
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of Berry Creek Metropolitan District on February 28, 2023

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado was held February 28, 2023, 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:

- Courtney Holm
- David Viele, virtually
- Katie Rothenberg
- Melissa Nelson, virtually
- Trevor Broersma, virtually

SPOA Directors in attendance:

- Ariana Burkley
- Dan Godec
- Karen Zavis
- Lorry Prentis

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Carlson, Facilities Manager
- George Gregory, Resident & Upper Eagle Regional Water Authority Representative
- Ron Rubinoff, Resident, virtually
- Kim Tofferi, Resident

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order on February 28, 2023, 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 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

Kim Tofferi asked about the completion of the Community Enhancement Plan and if pedestrian protection on the sidewalk under the Winslow Underpass was still being considered as it is quite icy there.

JANUARY 24, 2023, MEETING MINUTES

The Board reviewed the January 24, 2023, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the January 24, 2023, meeting minutes.

OPEN ITEM STATUS REPORT

It was noted that the projected cost of installing solar panels to off-set electricity use at the Community Center has been updated to reflect the actual bids. There is also approximately a 10-month lead time for solar panel installation.

Edwards Metro District has gone ahead and funded Phase I of the Miller Ranch Road pedestrian lighting project. They may be seeking funding partners for future phases.

OPERATIONS

The pigeons have returned to the Community Center. Will install new/additional anti-pigeon spikes as weather permits. Discussed painting the walking man and MPH signs on the roads in Singletree. Due to the cost and the decision to purchase the mobile MPH sign and trailer the streets were not painted in 2022. May consider painting them in 2023.

JANUARY 2023 FINANCIAL STATEMENT

January is typically a bland financial month with little revenue or expenditures. There was a question about the ability to break the existing CDs and reinvest them since interest rates are currently much higher.

It was noted that the wildfire mitigation amount (\$107,500) did not match the line-item amount in the budget (\$100,750). The wrong amount was also reflected in the IGA with ERFPD. This will all be corrected prior to paying ERFPD. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the January 2023, financial statements as presented.

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PAYMENT OF FEBRUARY INVOICES

The invoice for ERFDP will be corrected to \$100,750 and not \$107,500. There was also a question about the payment to Felicia Nassi. It is to reimburse her for electric usage from her home for the streetlight for the winter season due to lack of repair contractor availability. The line repairs are anticipated to be made in the spring. Following review of the payments, by motion duly made and seconded, it was unanimously

RESOLVED to approve the February invoices for payment subject to the correction of the ERFDP invoice amount.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- Forever plastics have been detected in two ERWSD wells. Forever plastics have been found in remote alpine lakes too. These plastics are shed from waterproof coatings, non-stick pans, ski wax, etc.
- ERWSD's IGA with the town of Minturn for Bolts Lake passed on first reading. This will allow the 1041 review process to be expedited.
- UERWA is out of water and cannot provide water to any upzoned property.
- Wipes for cleaning that are being flushed down toilets is wreaking havoc on ERWSD's wastewater system. Please do not flush them and remind your guests not to flush them either.
- ERWSD does test for COVID 19 and can tell when it is more prevalent in the community.

COMMUNITY MANAGER REPORT

- SPOA's Annual Meeting is Tuesday, March 7, at 6 PM. There are two candidates for two open seats. Additional candidates may self-nominate at the meeting.
- Thanks to Ariana Burkley for serving on the SPOA Board.
- Congratulations to Courtney Holm and Trevor Broersma on their reappointment to Berry Creek Metro District's Board of Directors. The May 2nd election has been cancelled because there were two candidates for two seats.

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 28th day of February 2023.

Respectfully submitted,

Nina Timm