
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Berry Creek Metropolitan District February 26, 2008

The Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District, Eagle County, Colorado was held on February 26, 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
- Heather McInerny
- Doris Dewton
- Mike Budd
- Evelyn Pinney

Also in attendance were:

- Matt Donovan, Vail Honeywagon
- Chuck Powers, Singletree Property Owners Association
- 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 February 26, 2008, at 3:37 p.m. noting a quorum was present.

Minutes By motion duly made and seconded it was unanimously

RESOLVED to approve the minutes of the January 22, 2007 regular meeting as presented.

Agenda No changes.

Public Input An Eagle County ordinance is requiring Singletree residents to have bear-proof trash containers by April 1, 2008. The Board is appealing to the County to move the deadline back but to date have not been successful. Matt Donovan with Vail Honeywagon presented plans to have bear-proof trash containers available for Singletree residents prior to the April 1, 2008 deadline for a discounted cost. The cost for a 95 gallon trash container delivered is \$225. The cost would be reduced to \$200 per container if picked up by customer with a \$5 rebate if the old container is returned. Discussion followed on communicating the availability of the bear-proof trash containers to residents through a newsletter or a postcard. It was agreed Honeywagon will be available on Saturday March 28 from 8:00 a.m.

RECORD OF PROCEEDINGS

Berry Creek Metropolitan District February 26, 2008 Meeting Minutes

to noon and Monday March 30 from 4:00 p.m. to 7:00 p.m. at the Singletree Community Center to distribute the bear proof trash containers.

Staff The Board reviewed the staff reports in the packet. Mr. Dan Carlson suggested winterizing the Chip Ramsey Park bathrooms to make them available for year round use. The Board unanimously agreed to not winterize the bathroom.

Director Cohen directed Mr. John Carlson to order five narrow reading tables for the Community Center. The parts for the electronic door locks for the Center are still on order. The cameras for the security system are being installed. Bandwidth internet access is now available at the Community Center and a firewall will be installed when the Community Manager is hired.

Minturn Water

Rights Director Dewton apprised the Board on the status of the Town of Minturn water application. By motion duly made and seconded it was unanimously

RESOLVED to authorize Porzak Browning & Bushong, LLP to file the statement of opposition on Case No. 07CW225.

The Board discussed the availability of water for development on the B&B gravel parcel.

Community

Administrator Mr. Chuck Powers presented the job descriptions for the Community Administrator and an Administrative Assistant. It was noted records retention will be added to the job description. The Board agreed a personnel presence is necessary at the Community Center on a regular schedule. Salary and benefits have not decided.

Executive

Session By motion duly made and seconded it was unanimously

RESOLVED to enter into executive session at 4:53 p.m. per CRS 24-6-402(4)(f) to discuss personnel matters.

The Board adjourned from the executive session at 5:05 p.m. No formal action was taken.

Bond

Issuance Upon motion duly made and seconded, it was unanimously

RECORD OF PROCEEDINGS

Berry Creek Metropolitan District February 26, 2008 Meeting Minutes

RESOLVED to ratify approval of the J. P. Morgan/Chase Letter of Commitment to issue Bonds for the underpass project at an interest rate of 4.06% and with such bonds to be callable at any time after the 10th anniversary of the issuance date.

2008

Election

Ms. Curtis noted enough candidates have submitted Self-Nomination and Acceptance forms to require the District to conduct an election on May 6, 2008 to elect Members to serve on the Board of Directors.

Financial Report

The January 31, 2008 Financial Statements were included in the Board packet. By motion duly made and seconded it was unanimously

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

Accounts Payable

The Board reviewed the February 2008 accounts payable lists. By motion duly made and seconded it was unanimously

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

SPOA Report

Mr. Powers requested articles for the upcoming SPOA newsletter. Director Dewton questioned the status of the wildlife fence along I-70 adjacent to the Singletree boundary. Mr. Powers stated the fencing material was not available during the 2007 construction season.

The proposed SPOA survey was distributed for comment. The Board requested Mr. Marchetti prepare a presentation on the financial position of the District to be distributed to residents.

Winslow Road

Underpass

Carter Burgess reported they are having difficulty obtaining approval from CDOT for the geo permits due to CDOT personnel turnover.

RECORD OF PROCEEDINGS

Berry Creek Metropolitan District February 26, 2008 Meeting Minutes

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 26th day of February, 2008.

Respectfully submitted,



Cheri Curtis

Secretary for the Meeting