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## RECORD OF PROCEEDINGS

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### Minutes of the Meeting of the Board of Directors of the Berry Creek Metropolitan District on December 3, 2024

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held December 3, 2024, at 4:00 p.m. In accordance with the applicable statutes of the State of Colorado.

#### ATTENDANCE

The following BCMD Directors were present and acting:

- Courtney Holm
- David Viele, Virtually
- Melissa Nelson
- Trevor Broersma, Virtually

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Todd Neifert, Operations Manager
- Charlie Dawson, Resident
- George Gregory, Resident

#### CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order December 3, 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 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.

#### AGENDA

There were no changes to the agenda.

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### PUBLIC INPUT

There was no public input.

### OCTOBER 22, 2024, MEETING MINUTES

The Board reviewed the October 22, 2024, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the October 22, 2024, meeting minutes.

### 2025 REGULAR DISTRICT ELECTION AND APPOINTING A DESIGNATED ELECTION OFFICIAL RESOLUTION

This is the standard regular election resolution that must be approved in election years. The resolution does allow the location to be changed if there are other special district elections with overlapping boundaries and their elections are being held in another location. In January, an email will go out letting residents know that there are three seats up for election in May 2025. Self-nomination forms will be available between January 1, and February 28, 2025. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to adopt the 2025 Regular District Election and Appointing a Designated Election Official Resolution.

### OPERATIONS REPORT

- All exterior light clocks have been located and updated at the Community Center.
- The holiday lights have been turned on and are operated by time clocks.
- Some community trash cans have been relocated to maintain winter access to them.

### OPEN ITEM STATUS REPORT

The report will be updated for 2025.

### OCTOBER 2024 FINANCIAL STATEMENT

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

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

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### **PAYMENT OF NOVEMBER AND DECEMBER 2024 INVOICES**

It was noted that the increase in BCMD's insurance costs are favorable when compared to similar entities. Following review of the payments, by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the November and December 2024 invoices for payment.

### **2025 BUDGET HEARING**

Today is a continuation of the 2025 budget hearing. There were two budget options provided, with one balancing the budget with increased revenue and the other balancing the budget with reduced capital projects spending. Both options provide BCMD taxpayers with a temporary mill levy credit. The debt service reserve fund is reduced annually as the debt is retired. It was agreed that the identified capital projects add value and improve the community and should remain in the 2025 budget.

A call was made for public input and Charlie Dawson commented that the proposed budget seems very realistic and that the cash appropriated is well spent as budgeted.

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

**RESOLVED** to adopt the 2025 Budget Resolution as presented.

**The 2025 Budget Hearing was closed.**

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

- The 2025 budget has been adopted and includes a 9% rate increase.
- There is concern about the Belden's Mine level of leaching into the Eagle River. The owner is cooperating with addressing the issues.

### **COMMUNITY MANAGER'S REPORT**

- The streetlight at Chute Circle has been repaired.
- The streetlight that was hit in the roundabout will be replaced this coming week.
- All the new trees at Chip Ramsey Park have been planted and the response has been very positive. Irrigation to the new trees will be installed in the spring.
- 3 BCMD and 2 SPOA board seats are up for election in 2025.
- The Holiday Party is Sunday, December 15, from 4 PM to 6 PM.
- The 2025 meeting calendar was included in the packet.
- The dirt pile in the right of way on Charolais Circle was placed there by Holy Cross Energy.

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### 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 3<sup>rd</sup> day of December 2024.

Respectfully submitted,

Nina Timm