
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of the Berry Creek Metropolitan District on January 27, 2026

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado, was held January 27, 2026, 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
- Charles Dawson
- David Viele
- Trevor Broersma

Also, in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Dan Godec, SPOA Board Member
- Happy Power, SPOA Board Member
- Jennie Longville May, SPOA Board Member
- Karen Zavis, SPOA Board Member
- Ron Rubinoff, SPOA Board Member, Virtually
- George Gregory, Resident
- Nicole Hayes, Resident
- Joanna Kerwin, Edwards Resident, Virtually

CALL TO ORDER

Director Broersma called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order January 27, 2026, 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 agenda.

PUBLIC INPUT

Joanna Kerwin, Edwards area resident, let the Boards know that she believes that the Berlaimont development will be back before Eagle County review entities.

Nicole Hayes, Singletree resident, introduced herself as a SPOA Board candidate. She brings commitment to the community and experience in finance, education, and real estate.

DECEMBER 9, 2025, MEETING MINUTES

The Board reviewed December 9, 2025, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve December 9, 2025, meeting minutes.

CHAROLAIS PARK IMPROVEMENT PLAN

At the October 2025 meeting, the BCMD was presented with a plan to update Charolais Park, and funding has been allocated in the 2026 budget for park improvements within the Singletree community. Eagle County Road & Bridge requested that nose-in parking be incorporated into any improvements at Charolais Park. Adjacent neighbors requested that a port-o-let either not be installed or, if required, be located in the least intrusive location possible.

The proposed Charolais Park plan requires additional engineering work and the preparation of final construction drawings before the project can be advertised for bid. The Board also noted that Chip Ramsey Park and the pocket parks need attention and improvements, particularly related to irrigation and landscaping. Questions were raised regarding what scope of work would trigger ADA accessibility requirements at Charolais Park. Given that Charolais Park is a larger community park, the Board acknowledged that updates may be more costly than improvements at other parks. The Board requested that Zehren & Associates also be engaged to develop improvement plans for the pocket parks.

Following discussion, the Board authorized the completion of construction-ready drawings for the proposed Charolais Park improvements. This authorization includes further review of the County's request to add nose-in parking and directions to locate and design a port-o-let in the least intrusive location possible. Upon completion, the Board will consider implementation.

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RESOLUTION DESIGNATING 2026 MEETING POSTING LOCATION

BCMD has designated the website, www.singletree.com at which notices of BCMD meetings will be posted twenty-four hours in advance. In the event the notice cannot be posted on the website twenty-four hours in advance, then the notice will be posted at the Singletree Community Center. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to adopt the Designated Meeting Notice Posting Location.

OPERATIONS REPORT

- The space has been prepared for the gym expansion.
- The holiday lights on the Community Center have been adjusted to turn off at 10 PM.

DECEMBER 2025 FINANCIAL STATEMENT

The preliminary year end financials were presented; they will not be finalized until the 2025 audit is complete. The 2025 budget was amended to reflect Board direction with the development of the Capital Projects/Replacement Reserve fund. No spending was increased by this. The amended budget also reflects the purchase of new gym equipment in 2025, that will be installed in 2026. Variances reflected in the budget are favorable. Following review, by motion duly made and seconded, it was unanimously

RESOLVED to accept the December 2025 financial statement as presented.

RESOLUTION TO AMEND THE 2025 BUDGET

Based on the review and discussion of the 2025 financial results and actions there was a need to amend the 2025 budget that was adopted in December 2024.

Following the discussion there was a call for public input and there was no public input.

After reviewing the resolution to amend the 2025 budget, by motion duly made and seconded, it was unanimously

RESOLVED to approve the resolution to amend the 2025 budget.

PAYMENT OF JANUARY 2026 INVOICES

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

RESOLVED to approve the January 2026 invoices for payment.

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UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE

George Gregory noted that residents other than those who live adjacent to Charolais Park regularly use the park in the spring, summer and fall. He is one of them.

- ERWSD is considering adding fines for customers that use water in Tiers IV and V. Certain customers have complained that they have expensive landscaping and they do not want to lose that landscaping and a monthly fine may not change their outdoor water use.
- We are currently experiencing the lowest snow water equivalent in history. The snowpack is currently 50% of the historic average.
- Critical Water Shortage monitoring will begin in March. Currently the Eagle River Park Reservoir is full. Snow making water comes from Black Lakes on Vail Pass.
- 85% of outdoor water use is consumed and gone from the system, while 95% of household water use is cleaned and returned to the river.
- To help conserve water, ERWSD is requesting that the town of Vail use lower water use flowers for this summer.

COMMUNITY MANAGER'S REPORT

- Proposed Charolais Park improvements were discussed earlier in the meeting.
- Continued setback violations at 1121 Berry Creek Road Unit A1-W will be discussed during the SPOA portion of the meeting.
- Residents are excited about the gym expansion, and it should be completed next week.
- Community Center rentals are picking up for the spring/summer seasons.
- The Holiday Party in December was well received and attended by over 150 residents.

