
RECORD OF PROCEEDINGS

Minutes of the Meeting of the Board of Directors of the Berry Creek Metropolitan District on January 28, 2025

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado, was held January 28, 2025, 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
- Katie Rothenberg
- Melissa Nelson
- Trevor Broersma

Also, in attendance were:

- Ken Marchetti, Marchetti & Weaver
- Nina Timm, Community Manager
- Dan Godec, SPOA Board Member
- Karen Zavis, SPOA Board Member
- Lorry Prentis, SPOA Board Member
- Ron Rubinoff, SPOA Board Member, Virtually
- Jennie Longville May, SPOA Board Member, Virtually
- Charlie Dawson, Resident
- George Gregory, Resident
- Norton Cutler, Resident
- Joanna Kerwin, Virtually and then In-Person

CALL TO ORDER

Director Holm called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order January 28, 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 agenda.

PUBLIC INPUT

During the SPOA Portion of the meeting, Norton Cutler, a resident, noted that there is not any emergency contact information if someone gets locked out of the gym and there is no one else there. In addition, he has requested a copy of the sales agreement that BCMD sold the golf course to the Sonnenalp. He believes there is an obligation to provide golfing privileges to Singletree property owners in the document and he would like to review it. Staff is working to provide Mr. Cutler with a copy of the sales agreement.

DECEMBER 3, 2024, MEETING MINUTES

The Board reviewed the December 3, 2024, meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the December 3, 2024, meeting minutes.

OPEN ITEM STATUS REPORT

The report was updated for 2025.

RESOLUTION REQUESTING FEMA APPROVAL OF THE EAGLE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION REPORT

A Multi-Jurisdictional Hazard Mitigation Plan was prepared by Eagle County. The purpose of the plan is to lessen the effects of disasters by increasing the disaster resistance of the county and participating jurisdictions by identifying the hazards that affect BCMD and prioritize mitigation actions and strategies to reduce potential loss of life and property damage from those hazards. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to adopt the most recent and FEMA approved version of the Eagle County Hazard Mitigation Plan 2025 in its entirety.

RESOLUTION DESIGNATING MEETING NOTICE POSTING LOCATION

BCMD has designated the website, www.singletreetoday.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.

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INTERGOVERNMENTAL AGREEMENT (IGA) FOR MOSQUITO CONTROL SERVICES

BCMD receives mosquito control services from Edwards Metro District and pays its pro-rata share of the total Edwards area mosquito control cost each year as identified in the IGA. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to accept the IGA for Mosquito Control Services.

OPERATIONS REPORT

- A new dog waste can was installed on Rawhide Road at Winslow Road.
- The new evergreen trees were wrapped in plastic fencing to protect them from deer.
- Currently working on frozen sewer lines outside of Building B.

DECEMBER 2024 FINANCIAL STATEMENT

BCMD's finances were in good condition at the end of 2024. Revenue exceeded expenses, largely related to reduced capital project expenditures. Following review, by motion duly made and seconded, it was unanimously

RESOLVED to accept the December 2024 financial statement as presented.

PAYMENT OF JANUARY 2025 INVOICES

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

RESOLVED to approve the January 2025 invoices for payment.

UPPER EAGLE REGIONAL WATER AUTHORITY UPDATE (UERWA)

- **Bolts Ditch Act:** Unfortunately, the Bolts Ditch Act was not included in the recent congressional omnibus bill. However, efforts are ongoing to have it included in a future piece of legislation.
- **Shoshone Water Right Funding:** It appears that the \$40 million previously committed by the federal government for the purchase of the Shoshone Water Right has been rescinded by the new administration. This is a significant development, as the funding was close to being fully secured, with only \$3 million remaining to complete the purchase.
- **Municipal Water Systems & Wildfires:** It was noted that no municipal water system is equipped to combat wildfires on the scale of the recent fires in Los Angeles. The Eagle River Water and Sanitation District (ERWSD) is actively encouraging local communities to take all actions possible to reduce the risks of wildfires in the region.

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COMMUNITY MANAGER'S REPORT

- 3 candidates have self-nominated for 2 SPOA board seats. SPOA's Annual Meeting is Tuesday, March 4, at 6 PM.
- 3 BCMD board seats are up for election in May 2025. Self-nominations are due by February 28, 2025.
- Battle Mountain High School Project Graduation has requested a donation for their Project Graduation event. It was noted that many Singletree students graduate from Battle Mountain High School each year and the event benefits the entire community by providing a safe graduation night event for the graduates to attend. Following the discussion, by motion duly made and seconded, it was unanimously

RESOLVED to contribute \$1,000 to Battle Mountain High School's Project Graduation.

WORK SESSION WITH THE EAGLE COUNTY BOARD OF COUNTY COMMISSIONERS AND EDWARDS METRO DISTRICT BOARD TO DISCUSS JOINT EDWARDS AREA MATTERS

Jeanne McQueeney, Matt Scherr, Jeff Schroll, and Regina O'Brien attended on behalf of the Board of County Commissioners.

Joanna Kerwin, Todd Williams, Kris Miller, and Magdalena Gembal attended on behalf of the Edwards Metro District.

Scott Miller from the Vail Daily also attended this portion of the meeting.

There was not a virtual option to attend this work session.

Following introductions, the boards discussed several ongoing projects at Freedom Park, including the development of the Community Commons. This will house key services such as the motor vehicle office, the election center, public health and human services. Additionally, new housing will be constructed on Colorado Mountain College's campus.

Eagle County presented a map outlining the recently purchased River Property along Highway 6. The county plans to begin a community outreach process this spring to gather input on potential uses for the 4-acre property, which was purchased for \$3.2 million. However, no funding has been allocated for its development at this time.

The Edwards Metro District formally requested a voting seat on the CORE Transit Board. However, it was clarified that because they are a metro district rather than a town, they are not eligible for a voting seat. They are encouraged to continue collaborating with their Eagle County board representative to propose additional transit services for their area. As CORE Transit is currently drafting its 10-year plan, now is an ideal time to submit recommendations.

A representative from the Eagle County Sheriff's Office presented a request to fund and install up to four license plate reader cameras in the Edwards area. These cameras have proven effective in solving crimes, with each costing approximately \$10,000 and having a lifespan of

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about five years. However, CDOT has stated that these cameras cannot be placed on their property. Eagle County will meet with the Sheriff's Office to further discuss the request.

The boards also discussed general pedestrian and non-vehicular traffic safety in the greater Edwards area, specifically in collaboration with the Colorado Department of Transportation (CDOT). The focus will be on improving safety and consistency at bus stops, crosswalks, and along I-70.

There was a consensus on the importance of continued efforts to reduce wildfire risk throughout the Edwards area and Eagle County.

Both metro district boards expressed interest in scheduling another meeting later in the year to continue these discussions.

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 January 2025.

Respectfully submitted,

Nina Timm