimenting at Winslow and Berry Creek Roads, maybe 20' from where the stop sign is located or near crosswalks. Placing them in random locations works best. Trevor Broersma will work with Dan to identify a couple of locations to try them out. Trevor also suggested completing a traffic study to identify other traffic calming measures.
- There are two free mulch piles on Berry Creek Road for anyone who wants to pick some up.
- New Fibar should be ordered for the Chip Ramsey Playground.
- Dan will get the MPH and walking man signs painted in the next month.

Following the discussion, by motion duly made and seconded, it was unanimously

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**RESOLVED** to authorize \$4,015 for San Juan Striping to re-paint the street lines.

By motion duly made and seconded, it was unanimously

**RESOLVED** to authorize \$10,089 for Double M Asphalt to fill cracks and seal the asphalt bike paths in Singletree.

**MARCH FINANCIAL REPORT**

Revenues have been impacted by the Community Center being closed. The Sonnenalp Club was rebated the operating property taxes they paid for 2019. Reminded everyone that the Landscape Contractors line item includes multiple service providers. Following discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the March 2020 financial statement as presented.

**PAYMENT OF APRIL INVOICES**

By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the April 2020, invoices for payment.

**UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE**

The virtual meetings have been very brief.

**COMMUNITY MANAGER REPORT**

No social events are currently scheduled. Working with the summer party caterer and rental company to plan an alternative event that will comply with the public health order that will likely remain in effect then, limiting groups to 250 people and required social distancing. Any ideas are welcomed.

Holy Cross Energy will begin replacing their service lines over the West Avon Preserve. They will take access from Singletree Road and the adjacent neighbors were sent an email about the work and trail closure. Holy Cross Energy will not restore the trailhead when the work is complete. BCMD will be responsible for that. Holy Cross Energy does require their vehicular access remain at the trailhead.

The two new pieces of playground equipment will be installed at Chip Ramsey Park the last week in April. The park remains closed as part of Eagle County's public health order.

Singletree Community Cleanup will be scheduled for May 15 to 17, with people picking up when it works with their schedule. Sonnenalp staff cleaned up residents this year. The boards requested gift certificates from local restaurants be purchased for them as a thank you. Highway cleanup remains on-hold.

The gym will remain closed while social distancing requirements remain in place.

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Karen Kern thanked everyone on the board and let them know how much she has enjoyed serving on the BCMD board.

**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 30<sup>th</sup> day of April 2020.

Respectfully submitted,

Nina Timm