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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 June 24, 2025**

The Meeting of the Board of Directors of the Berry Creek Metropolitan District (BCMD), Eagle County, Colorado, was held June 24, 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:

- Cara Turner
- Charles Dawson
- Courtney Holm, 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
- Happy Power, SPOA Board Member
- Karen Zavis, SPOA Board Member
- Ron Rubinoff, SPOA Board Member
- George Gregory, Resident

#### **CALL TO ORDER**

Director Broersma called the Regular Meeting of the Board of Directors of the Berry Creek Metropolitan District to order June 24, 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 BCMD meeting agenda.

### PUBLIC INPUT

There was no public input.

### MAY 27, 2025, MEETING MINUTES

The Board reviewed the May 27, 2025, meeting minutes. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the May 27, 2025, meeting minutes.

### OPEN ITEM STATUS REPORT

- Continuing work on the Community Enhancement Plan, the trails and Charolais Circle Park enhancements open house will be on Thursday, June 26, at 5 PM.
- Userway is in the process of remediating the PDFs on the website. This work should be done mid-July. The website is in a holding pattern until the work is completed.
- The Board discussed the benefits and risks of mosquito mitigation in Singletree. The adjacent Edwards communities use Vector Resources and Singletree is able to piggyback on their Edwards area mosquito treatments. Many residents have noted their appreciation for the treatments and some residents have shared their concerns about the impact of spraying chemicals on the environment. There is an opportunity for an additional treatment this Thursday, June 26, in anticipation of outdoor 4<sup>th</sup> of July celebrations. After discussion there was an agreement that Singletree should participate in the June 26 treatment. There was also a commitment to study different mosquito treatment methods going forward.
- Landscape cleanup work, including removing dead trees, is done at Charolais Circle Park.
- It was noted that Old Growth Tree Service does a great job on the chipping events, and this is a benefit that Singletree residents are taking advantage of, and it reduces wildfire risk in the community.

### OPERATIONS REPORT

- The weeds that have been growing in the sidewalk cracks in the north I-70/Edwards Exit area have been treated with a horticultural vinegar solution. The sidewalk along Winslow Road under I-70 have also been treated. Also treating grass and weeds growing in the Chip Ramsey Park playground area.
- Suckers and grass have been removed around all of the dog waste cans in the community.
- Pea gravel in the south parking landscape area has been replaced.
- Bathrooms and the drinking fountain at Chip Ramsey Park are up and running for the summer season!

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## RECORD OF PROCEEDINGS

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- A broken bench that previously had a plaque (previously removed by someone else) on it has been removed from the beach at Charolais Circle Park.

Thanks was given to Todd for his efforts in keeping Singletree in top shape!

### MAY 2025 FINANCIAL STATEMENT

While not reflected in the May financials, BCMD purchased a new \$250,000 five-year Certificate of Deposit (CD) from Morgan Stanley on June 11. When the existing \$250,000 CD matures on July 30, the proceeds will replenish the cash balance held at Colo Trust. This will rebalance BCMD's investment accounts to roughly one-half in cash and the other half in longer-term CDs. Currently there are no significant variances from the budget to report. Following review, by motion duly made and seconded, it was unanimously

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

### PAYMENT OF JUNE 2025 INVOICES

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

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

### DRAFT 2024 AUDITED FINANCIAL STATEMENTS

Ken Marchetti reported the draft report must be presented to the BCMD Board by June 30. The draft audited financial statements presented today includes a clean audit opinion and is thought to be substantially complete. Prior to the July meeting, the Audit Committee will review the draft audit report, meet with the auditors, and prepare a recommendation to the Board for their review and approval at the July 22 meeting.

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

- At the Vail Mountain Snowtel site, snow melt flatlined on May 10, 2025.
- Eagle County is currently in Stage 1 Fire Danger.
- Eagle River Water & Sanitation District (ERWSD) has a clean 2024 audit report.
- EURWA is a \$145 million annual enterprise, providing clean water and sanitation services for its member metropolitan districts.
- ERWSD representatives will be talking to all member metropolitan districts about the option to increase ERWSD's property tax mill levy to pay for some infrastructure improvements. This could allow ERWSD to obtain more favorable financing for General Obligation Bonds and may be beneficial to some customers. The alternative is to increase monthly rates to cover infrastructure projects costs, as has been done in the past. 10% annual rate increases to cover growing operating costs are projected for the foreseeable future.

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- Eagle County dedicated water to ERWSD for affordable housing projects that meet certain criteria. There is still water available for projects that meet the criteria.

### OTHER BUSINESS

- The Services Agreement is nearly complete, pending SPOA legal counsel's review. Both Boards are asked to review the Agreement, in particular Sections 3, 4, and 5, to ensure the mechanics of the Agreement match the terms the Boards agreed to in July 2024. Exhibit A of the Agreement has been updated to reflect the most current job description and performance review documents.
- There was a question about fluoride in the tap water in the community and it was confirmed that ERWSD currently puts fluoride in the water. Based on the information and research they have done, they believe it is a public health benefit.
- It was noted that progress has been made in the joint meetings with CDOT, Eagle County, Edwards Metro District and BCMD. The goal is to enhance relationships between the entities and improve the maintenance of the main roadway in Edwards. The next joint meeting will be in the fall.
- The Community Manager's 2024 annual review was completed and based on performance a bonus was paid, and a pay increase was given.

### 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 24<sup>th</sup> day of June 2025.

Respectfully submitted,

Nina Timm