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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 July 22, 2025**

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado, was held July 22, 2025, 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:

- Charles Dawson
- Courtney Holm
- David Viele, Virtually
- Trevor Broersma

Also, in attendance were:

- Nina Timm, Community Manager
- Ken Marchetti, Marchetti & Weaver
- Todd Neifert, Operations Manager, Virtually
- Dan Godec, SPOA Board Member
- Karen Zavis, SPOA Board Member
- Ron Rubinoff, SPOA Board Member
- George Gregory, Resident
- Siri Roman, ERWSD
- David Norris, ERWSD
- Brian Thompson, ERWSD
- Lauren Snyder, ERWSD

#### **CALL TO ORDER**

Director Broersma called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order July 22, 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

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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 BCMD meeting agenda.

### PUBLIC INPUT

There was no public input.

### JUNE 24, 2025, MEETING MINUTES

The Board reviewed the June 24, 2025, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the June 24, 2025, meeting minutes.

### ERWSD PRESENTATION ON EXCESSIVE WATER USER CAMPAIGN AND FUNDING OPTIONS FOR MANDATORY UPGRADES TO THE REGIONAL WASTEWATER TREATMENT PLANT

Siri Roman and David Norris from Eagle River Water & Sanitation District (ERWSD) provided an overview of an initiative the ERWSD will have on the November ballot to pay for \$93 million in regulatory required improvements at the Edwards Regional Wastewater Treatment Plant. The request is for approximately 1.789 mills and that rate could increase or decrease based on assessed property valuations. It was noted that all ERWSD customers are wastewater customers. It is estimated the property tax increase would be approximately \$112/million dollars in assessed valuation per year. If voters do not approve the initiative, ERWSD will issue Revenue Bonds rather than property tax supported General Obligation Bonds and those would cost the average customer approximately \$268 per year. ERWSD would appreciate it if BCMD passed a resolution in support of the ballot measure. Issuing General Obligation Bonds has the added benefit of diversifying ERWD's debt portfolio.

ERWSD has a multi-year goal of reducing the amount of wasteful water usage. The goal is to reduce about 400-acre feet of water used annually and they believe this can be achieved by eliminating wasteful water usage. Approximately 570 customers overuse water across all of their customers, and thirty-eight of them live in Singletree. Those customers have been notified by multiple methods of their overuse of water. The good news is that current progress is in the right direction and overall wasteful water use is decreasing.

ERWSD is also working with other resources to provide customer education on efficient outdoor water use including plant materials, watering zones, etc. The Eagle County Conservation District is a useful resource for this information. ERWSD does not recommend using artificial turf as that can have negative impacts on water quality.

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### OPERATIONS REPORT

- Toddler swings at Chip Ramsey Park have been replaced with new ones.
- Treated the weeds and grass inside the playground with a horticultural vinegar solution.
- Continue to treat the weeds in the sidewalks and around the trash cans.

### JUNE 2025 FINANCIAL STATEMENT

Ken Marchetti reported that there is nothing out of the ordinary to report; revenue and expenses are tracking with the adopted budget. There was a question about how the value of BCMD's land assets are accounted for in the financials. Ken Marchetti explained that the Historical Accounting Method is used, which means the purchase price establishes the value and is not adjusted over time. The long-term financial plan does not contemplate selling land. If the Board considered selling a parcel an appraisal would need to be done at the time and would be based on a parcel's development potential. Following review, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the June 2025 financial statement as presented.

### PAYMENT OF JULY 2025 INVOICES

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

**RESOLVED** to approve the July 2025 invoices for payment.

### 2024 AUDITED FINANCIAL STATEMENTS

The Audit Committee reviewed the Audited Financial Statements, met with the auditor, and unanimously recommends acceptance of the 2024 Audited Financial Statements as presented. The report includes a clean audit opinion. It was noted that the existing Reserve Policy is dated and needs to be updated, including a possible professional reserve study for assessing replacement reserves of District assets. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to accept the 2024 Audited Financial Statements as presented.

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

- It was reiterated that the work at the Edwards Regional Wastewater Treatment Plant are unfunded mandates that must be complied with. Requested that prior to the November election, BCMD and SPOA provide residents with education on the topic.

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### COMMUNITY MANAGER'S REPORT

- Based on input from the Charolais Park open house, the pavilion and playground have been re-stained, Old Growth Tree Service spent two days cleaning up overgrown vegetation and removed dead or dying trees, we are working to get the exposed irrigation pipe covered and replace wooden benches with new metal benches. Trevor and Nina met with the Sonnenalp Golf Course Superintendent to talk about the irrigation and pond at the park.
- The open house showed strong community support for trail expansion in and around Singletree. A survey will go out to all residents to determine the depth of the support for proposed trail expansion. The plan is broad and will need to be prioritized. Thanks was given to Tom McClurg for his time and efforts on this important project.
- It was noted that the pocket parks need additional maintenance and cleanup. Charlie Dawson expressed a willingness to help create a maintenance plan for each park.
- Family Fun Night on July 17, was a hit with residents.
- Edwards Metro District received a bid to repair and/or replace the broken concrete along the Edwards Access Road. The portion in the Edwards Metro District area is approximately \$65,000 plus the cost of traffic control and required CDOT inspections. The portion in the BCMD area is approximately \$16,000 plus the cost of traffic control and required CDOT inspections, assuming there is only one mobilization for the work.

### OTHER BUSINESS

Ken Marchetti noted that Edwards Metro District would like to get concrete work on the Edwards Access Road done this year and encouraged the BCMD Board to authorize the repairs on the BCMD area. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to authorize up to \$32,000 for the concrete repairs and/or replacement plus related expenses on the BCMD portion of curb and gutter along the Edwards Access Road.

### SERVICES AGREEMENT WITH SPOA

It was noted that the draft included in the packet contains all of the changes that were requested last year. Attorneys for each board have reviewed and approved the draft, and the boards have been operating under the Agreement since January 1, 2025. SPOA will consider the same agreement in their meeting. Following the discussion, by motion duly made and seconded, it was unanimously

**RESOLVED** to approve the Services Agreement with Singletree Property Owners Association as presented.

### OTHER BUSINESS

- Charlie Dawson requested an update from Eagle Valley Wildland on recommended next steps for Singletree's wildfire risk mitigation efforts.

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- Courtney Holm noted that she has taken on additional responsibilities in her professional life and no longer has the time to dedicate to the BCMD Board, consequently she submitted her letter of resignation from the Board effective immediately.

### 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 22<sup>nd</sup> day of July 2025.

Respectfully submitted,

Nina Timm