
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of the Berry Creek Metropolitan District on August 26, 2025

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado, was held August 26, 2025, 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:

- Cara Turner, Virtually
- Charles Dawson
- Trevor Broersma

Also, in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Todd Neifert, Operations Manager, Virtually
- Dan Godec, SPOA Board Member
- Karen Zavis, SPOA Board Member
- Jennie Longville May, SPOA Board Member
- Ron Rubinoff, SPOA Board Member, Virtually
- George Gregory, Resident
- Tim Swaner, Eagle Valley Wildland
- Pedro Campos, Zehren & Associates, Virtually

CALL TO ORDER

Director Broersma called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order August 26, 2025, 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 facts and summary nature of any matters as required under Colorado law, to permit the 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 BCMD meeting agenda.

PUBLIC INPUT

There was no public input.

JULY 22, 2025, MEETING MINUTES

The Board reviewed the July 22, 2025, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the July 22, 2025, meeting minutes.

Due to technical difficulties, the Wildfire Risk Mitigation presentation was moved up on the agenda.

WILDFIRE RISK MITIGATION UPDATE AND RECOMMENDATIONS

Tim Swaner, Eagle Valley Wildland, apologized that Hugh Fairfield-Smith could not attend the meeting, but he is currently working on the Derby Fire. It was reported that the fire's spread is slowing down, but containment has not been achieved. There were +/-800 people working on the fire on August 25.

He congratulated Singletree on their cross-boundary work with USFS on wildfire risk mitigation on USFS property adjacent to Singletree. This was the first of its kind project and set a successful example for other communities. The September chipping event will be cancelled due to the high fire danger, and it will be rescheduled for October. More details to follow.

One-third of the residential properties in Singletree have been inspected by Wildland staff and reports will be available shortly. Another third will be completed in 2026, and the final third in 2027. At that time, the first third of the properties will be reinspected, and so on. The reports will be sent to individual property owners.

It was noted that there was a memo in the meeting packet, and it recommends continuing support of Eagle Valley Wildland's efforts, sustaining the neighborhood chipping program, endorsing the Residential Home Assessments, and supporting the addition of Early Detection Systems that will allow wildfires to be detected in remote areas in as little as six minutes of ignition. This early detection is essential to reducing response times and that improves containment capabilities. They also encourage all residents to join EC Alert and platforms like GenAsys Protect; these are more effective in providing essential information to residents than wildfire sirens. An email was sent to Singletree residents last week providing them with this information. The discussion emphasized that those resources provide residents with the best information in an evacuation.

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Based on their continuing work, Eagle Valley Wildland will be requesting a \$100,000 contribution to their ongoing wildfire risk reduction efforts for 2026.

There was a request for additional information to be provided at a future meeting about how the June Creek Emergency Access will function in the event of an emergency

OPERATIONS REPORT

- The last three backflow preventer testing will be completed this week.
- Power flush toilets have been installed in both restrooms at Chip Ramsey Park.
- Clogged gutter at the Community Center has been cleared.

CHAROLAIS PARK PLAN UPDATE

Pedro Campos, Zehren & Associates, presented a plan to update the Charolais Park based on input from the Community Enhancement Plan as well as the June 2025 community meeting. The June community meeting included the trails plan presentation due to the synergy between the two potential projects. Based on the overwhelming input from the community, the plan identifies recommended repair and maintenance as well as upgrades to certain park items. It was noted that some of the repair and maintenance has already been completed this summer.

The plan suggested:

- Adding riparian vegetation at the pond to enhance water quality
- Continue the existing split rail fencing along the entire south and east side of the park to better delineate park property
- Maintain the location and size of the park pavilion and playground but repair and/or replace certain elements of each
- Add accessibility paths to both the pavilion and playground
- Add more parking by developing nose-in parking with a pervious surface
- Add trees and seating in strategic locations to enhance the open turf area
- Build a bridge over the ephemeral stream to enhance the walking path around the pond
- Add a well screened port-o-let to provide sanitation services for park users
- Add a wayfinding/park sign

The Board discussed the proposed items and agreed they were consistent with community input. There was a request for Zehren & Associates to provide cost estimates for each of the items. It was noted that if significant improvements are made to the park, then increased parking spaces and sanitation services must be provided for all residents to be able to enjoy the park. There was a question whether a dry fire hydrant could be added in the park area and if it would improve safety in the area. Zehren & Associates will be back with pricing at a future meeting.

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JULY 2025 FINANCIAL STATEMENT

Ken Marchetti reported that revenue and expenses are tracking with the budget and there are mostly favorable variances. He is working on 2026 projections and will be prepared to discuss these more in the next few months. There was a discussion about what capital projects may be completed this year. Following review, by motion duly made and seconded, it was unanimously

RESOLVED to accept the July 2025 financial statement as presented.

PAYMENT OF AUGUST 2025 INVOICES

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

RESOLVED to approve the August 2025 invoices for payment.

2025 AUDIT ENGAGEMENT LETTER

McMahon and Associates has done BCMD's audit reports for the past couple of years. They have provided an Audit Engagement Letter for the 2025 audit, with a \$300 price increase over the 2024 audit. Following review, by motion duly made and seconded, it was unanimously

RESOLVED to accept the McMahon and Associates 2025 Audit Engagement Letter as presented.

RESERVE AND ASSIGNED FUND BALANCE POLICY

The existing policy was adopted in 2011 and was identified as needing to be updated as part of the 2024 audit review process. The policy could be amended by a future Board at any time, and an adopted policy is not required. It was noted that not all reserves serve the same purpose, and some are for replacement while others are accumulated to add new amenities. There was an agreement that a new policy should be adopted and followed by the current Board. A capital projects reserve for new assets is different than a replacement reserve.

In order to establish a replacement reserve a Replacement Reserve Study should be undertaken. Borne Consulting, a local firm, has provided a proposal to complete a Replacement Reserve Study for existing BCMD assets. They have the ability to complete field work in October, and they are proposing to have a report ready in November 2025. There was a brief discussion about the debt service mill levy that will be retired in 2027. Following the discussion, by motion made and seconded, it was unanimously

RESOLVED to authorize \$5,000 for Borne Engineering to complete a Replacement Reserve Study.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- It was reiterated that the work at the Edwards Regional Wastewater Treatment Plant are unfunded mandates that must be complied with. In November, ERWSD will be asking voters

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to approve a General Obligation Bond issue to fund the \$94 million cost. If voters do not approve the bond measure, then rates will be increased to cover the cost of the project.

- The cost estimates for the 1,200-acre feet of water Bolts Lake project continue to increase. The cost benefit continues to exist, despite the rising costs. The project will ensure there continues to be water available for growth.

COMMUNITY MANAGER'S REPORT

- Both BCMD and Edwards Metro Districts will be using warm white holiday lights this year.
- The summer party was well attended this year and remained on budget.
- The community-wide trails survey has been sent out to residents. So far, the response rate has been high. Results will be presented at a future meeting.

OTHER BUSINESS

There was no other business.

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 on this 26th day of August 2025.

Respectfully submitted,

Nina Timm