EXECUTIVE SESSION

At 4:55 p.m. by motion duly made and seconded, it was unanimously

RESOLVED the BCMD and SPOA Boards move into a joint executive session pursuant to C.R.S. 24-6-402 (4) (e) to discuss matters subject to negotiation, developing strategies for negotiation, and instructing negotiators on potential agreements and governing options on covenant and rules enforcement with SPOA.

Following the conclusion of the Executive Session, the Boards returned to public session at 5:43 p.m.

ACTION FOLLOWING EXECUTIVE SESSION DISCUSSION

The Boards directed staff to move forward with adding the potential assignment of SPOA's Design Review, Covenant Compliance, and social responsibilities to BCMD to the SPOA Annual Meeting agenda, to create a Frequently Asked Questions document explaining the potential

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agreement between BCMD and SPOA, and to coordinate with both Boards' legal counsel on developing a potential agreement.

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 27th day of January 2026.

Respectfully submitted,

Nina Timm

**JOINT RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
BERRY CREEK METROPOLITAN DISTRICT**

DESIGNATING MEETING NOTICE POSTING LOCATION

WHEREAS, the Berry Creek Metropolitan District is a quasi-municipal corporation and political subdivisions of the State of Colorado; and

WHEREAS, pursuant to § 24-6-402(1)(a), C.R.S., the District is a local public body and subject to the provisions of §§ 24-6-401, et seq., C.R.S.; and

WHEREAS, pursuant to § 32-1-903(2) and § 24-6-402(2)(c), C.R.S., the District shall be considered to have given full and timely notice to the public if notice of the meeting is posted, with specific agenda information if available, on a public website of the District no less than twenty-four (24) hours prior to the meeting; and

WHEREAS, pursuant to § 24-6-402(2)(c), C.R.S., the District shall make the notice posted on the public website accessible at no charge to the public, consider linking the notice to any appropriate social media accounts of the District, and, to the extent feasible, make the notices searchable by type of meeting, date of meeting, time of meeting, agenda contents, and any other category deemed appropriate by the District; and

WHEREAS, pursuant to § 24-6-402(2)(c), C.R.S., the District shall designate a place within the boundaries of the local public body at which it may post a notice no less than twenty-four (24) hours in advance of the meeting in the event that the District is unable to post the notice online due to exigent or emergency circumstances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS AS FOLLOWS:

1. Pursuant to § 24-6-402(2)(c), C.R.S., the Board hereby designates the District website <https://singletreetoday.com/metro-district/> at which notices of District meetings will be posted twenty-four (24) hours in advance.

2. Pursuant to § 24-6-402(2)(c), C.R.S., the Board hereby designates the following location for the posting of its meeting notices twenty-four (24) hours in advance in the event that the District is unable to post notice on the District's website: Singletree Community Center.

ADOPTED JANUARY 27, 2026.

**BERRY CREEK METROPOLITAN
DISTRICT**

By: _____

Cara M. Turner

Officer of the District

**BERRY CREEK METROPOLITAN DISTRICT
RESOLUTION TO AMEND 2025 BUDGET**

WHEREAS, the Board of Directors of Berry Creek Metropolitan District appropriated funds for fiscal year 2025 as follows:

GENERAL FUND:

Current Operating Expenses	\$842,009
Capital Outlay	399,500
Transfer to Debt Service Fund	<u>163,893</u>
TOTAL GENERAL FUND	<u>\$1,405,402</u>

DEBT SERVICE FUND:

Debt Service Expenditures	\$385,648
Transfers to Operating	<u>0</u>
TOTAL DEBT SERVICE FUND	<u>\$385,648</u>

WHEREAS, the necessity has arisen for additional expenditures requiring the expenditure of funds in excess of those appropriated for the fiscal year 2025; and

WHEREAS, the unanticipated additional expenditures are contingencies which could not have been reasonably foreseen at the time of adoption of the budget; and

WHEREAS, additional sources of revenues and surplus funds are available to fund the additional expenditures.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of Berry Creek Metropolitan District shall and hereby does amend the budget for fiscal year 2025, as follows:

GENERAL FUND:

Current Operating Expenses	\$898,289
Capital Outlay	0
Transfer to Debt Service Fund	162,897
Transfer to Capital/Replacement Fund	<u>1,300,000</u>
TOTAL GENERAL FUND	<u>\$2,361,186</u>

DEBT SERVICE FUND:

Debt Service Expenditures	<u>\$384,652</u>
TOTAL DEBT SERVICE FUND	<u>\$384,652</u>

CAPITAL/REPLACEMENT FUND

Capital Expenditures	<u>\$111,014</u>
TOTAL CAPITAL/REPLACEMENT FUND	<u>\$111,044</u>

BE IT FURTHER RESOLVED that such sums are hereby appropriated from the revenue of the District to the proper funds for the purpose stated.

Dated this 27th day of January, 2026.

BERRY CREEK METROPOLITAN DISTRICT

By: Cara M. Turner

Title: Treasurer